

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BESTWAY (USA), INC.
Petitioner,

v.

INTEX MARKETING LTD.
Patent Owner.

Case No. PGR2024-00036
U.S. Patent No. 11,959,512

**PETITIONER'S REQUEST FOR REFUND
OF POST-INSTITUTION FEES**

Petitioner Bestway (USA), Inc. (“Bestway”) respectfully requests a refund of post-institution fees in the amount of \$31,700.00.

On June 15, 2024, Bestway filed a Petition for Post Grant Review of U.S. Patent No. 11,959,512. (Paper 2.) As required by 37 CFR § 42.15(b), Bestway deposited \$53,600.00 with the U.S Patent and Trademark Office (“USPTO”) at the time of filing the Petition in order to cover required fees. Bestway’s payment consisted of \$21,900.00 in fees associated with the request for Post Grant Review, and a further \$31,700.00 in post-institution fees (\$27,500.00 post-institution fee plus \$4,200.00 for claims in excess of 20).

On August 8, 2024, Patent Owner Intex Marketing, Ltd. (“Patent Owner”) filed a Preliminary Response. (Paper 5.) Along with the Preliminary Response, Patent Owner filed a statutory disclaimer of all Challenged Claims. (Ex. 2001.) Bestway submitted a Preliminary Reply addressing the issue of whether the Board should enter adverse judgment. (Paper 6.) Patent Owner filed a Preliminary Sur-reply. (Paper 7.) On October 28, 2024, the Board entered its Decision Denying Institution of Post-Grant Review. (Paper 9.)

Accordingly, Bestway requests a refund of the post-institution fees paid to the USPTO in connection with this proceeding, totaling \$31,700.00, to be paid to deposit account DA041061 (referencing Attorney Docket No. 81610-02024).

Dated: November 11, 2024

Respectfully submitted,

/John S. Artz/

John S. Artz, Reg. No. 36,431

Dickinson Wright PLLC

350 S. Main Street, Suite 300

Ann Arbor, MI 48104

(248) 433-7262

jsartz@dickinsonwright.com

Attorney for Petitioner

CERTIFICATE OF SERVICE

The undersigned certifies that on November 11, 2024, I will cause a true and correct copy of the foregoing Petitioner's Request for Refund of Post-Institution Fees to be served via e-mail to Patent Owner's counsel of record at:

R. Trevor Carter
Trevor.Carter@faegredrinker.com

Andrew M. McCoy
Andrew.McCoy.PTAB@faegredrinker.com

Reid E. Dodge
ReidDodgePTAB@faegredrinker.com

/John S. Artz/
John S. Artz, Reg. No. 36,431