

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ADVANCED MICRO DEVICES, INC.,

Petitioner,

v.

ADVANCED CLUSTER SYSTEMS, INC.,

Patent Owner.

Case IPR2025-00862
U.S. Patent No. 10,333,768

PETITIONER'S REQUEST FOR REFUND

Petitioner's Request for Refund

Pursuant to the Patent and Trademark Office's Final Rule Setting and Adjusting Patent Fees, 78 Fed. Reg. 4211, 4233-34 (Jan. 18, 2013), Petitioner hereby requests a refund of the *Inter Partes* Review Post-Institution Fee in the amount of \$28,125.00 to be paid to Petitioner's Deposit Account.

On April 16, 2025, Petitioner ADVANCED MICRO DEVICES, INC. filed its Petition for *Inter Partes* review (IPR2025-00862) of U.S. Patent No. 10,333,768. In accordance with the fee schedule specified in 37 C.F.R. § 42.15(a), Petitioner submitted payment in the amount of \$28,450.00 with the Board at the time of filing of its Petition to cover fees which includes \$23,750.00 and \$4,700.00 for 10 claims in excess of 20 claims associated with Petitioner's *Inter Partes* Review request, and a further \$37,525.00 Post-Institution fees which includes \$28,125.00 and \$9,400.00 for 10 Post-Institution claims in excess of 20.

On October 31, 2025 (Paper 17) the Board filed its decision discretionarily denying institution of *Inter Partes* review of IPR2025-00862. Therefore, Petitioner requests a refund of \$37,525.00 for the post-institution fees paid to the USPTO in connection with the instant proceeding. *See* 78 Fed. Reg. 4211, 4233-34.

In addition to its request for its post-institution fees, Petitioner also respectfully requests that the Office refund the request fee of \$28,450.00. Petitioner respectfully notes that this proceeding was discretionarily denied so that was never referred to the Board on the merits. Petitioner also notes that in the Boardside Chat

Petitioner's Request for Refund

of April 17, 2025, the Board indicated that it was discussing how to handle fee refunds in the event of discretionary denial. Accordingly, Petitioner respectfully requests that the Board consider a full refund of the Petitioner's fees in view of that discussion, including the request fee of \$28,450.00.

If the Board grants this Request, Petitioner requests that the refund in the amount of (1) post-institution fees of \$37,525.00 and (2) a refund of \$28,450.00 request fees, for a total of \$65,975.00 be issued to the deposit account of record: Winston & Strawn LLP Deposit Account No. 50-1814.

Dated: January 23, 2026

Respectfully submitted,

/s/ Brian E. Ferguson/

Brian E. Ferguson

Reg. No. 36,801

Winston & Strawn LLP

1901 L Street, N.W.

Washington, D.C. 20036

T: 202-282-5200

beferguson@winston.com

Lead Counsel for Petitioner

Advanced Micro Devices, Inc.

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105(a), I certify that, on January 23, 2026, I caused to be served true and correct copy of the foregoing "PETITIONER'S REQUEST FOR REFUND" by electronic mail on counsel of record for Patent Owner as follows:

David Lindner - dlindner@crowell.com
Jon Gurka - jgurka@crowell.com
Reynaldo Barcelo - rey@bhiplaw.com

Dated: January 23, 2026

Respectfully submitted,

/s/ Brian E. Ferguson/

Brian E. Ferguson

Reg. No. 36,801

Winston & Strawn LLP

1901 L Street, N.W.

Washington, D.C. 20036

T: 202-282-5200

beferguson@winston.com

Lead Counsel for Petitioner
Advanced Micro Devices, Inc.