

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FORTINET, INC.,
Petitioner,

v.

NETSKOPE, INC.,
Patent Owner.

Case No. IPR2026-00026

U.S. Patent No. 8,327,426

**PETITIONER FORTINET, INC.'S REQUEST
FOR REFUND OF POST-INSTITUTION FEES**

Petitioner's Request for Refund of Post-Institution Fees
U.S. Patent No. 8,327,426

Petitioner Fortinet, Inc. hereby files its request for a refund of \$28,125 for the post-institution fee for up to twenty (20) claims (\$28,125).

On October 7, 2025, Petitioner filed a petition for inter partes review of U.S. Patent No. 8,327,426 and paid the USPTO a total of \$51,875, which included a \$23,750 payment for the *inter partes* review request fee, and \$28,125 for the post-institution fee.

The petition was granted a filing date of October 7, 2025. (Paper No. 3.) On January 27, 2026, the Board entered a Decision – Denying Institution of Inter Partes Review. (Paper No. 11.) Accordingly, the inter partes review was never instituted.

Therefore, because the petition to institute inter partes review was filed after March 19, 2013, and the proceeding did not institute, Petitioner is entitled to request a refund of the post-institution fee that was previously paid. *See, e.g.*, 78 FR 4233 (Jan. 18, 2013) *available at* <http://www.gpo.gov/fdsys/pkg/FR-2013-0118/pdf/2013-00819.pdf> (“The entire post-institution fee would be returned to the petitioner if the Office does not institute a review.”).

Petitioner hereby requests a refund of the \$28,125 post-institution fee previously paid by Petitioner. The refund may be deposited into the Gish PLLC First Republic Electronic Funds Transfer [6402] account on file with the USPTO.

Respectfully Submitted,

Dated: February 20, 2025

/s/Andrew Gish

Petitioner's Request for Refund of Post-Institution Fees
U.S. Patent No. 8,327,426

Andrew Gish (Reg. #67,562)

ATTORNEY FOR PETITIONER

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, I hereby certify that on February 20, 2026 the foregoing document was served via email on the following counsel of record:

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Dated: February 20, 2026

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ATTORNEY FOR PETITIONER