

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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FORTINET, INC.,  
Petitioner,

v.

NETSKOPE, INC.,  
Patent Owner.

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Case No. IPR2026-00041

U.S. Patent No. 8,397,282

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

Petitioner's Request for Refund of Post-Institution Fees  
U.S. Patent No. 8,397,282

Petitioner Fortinet, Inc. hereby files its request for a refund of \$42,225 for the post-institution fee for up to twenty (20) claims (\$28,125) plus five (15) additional claims in excess of twenty (20) ( $15 \times \$940 = \$14,100$ ).

On October 10, 2025, Petitioner filed a petition for inter partes review of U.S. Patent No. 8,397,282 and paid the USPTO a total of \$73,025, which included a \$30,800 payment for the *inter partes* review request fee (\$23,750 for the request fee for up to twenty claims plus  $15 \times \$470 = \$7,050$  for five additional claims), and \$42,225 for the post-institution fee (\$28,125 for the post-institution fee of up to twenty claims plus  $15 \times \$940 = \$14,100$  for five additional claims).

The petition was granted a filing date of October 10, 2025. (Paper No. 3.) On February 3, 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 \$42,225 post-institution fee previously paid by Petitioner. The refund may be deposited into the Gish PLLC

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First Republic Electronic Funds Transfer [6402] account on file with the USPTO.

Respectfully Submitted,

Dated: February 20, 2025

*/s/Andrew Gish*

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

/s/ Andrew D. Gish  
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ATTORNEY FOR PETITIONER