

Filed: December 3, 2021

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.

Petitioner,

v.

MASIMO CORPORATION,

Patent Owner.

Case IPR2020-01521
U.S. Patent 10,292,628

PATENT OWNER REQUEST FOR ORAL ARGUMENT

IPR2020-01521

Apple Inc. v. Masimo Corporation

Pursuant to 37 C.F.R. § 42.70(a) and the Scheduling Order (Paper 8), Patent Owner Masimo Corporation (“Patent Owner”) respectfully requests that the Board hear oral argument on the instituted grounds in IPR2020-01521 involving U.S. Patent 10,292,628 (the ’628 patent).

The Board scheduled oral argument for January 19, 2022. In addition to the oral argument for the above-referenced IPR proceeding, the Board scheduled oral arguments for January 19, 2022 in (i) IPR2020-01714 involving U.S. Patent No. 10,631,765 and (ii) IPR2020-01715 involving U.S. Patent No. 10,631,765. U.S. Patent No. 10,631,765 is related to the ’628 patent.

Given the extensive overlap in these three IPR proceedings, including Petitioner’s asserted art and the parties’ arguments, Patent Owner requests that the Board hold a consolidated oral argument. Patent Owner respectfully requests that each party be allotted forty five (45) minutes for this consolidated oral argument in view of the extensive overlap with the consolidated oral argument scheduled for December 7, 2021 involving related patents in (i) IPR2020-01520 involving U.S. Patent No. 10,258,265, (ii) IPR2020-01536 involving U.S. Patent No. 10,588,553, (iii) IPR2020-01537 involving U.S. Patent No. 10,588,553, (iv) IPR2020-01538 involving U.S. Patent No. 10,588,554, and (v) IPR2020-01539 involving U.S. Patent No. 10,588,554. Patent Owner anticipates that five (5) individuals will attend the oral argument on its behalf.

IPR2020-01521
Apple Inc. v. Masimo Corporation

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: December 3, 2021

/Jacob L. Peterson/

Jacob L. Peterson (Reg. No. 65,096)

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Attorney for Patent Owner
Masimo Corporation

IPR2020-01521

Apple Inc. v. Masimo Corporation

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to 37 C.F.R. § 42.6(e) and with the agreement of counsel for Petitioner, a true and correct copy of **PATENT OWNER REQUEST FOR ORAL ARGUMENT** is being served electronically on December 3, 2021, to the e-mail addresses shown below:

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