

Filed December 3, 2021

On behalf of:

Patent Owner Masimo Corporation
By: Joseph R. Re (Reg. No. 31,291)
Stephen W. Larson (Reg. No. 69,133)
Jarom D. Kesler (Reg. No. 57,046)
Jacob L. Peterson (Reg. No. 65,096)
KNOBBE, MARTENS, OLSON & BEAR, LLP
2040 Main Street, 14th Floor
Irvine, CA 92614
Tel.: (949) 760-0404 Fax: (949) 760-9502
E-mail: AppleIPR2020-1714-765@knobbe.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.

Petitioner,

v.

MASIMO CORPORATION,

Patent Owner.

IPR2020-01714
U.S. Patent 10,631,765

MASIMO REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. §42.70(a) and the Scheduling Order (Paper 9), Patent Owner Masimo Corporation (“Patent Owner”) respectfully requests that the Board hear oral argument on the instituted grounds in IPR2020-01714 involving U.S. Patent 10,631,765 (the ’765 patent).

The Board scheduled oral argument for January 19, 2022. In addition to the oral argument for this proceeding, the Board scheduled oral arguments for January 19, 2022 in (i) IPR2020-01715, which also involves the ’765 patent and (ii) IPR2020-01521 involving U.S. Patent No. 10,292,628. The ’765 patent is related to U.S. Patent No. 10,292,628.

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.

IPR2020-01714 – Patent 10,631,765
Apple v. Masimo

Respectfully submitted,
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: December 3, 2021

By: /Jacob L. Peterson/
Joseph R. Re (Reg. No. 31,291)
Stephen W. Larson (Reg. No. 69,133)
Jarom D. Kesler (Reg. No. 57,046)
Jacob L. Peterson (Reg. No. 65,096)

Attorneys for Patent Owner
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 **MASIMO REQUEST FOR ORAL ARGUMENT** is being served electronically on December 3, 2021, to the e-mail addresses shown below:

W. Karl Renner
Andrew B. Patrick
patrick@fr.com
Usman A. Khan
khan@fr.com
Grace J. Kim
gkim@fr.com
Fish & Richardson P.C.
3200 RBC Plaza
60 South Sixth Street
Minneapolis, MN 55402
IPR50095-0024IP2@fr.com
PTABInbound@fr.com

Dated: December 3, 2021

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Joseph R. Re (Reg. No. 31,291)
Stephen W. Larson (Reg. No. 69,133)
Jarom D. Kesler (Reg. No. 57,046)
Jacob L. Peterson (Reg. No. 65,096)
Attorneys for Patent Owner
Masimo Corporation

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