

Filed October 20, 2020

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, Fourteenth Floor  
Irvine, CA 92614  
Tel.: (949) 760-0404  
Fax: (949) 760-9502  
E-mail: AppleIPR2020-1737-366@knobbe.com

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

APPLE, INC.

Petitioner,

v.

MASIMO CORPORATION,

Patent Owner.

---

IPR2020-01737  
U.S. Patent 10,709,366

---

**PATENT OWNER MASIMO MANDATORY NOTICES  
PURSUANT TO 37 C.F.R. § 42.8**

Pursuant to 37 C.F.R. § 42.8, Patent Owner Masimo Corporation hereby submits the following mandatory notice information.

**I. Real Party in Interest Pursuant to 37 C.F.R. § 42.8(b)(1)**

The real party in interest is Masimo Corporation.

**II. Related Matters Pursuant to 37 C.F.R. § 42.8(b)(2)**

The matters listed below might affect, or be affected by, a decision in this proceeding pursuant to 37 C.F.R. § 42.8(b)(2).

**A. Litigation Involving the Patent-at-Issue**

U.S. Patent No. 10,709,366 (“the ’366 Patent”) has been asserted in the following lawsuit: *Masimo Corp. et al. v. Apple Inc.*, Civil Action No. 8:20-cv-00048-JVS-JDE, pending in the Central District of California.

**B. Patents and Patent Applications Claiming Priority to the Patent-at-Issue**

At least the following patents and applications claim priority to, or share a priority claim with, the ’366 Patent:

Country Code (or Jurisdiction)	Patent No.	Application No.
US	Abandoned	12/534827
US	9,277,880	12/829352
US	10,624,563	16/534956
US	10,617,338	16/541987
US	10,588,553	16/534949
US	10,588,554	16/544713
US	10,610,138	16/544755
US	10,582,886	16/594980
US	10,631,765	16/725478

Country Code (or Jurisdiction)	Patent No.	Application No.
US	10,624,564	16/725292
US	10,758,166	16/829578
US	10,335,068	14/981290
US	10,702,194	16/829536
US	10,702,195	16/834467
US	Pending	16/834538
US	10,743,803	16/834533
US	10,258,265	16/212440
US	10,258,266	16/212537
US	10,299,708	16/261366
US	10,292,628	16/261326
US	10,376,190	16/409304
US	10,376,191	16/409515
US	Pending	16/449143
US	8,630,691	12/534812
US	8,909,310	14/153895
US	8,203,704	12/534823
US	8,570,503	13/525166
US	Abandoned	14/064055
US	8,515,509	12/534825
US	8,577,431	12/497528
US	9,717,425	14/069974
US	Abandoned	15/660743
US	Pending	16/805605
US	8,437,825	12/497523
US	9,591,975	13/888266
US	D621516	29/323409
US	D606659	29/323408
US	Abandoned	12/497506

**C. Related Proceedings Before the Board**

Patent Owner also identifies the following additional *inter partes* review proceedings related to patents asserted by Patent Owner in the above-referenced District Court litigation:

<b>Petitioner</b>	<b>Case Number</b>	<b>Patent Number</b>
Apple, Inc.	IPR2020-01520	10,258,265
Apple, Inc.	IPR2020-01521	10,292,628
Apple, Inc.	IPR2020-01523	8,457,703
Apple, Inc.	IPR2020-01524	10,433,776
Apple, Inc.	IPR2020-01526	6,771,994
Apple, Inc.	IPR2020-01536	10,588,553
Apple, Inc.	IPR2020-01537	10,588,553
Apple, Inc.	IPR2020-01538	10,588,554
Apple, Inc.	IPR2020-01539	10,588,554
Apple, Inc.	IPR2020-01713	10,624,564
Apple, Inc.	IPR2020-01714	10,631,765
Apple, Inc.	IPR2020-01715	10,631,765
Apple, Inc.	IPR2020-01716	10,702,194
Apple, Inc.	IPR2020-01722	10,470,695
Apple, Inc.	IPR2020-01723	10,470,695

Petitioner	Case Number	Patent Number
Apple, Inc.	IPR2020-01733	10,702,195

### III. Lead and Back-Up Counsel Pursuant to 37 C.F.R. § 42.8(b)(3)

Patent Owner hereby designates its lead and backup counsel as follows:

Lead Counsel	Back-up Counsel
Joseph R. Re (Reg. No. 31,291) Knobbe, Martens, Olson, & Bear, LLP 2jrr@knobbe.com <u>Postal and Hand-Delivery Address:</u> 2040 Main St., 14th Floor Irvine, CA 92614 Telephone: (949) 760-0404 Facsimile: (949) 760-9502	Stephen W. Larson (Reg. No. 69,133) Knobbe, Martens, Olson, & Bear, LLP 2swl@knobbe.com <u>Postal and Hand-Delivery Address:</u> 2040 Main St., 14th Floor Irvine, CA 92614 Telephone: (949) 760-0404 Facsimile: (949) 760-9502
Back-up Counsel	Back-up Counsel
Jarom D. Kesler (Reg. No. 57,046) Knobbe, Martens, Olson, & Bear, LLP 2jzk@knobbe.com <u>Postal and Hand-Delivery Address:</u> 2040 Main St., 14th Floor Irvine, CA 92614 Telephone: (949) 760-0404 Facsimile: (949) 760-9502	Jacob L. Peterson (Reg. No. 65,096) Knobbe, Martens, Olson, & Bear, LLP 2jup@knobbe.com <u>Postal and Hand-Delivery Address:</u> 2040 Main St., 14th Floor Irvine, CA 92614 Telephone: (949) 760-0404 Facsimile: (949) 760-9502

### IV. Service Information Pursuant to 37 C.F.R. § 42.8(b)(4)

Please address all correspondence to counsel at the addresses shown above.

Patent Owner also consents to electronic service by email to: AppleIPR2020-1737-366@knobbe.com.

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.