

Filed: November 6, 2023

Filed on behalf of:

Patent Owner Masimo Corporation
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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 IPR2022-01291
U.S. Patent 10,687,745

**PATENT OWNER'S MOTION TO SEAL
PATENT OWNER'S OPPOSITION TO PETITIONER'S
MOTION TO EXCLUDE**

Patent Owner Masimo Corporation (“Masimo” or “Patent Owner”) submits this Motion to Seal pursuant to the Protective Order (EX1035). Petitioner Apple’s Motion to Exclude seeks to exclude, among other things, EX2076-2086, and EX2089-2090, which were filed under seal in this IPR as containing Apple’s confidential information. The Board previously granted Masimo’s motion to file EX2076-2086, and EX2089-2090 under seal. *See* Paper 41. Masimo’s Opposition to Petitioner’s Motion to Exclude discusses information from those exhibits which remain confidential in this IPR. The Board has previously granted motions to seal the parties’ briefs in this IPR that quote from those confidential documents. *See* Paper 41. Accordingly, for the same reasons, Patent Owner’s Opposition to Petitioner’s Motion to Exclude should also be filed under seal as containing confidential information. Masimo is concurrently filing a nonconfidential version of the Opposition to Petitioner’s Motion to Exclude with confidential information redacted. Confidential information in the confidential version of the Opposition has been highlighted yellow for the Board’s convenience.

Masimo has conferred with Apple via email. Apple does *not oppose* Masimo’s filing of its Opposition to Apple’s Motion to Exclude under seal.

For the foregoing reasons, Masimo requests the Board seal Masimo’s Opposition to Apple’s Motion to Exclude.

IPR2022-01291

Apple Inc. v. Masimo Corporation

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: November 6, 2023

/Daniel C. Kiang/

Daniel C. Kiang (Reg. No. 79,631)

Customer No. 64,735

Attorney for Patent Owner

Masimo Corporation

IPR2022-01291

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'S MOTION TO SEAL PATENT OWNER'S OPPOSITION TO PETITIONER'S MOTION TO EXCLUDE** is being served electronically on November 6, 2023, to the e-mail addresses shown below:

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Dated: November 6, 2023

/Daniel C. Kiang/

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Attorney for Patent Owner
Masimo Corporation