

From: [Trials](#)
To: [Ted Cannon](#); [Trials](#); axf-ptab@fr.com; 2ial; dsmith@fr.com
Cc: IPR50095-0046IP2@fr.com; [AppleIPR127-2](#); nstephens@fr.com; patrick@fr.com; [2tmc](#); [2Jzk](#); [2Jup](#)
Subject: RE: IPR2022-01300 - Apple v. Masimo
Date: Monday, November 14, 2022 4:28:06 PM

Counsel:

Patent Owner is authorized to file a corrected confidential POPR identical to the PDF it prepared for filing on November 4, except the following: (1) the caption page will be updated to indicate the document being filed is a corrected POPR containing confidential information and (2) the certificate of service will be updated to reflect the previous time of service of the redacted POPR.

Regards,

Esther Goldschlager
Supervisory Paralegal Specialist
Patent Trial and Appeal Board

From: Ted Cannon <Ted.Cannon@knobbe.com>
Sent: Monday, November 14, 2022 4:05 PM
To: Trials <Trials@USPTO.GOV>; axf-ptab@fr.com; 2ial <2ial@knobbe.com>; dsmith@fr.com
Cc: IPR50095-0046IP2@fr.com; AppleIPR127-2 <AppleIPR127-2@knobbe.com>; nstephens@fr.com; patrick@fr.com; 2tmc <2TMC@knobbe.com>; 2Jzk <2Jzk@knobbe.com>; 2Jup <2Jup@knobbe.com>
Subject: RE: IPR2022-01300 - Apple v. Masimo

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Dear Board,

Pursuant to the Board's request below, the parties have met and conferred and Apple does not oppose Masimo's request for authorization to file a corrected confidential version of its Patent Owner Preliminary Response. The parties agreed, subject to the Board's authorization, that the filed corrected confidential POPR will be identical to the PDF Masimo prepared for filing on November 4, except the following: (1) the caption page will be updated to indicate the document being filed is a corrected POPR containing confidential information and (2) the certificate of service will be updated to reflect the previous time of service of the redacted POPR. Please let us know whether we are authorized to file the corrected confidential POPR.

Respectfully,

Ted Cannon
Counsel for Patent Owner

Ted M. Cannon

Partner

Ted.Cannon@knobbe.com

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From: Trials <Trials@USPTO.GOV>

Sent: Tuesday, November 8, 2022 1:57 PM

To: Ted Cannon <Ted.Cannon@knobbe.com>; axf-ptab@fr.com; 2ial <2ial@knobbe.com>; dsmith@fr.com

Cc: IPR50095-0046IP2@fr.com; AppleIPR127-2 <AppleIPR127-2@knobbe.com>; nstephens@fr.com; patrick@fr.com; 2tmc <2TMC@knobbe.com>; 2Jzk <2Jzk@knobbe.com>; 2Jup <2Jup@knobbe.com>; Trials <Trials@USPTO.GOV>

Subject: RE: IPR2022-01300 - Apple v. Masimo

Counsel:

Patent Owner has requested authorization to file a corrected confidential version of its Patent Owner Preliminary Response because Paper 9, the current paper of that title, is a duplicate copy of Paper 10, Patent Owner's Response to Petitioner's Ranking of Petitions. The parties should meet and confer as to whether Petitioner opposes the request and report to the Board no later than COB on Monday, November 14. If opposed, the parties should provide their availability for a conference call with the Panel.

Regards,

Esther Goldschlager

Supervisory Paralegal Specialist

Patent Trial and Appeal Board

From: Ted Cannon <Ted.Cannon@knobbe.com>

Sent: Tuesday, November 8, 2022 2:26 PM

To: Trials <Trials@USPTO.GOV>

Cc: IPR50095-0046IP2@fr.com; AppleIPR127-2 <AppleIPR127-2@knobbe.com>

Subject: IPR2022-01300 - Apple v. Masimo

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Dear Board,

Thank you for working with Patent Owner's paralegal to change the filing designation of Exhibits 2020, 2021, 2027, 2028, 2031, 2032, and 2033 to "Available to Filing Party and Board Only," pending the Board's review of Patent Owner's motion to seal.

Eric Hawthorne, the person who dealt with our paralegal, also indicated that Paper 9 as filed on November 4 is not, as we intended, the confidential version of the Patent Owner Preliminary Response, but is, instead, a copy of Paper 10, Patent Owner Response to Petitioner Ranking of Petitions. We filed a redacted version of the POPR as Paper 11 on November 4. Mr. Hawthorne asked that we send this email, and copy opposing counsel, to request authorization to file a corrected confidential version of the POPR. Thus, we do hereby request authorization to file a corrected confidential POPR. If a conference call or other procedure is necessary, please let us know, and we will proceed accordingly.

Respectfully,

Ted Cannon
Counsel for Patent Owner

Ted M. Cannon

Partner

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