

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

MASIMO CORPORATION,
Patent Owner

Case IPR2022-01465
U.S. Patent 10,687,745

NOTICE OF ENTRY OF PROTECTIVE ORDER

LIST OF EXHIBITS

APPLE-1001	U.S. Pat. No. 10,687,745 to Al-Ali (“the ’745 patent”)
APPLE-1002	Prosecution History of the ’745 patent (Serial No. 16/835,772)
APPLE-1003	Declaration of Dr. Brian Anthony
APPLE-1004	U.S. Pat. No. 8,670,819 (“Iwamiya”)
APPLE-1005	U.S. Pat. No. 9,392,946 (“Sarantos”)
APPLE-1006	U.S. Pub. No. 2014/0275854 (“Venkataraman”)
APPLE-1007	U.S. Pat. No. 6,483,976 (“Shie”)
APPLE-1008	U.S. Pat. No. 6,801,799 (“Mendelson-799”)
APPLE-1009	U.S. Pub. No. 2015/0018647 (“Mandel”)
APPLE-1010	U.S. Pub. No. 2009/0275810 (“Ayers”)
APPLE-1011	PCT. Pub. No. 2011/051888 (“Ackermans”)
APPLE-1012	U.S. Pat. No. 6,158,245 (“Savant”)
APPLE-1013	Design of Pulse Oximeters, J.G. Webster; Institution of Physics Publishing, 1997 (“Webster”)
APPLE-1014	U.S. Pub. No. 2009/0054112 (“Cybart”)
APPLE-1015	U.S. Pat. No. 5,893,364 (“Haar”)
APPLE-1016	U.S. Pat. No. 5,952,084 (“Anderson”)

- APPLE-1017 U.S. Pat. No. 10,470,695 (the “695 patent”)
- APPLE-1018 *Apple v. Masimo*, Case No. IPR2020-01722, Paper 29 (Final Written Decision) (PTAB May 5, 2022) (the “695 FWD”)
- APPLE-1019 U.S. Pub. No. 2009/0097129 (“Naito”)
- APPLE-1020 U.S. Pub. No. 2006/0128869 (“Taima”)
- APPLE-1021 *Polymers and Plastic Resins Information*, Engineering360, printed from https://www.globalspec.com/learnmore/materials_chemicals_adhesives/plastics_elastomers_polymers/plastics_polymers on August 15, 2022
- APPLE-1022 *Methods and Approaches of Futures Studies*, printed from <http://crab.rutgers.edu/~goertzel/futuristmethods.html> on August 15, 2022
- APPLE-1023 – APPLE-1030 RESERVED
- APPLE-1031 *Masimo Corporation, et al. v. Apple Inc.*, Redacted Complaint, ITC Inv. No. 337-TA-1276
- APPLE-1032 *Interim Procedure for Discretionary Denials in AIA Post-Grant Proceedings with Parallel District Court Litigation*, issued June 21, 2022 (“Interim Guidance”)
- APPLE-1033 Final Initial Determination on Violation of Section 337, Public Version, ITC Inv. No. 337-TA-1276, January 10, 2023
- APPLE-1034 Emails re Masimo’s Request for Authorization to Motion for Additional Discovery
- APPLE-1035 Protective Order

In connection with the production of documents containing confidential information that the Board ordered in the March 17, 2023 Decision Granting-in-Part Patent Owner's Motion for Additional Discovery (Paper 23), the parties jointly sought authorization for entry of a protective order with terms identical to those present in IPR2022-01299 Ex. 2094. As authorized by the Board's email dated March 24, 2023, the protective order is filed and entered herewith as Exhibit 1035.

Respectfully submitted,

Dated: March 24, 2023

/Andrew B. Patrick/
W. Karl Renner, Reg. No. 41,265
Nicholas Stephens, Reg. No. 74,320
Andrew B. Patrick, Reg. No. 63,471
Daniel D. Smith, Reg. No. 71,278
Fish & Richardson P.C.
60 South Sixth Street, Suite 3200
Minneapolis, MN 55402
Tel: 202-783-5070
Fax: 877-769-7945

Attorneys for Petitioner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), the undersigned certifies that on March 24, 2023, a complete and entire copy of this Notice of Entry of Protective Order and its supporting exhibit were provided by email, to the Patent Owner by serving the email correspondence addresses of record as follows:

Brian C. Claassen
Carol Pitzel Cruz
Jarom D. Kesler
Jacob L. Peterson
Daniel C. Kiang
Jeremiah S. Helm
Knobbe, Martens, Olson, & Bear, LLP
2040 Main St., 14th Floor
Irvine, CA 92614

Email: AppleIPR745-3@knobbe.com

/Crena Pacheco/

Crena Pacheco

Fish & Richardson P.C.

60 South Sixth Street, Suite 3200

Minneapolis, MN 55402

pacheco@fr.com