

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

Petitioner,

v.

MASIMO CORPORATION,

Patent Owner

Case IPR2022-01466
U.S. Patent 10,687,745

PETITIONER'S UPDATED MANDATORY NOTICES

**PETITIONER'S UPDATED MANDATORY NOTICES
UNDER 37 C.F.R. § 42.8**

Pursuant to 37 C.F.R. § 42.8, Apple Inc. ("Petitioner"), hereby provides the following updated mandatory notices regarding related matters.

On December 12, 2022, Masimo asserted ten patents against Apple in the U.S. District Court for the District of Delaware (Case No. 1:22-cv-01378-MN), including the '127 Patent that is the subject of IPR2022-01299 and -01300, the '501 Patent that is the subject of IPR2022-01271 and -01272, the '502 Patent that is the subject of IPR2022-01273 and -01274, the '648 Patent that is the subject of IPR2022-01275 and -01276, and the '745 Patent that is the subject of IPR2022-01291, -01292, -01465, and -01466.

Masimo previously asserted each of the '127, '501, '502, '648, and '745 Patents against Apple at the ITC, in *Masimo Corporation, et al. v. Apple Inc.*, ITC Inv. No. 337-TA-1276. Based on an order issued December 9, 2022, Petitioner anticipates that the ITC will issue an initial determination in that investigation on January 10, 2023.

Petitioner is not aware of any disclaimers, reexamination certificates, or other judicial or administrative matters that would affect, or be affected by, a decision in this proceeding.

Case No. IPR2022-01466
Attorney Docket No: 50095-0045IP4

Respectfully submitted,

Date: December 21, 2022

/Andrew B. Patrick/
Andrew B. Patrick, Reg. No. 63,471
Fish & Richardson P.C.
60 South Sixth Street, Suite 3200
Minneapolis, MN 55402
T: 202-783-5070
F: 877-769-7945

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), the undersigned certifies that on December 21, 2022, a complete and entire copy of this Petitioner's Updated Mandatory Notice were provided via email, to the Patent Owner by serving the email correspondence addresses of record as follows:

Brian C. Claassen (Reg. No. 63,051)
Carol Pitzel Cruz (Reg. No. 61,224)
Jarom D. Kesler (Reg. No. 57,046)
Jacob L. Peterson (Reg. No. 65,096)
Daniel Kiang (Reg. No. 79,631)
Jeremiah S. Helm, Ph.D., *Pro Hac Vice*

KNOBBE, MARTENS, OLSON & BEAR, LLP
2040 Main Street, Fourteenth Floor
Irvine, CA 92614
Tel.: (949) 760-0404
Fax: (949) 760-9502

E-mail: AppleIPR745-4@knobbe.com

/Crena Pacheco/
Crena Pacheco
Fish & Richardson P.C.
60 South Sixth Street, Suite 3200
Minneapolis, MN 55402
(617) 956-5938