

On behalf of **Masimo Corporation**

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MASIMO CORPORATION
Petitioner,

v.

APPLE INC.
Patent Owner.

Case No. IPR2023-00635
U.S. Patent No. 10,987,054

**PETITIONER'S REQUEST FOR REFUND OF
POST-INSTITUTION FEE**

Pursuant to the Final Rule Setting and Adjusting Patent Fees (78 Fed. Reg. 4232–4234), Masimo Corporation (“Petitioner”) respectfully requests a refund of the mandatory *inter partes* post institution fee payment in the amount of \$22,500.00 to be paid to deposit account number 11-1410 (Customer No. 64,735).

On February 27, 2023, Petitioner filed a petition for *inter partes* review of U.S. Patent No. 10,987,054 which was assigned case number IPR2023-00635. Among the fees paid concurrently with filing the petition were \$22,500.00 in post-institution fees.

On September 18, 2023, the Board entered a decision denying institution of *inter partes* review (Paper 11). Accordingly, Petitioner requests a refund in the amount of \$22,500.00 for the post-institution fees paid in connection with this proceeding.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 10, 2024

By: /Ted M. Cannon/
Ted M. Cannon (Reg. No. 55,036)
Customer No. 64,735
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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 **PETITIONER’S REQUEST FOR REFUND OF POST-INSTITUTION FEE** is being served electronically on April 10, 2024, to the e-mail addresses shown below:

W. Karl Renner Fish & Richardson P.C. 60 South Sixth Street, Suite 3200 Minneapolis, MN 55402 Tel: 202-783-5070 Fax: 877-769-7945 Email: IPR50095-0145IP1@fr.com	Roberto J. Devoto Craig A. Deutsch Grace Kim Andrew Patrick Fish & Richardson P.C. 60 South Sixth Street, Suite 3200 Minneapolis, MN 55402 Tel: 202-783-5070 Fax: 877-769-7945 Email: IPR50095-0145IP1@fr.com
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KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 10, 2024

By: /Ted M. Cannon/
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