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Filed 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. IPR2023-00734
Patent No. 10,942,491

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70(a), and the Scheduling Order (Paper 12), Petitioner Masimo Corporation (“Masimo”) respectfully requests that the Board hear oral argument on all issues raised in any paper in this IPR, including but not limited to the following issues:

1. The patentability of the challenged claims of U.S. Patent No. 10,942,491.
2. Any issue raised in any motion, including any motion to exclude, that has been filed but not decided as of the date of the oral argument.
3. Any subsidiary issue, including claim construction, relevant to any of the above issues.

Oral argument is scheduled for July 9, 2024. Upon consideration of Apple’s request for oral argument in IPR2023-00634, Masimo agrees with Apple’s request for a consolidated hearing for IPR2023-00634 and IPR2023-00734, with 75 minutes of argument time per party. Masimo requests a virtual hearing.

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: May 24, 2024

/ Philip M. Nelson /

Philip M. Nelson (Reg. No. 62,676)

Customer No. 64,735

Attorney for Petitioner

Masimo Corporation

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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 Patent Owner, a true and correct copy of **PETITIONER'S REQUEST FOR ORAL ARGUMENT** is being served electronically on May 24, 2024, to the e-mail addresses shown below:

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Dated: May 24, 2024

/ Philip M. Nelson /
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