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. IPR2023-00774
U.S. Patent No. D883,279

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 March 24, 2023, Petitioner filed a petition for *inter partes* review of U.S. Patent No. D883,279 which was assigned case number IPR2023-00774. Among the fees paid concurrently with filing the petition were $22,500.00 in post-institution fees.

On September 27, 2023, the Board entered a decision denying institution of *inter partes* review (Paper 9). 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 8, 2024

/Douglas B. Wentzel/
Douglas B. Wentzel (Reg. No. 74,897)

Attorney for Petitioner Masimo Corporation

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), I hereby certify that a true and correct copy of the foregoing **PETITIONER'S REQUEST FOR REFUND OF POST-INSTITUTION FEE** is being served electronically on April 8, 2024, to the e-mail addresses shown below:

W. Karl Renner, Reg. No. 41,265 Fish & Richardson P.C. 60 South Sixth Street, Suite 3200 Minneapolis, MN 55402 Tel: 202-783-5070 Fax: 877-769-7945 Email: IPR50095-0151IP1@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 IPR50095-0151IP1@fr.com

Dated: April 8, 2024

/Douglas B. Wentzel/
Douglas B. Wentzel (Reg. No. 74,897)
Customer No. 64,735

Attorney for Petitioner Masimo Corporation