Filed: September 9, 2025

Filed on behalf of:
Patent Owner Masimo Corporation
By: Brian C. Claassen (Reg. No. 63,051)
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

Petitioner,

v.

MASIMO CORPORATION,

Patent Owner.

Case IPR2024-00243
U.S. Patent 10,722,159

PATENT OWNER'S NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

Pursuant to 28 U.S.C. § 1295(a)(4)(A); 35 U.S.C. §§ 141(c), 142, and 319; 37 C.F.R. §§ 90.2(a) and 90.3; and Rule 4(a) of the Federal Rules of Appellate Procedure, notice is hereby given that the Patent Owner Masimo Corporation ("Patent Owner") hereby appeals to the United States Court of Appeals for the Federal Circuit from the Patent Trial and Appeal Board's ("Board") Final Written Decision entered on July 8, 2025 (Paper 52), and from all underlying orders, decisions, rulings, and opinions that are adverse to the Patent Owner.

For the limited purpose of providing the information requested in 37 C.F.R. § 90.2 (a)(3)(ii), Patent Owner identifies that the issues on appeal include, but are not limited to: (1) the Board's judgment that Claims 1-11, 13-23 and 25 of U.S. Patent No. 10,722,159 are unpatentable; (2) the Board's claim constructions (3) failure to construe any terms; and (4) any Board finding, determination, judgment or order supporting or related to the Final Written Decision and decided adversely to Patent Owner.

Simultaneous with this submission, Patent Owner is electronically filing a copy of this Notice of Appeal with the Patent Trial and Appeal Board. In addition, a copy of this Notice of Appeal with Attachment A (July 8, 2025 Final Written Decision), along with the required fees, are being electronically filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 9, 2025

/*Daniel C. Kiang*/

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Attorneys for Patent Owner,
Masimo Corporation

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to 37 C.F.R. § 42.6(e) and with the agreement of counsel for Apple, a true and correct copy of **PATENT OWNER'S NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT** is being served electronically on September 9, 2025, to the e-mail addresses shown below:

W. Karl Renner, Reg. No. 41,265 Fish & Richardson P.C. 60 South Sixth Street Minneapolis, MN 55402 Tel: 202-783-5070 Fax: 877-769-7945 Email: IPR50095-0135IP2@fr.com	Andrew B. Patrick, Reg. No. 63,471 Grace Kim, Reg. No. 71,977 Sangki Park, Reg. No. 77,261 Patrick J. Bisenius, Reg. No. 63,893 Nicholas Stephens, Reg. No. 74,320 Fish & Richardson P.C. 60 South Sixth Street, Suite 3200 Minneapolis, MN 55402 Tel: 202-783-5070 Fax: 877-769-7945 Email: IPR50095-0135IP2@fr.com

Dated: September 9, 2025

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