

From: [Trials](#)
To: [Daniel Kiang](#); [Trials](#)
Cc: [AppleIPR159-1](#); [AppleIPR159-2](#); [AppleIPR743-1](#); [IPR50095-0134IP1](#); [IPR50095-0134IP2](#); [IPR50095-0133IP1](#)
Subject: RE: IPR2024-00241, -243, -244 | Confidential oral hearing
Date: Monday, April 7, 2025 2:42:10 PM

Counsel,

Thank you for alerting the Board that the hearing will involve discussion of confidential information. As stated in the trial practice guide, “[t]he Board has a strong interest in the public availability of trial proceedings.” CTPG 91. In order to balance this interest in public availability and the parties’ interest in protecting confidential information, the hearing will proceed in two phases. The first phase will be open to the public, and each party will present its argument as to publicly available information. Petitioner will proceed first to present its case with regard to the challenged claims and grounds set forth in the Petition. Patent Owner then may present its own case, and respond to Petitioner’s argument. Both parties will be afforded an opportunity for rebuttal.

The second phase of the hearing will follow the same pattern but will be closed to the public. Argument in the second phase will be limited to arguments involving confidential information. The hearing room will be cleared, and any public lines will be terminated prior to the beginning of the second phase. The parties will be free to devote as much or as little of their 90 minutes of total argument time to this second phase as they choose.

If either party believes that this argument format adversely affects their ability to present their case, please notify the Board immediately.

Regards,

Andrew Kellogg,
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From: Daniel Kiang <Daniel.Kiang@knobbe.com>
Sent: Tuesday, April 1, 2025 12:45 PM
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Subject: IPR2024-00241, -243, -244 | Confidential oral hearing

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Dear Board,

Patent Owner Masimo Corporation and Petitioner Apple Inc. jointly write to discuss the April 16, 2025 oral hearing in IPR2024-00241, -243, and -244. The Board's Orders Setting Oral Argument indicated that "If there are any concerns about disclosing confidential information, the parties must contact the Board ... at least ten (10) business days before the hearing date." There is a protective order in place in these proceedings and the parties' briefing and exhibits extensively discuss information designated as Apple's confidential information. The parties anticipate discussing confidential information during the oral hearing, and thus request that the oral hearing occur in a closed session. If it would be helpful to the Board, the parties can provide their availability for a teleconference to discuss the logistics of the hearing.

Counsel for both parties are copied on this email.

Best regards,
Daniel

Daniel Kiang

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