

Filed: February 6, 2025

Filed on behalf of:

Patent Owner Masimo Corporation
By: Brian C. Claassen (Reg. No. 63,051)
Daniel Hughes (Reg. No. 76,592)
Irfan A. Lateef (Reg. No. 51,922)
Jarom D. Kesler (Reg. No. 57,046)
Daniel C. Kiang (Reg. No. 79,631)

KNOBBE, MARTENS, OLSON & BEAR, LLP
2040 Main Street, Fourteenth Floor
Irvine, CA 92614
Tel.: (949) 760-0404
Fax: (949) 760-9502
E-mail: AppleIPR223@knobbe.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

MASIMO CORPORATION,
Patent Owner.

Case IPR2024-00290
U.S. Patent 8,190,223

**PATENT OWNER MASIMO CORPORATION'S
REQUEST FOR ORAL ARGUMENT**

Pursuant to 37 C.F.R. § 42.70(a), and the Scheduling Order (Paper 10), Patent Owner Masimo Corporation respectfully requests that the Board hear oral argument on the instituted grounds in IPR2024-00290 regarding U.S. Patent No. 8,190,223. The Board has currently scheduled oral argument for March 20, 2025, but the parties have jointly requested moving oral argument to any of March 27, March 28, April 10, or April 11, 2025.

Patent Owner requests that the Board allot each party forty-five (45) minutes for oral argument. Patent Owner requests that the oral argument be held virtually by videoconference. Patent Owner requests to address the following issues with respect to IPR2024-00290 (without waiving consideration of any issue not listed below, and in particular, without waiving any issues to be raised in Patent Owner's Sur-Reply which is not yet due):

- The proper construction of the challenged claims;
- Whether Claims 1-4, 6, 11-18, and 20-22 of the '223 Patent would have been obvious over Naghavi, Hochstedler, and Burnes;
- Whether Claims 19, 27-28, 32, 34, 36-37, and 42-43 would have been obvious over Naghavi, Hochstedler, Burnes and Hayashi;
- Whether Claims 42-44 would have been obvious over Naghavi, Hochstedler, Burnes, Hayashi, and Mortz;

- Any other issues in papers yet to be filed, including Patent Owner's Sur-Reply, motions to exclude;
- Any rebuttal to Petitioner's presentation on any issue; and
- Any other issues the Board deems necessary for issuing a final written decision.

Patent Owner currently anticipates that four (4) individuals will attend the oral argument on its behalf. Patent Owner requests permission to display demonstrative exhibits and other electronic materials via the videoconference.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: February 6, 2025

/Daniel C. Kiang/

Daniel C. Kiang (Reg. No. 79,631)

Attorney 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 Petitioner, a true and correct copy of **PATENT OWNER MASIMO CORPORATION'S REQUEST FOR ORAL ARGUMENT** is being served electronically on February 6, 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: IPR50095-0132IP2@fr.com	Andrew B. Patrick, Reg. No. 63,471 Grace Kim, Reg. No. 71,977 Gretchen DeVries, Reg. No. 72,505 Fish & Richardson P.C. 60 South Sixth Street Minneapolis, MN 55402 Tel: 202-783-5070 Fax: 877-769-7945 Email: IPR50095-0132IP2@fr.com
---	---

Dated: February 6, 2025

/Daniel C. Kiang/

Daniel C. Kiang (Reg. No. 79,631)

Attorney for Patent Owner
Masimo Corporation