

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

MASIMO CORPORATION,
Patent Owner

Case IPR2024-00294
U.S. Patent No. 10,736,507

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70(a), Petitioner, Apple Inc., hereby submits this Request for Oral Argument on all of the instituted grounds of unpatentability of U.S. Patent No. 10,736,507. Petitioner requests 90 minutes of argument time for each party's presentation of issues. Petitioner seeks 90 minutes per side to address the number and quality of issues implicated by original claims and claims pursued in the Motion to Amend filed on October 10, 2024. The Board has already scheduled Oral Hearing for March 20, 2025. *See* Paper 12, p. 11. However, the parties are presently engaged in meet-and-confer discussions to modify the current schedule, as requested by the Board in its email dated January 31, 2025.

During the hearing, Petitioner requests (without waiving consideration of any issue not listed below) to address at least the following issues:

- 1) Any issue raised during this proceeding by the Board, Patent Owner, or Petitioner;
- 2) Rebuttal to Patent Owner's remarks on record or during the oral hearing;
and
- 3) Any additional clarification the Board may seek.

Based on the present record, Petitioner does not express a preference for an in person or a virtual hearing. Unlike in normal circumstances, the due dates for particular deliverables, such as the filing a Revised Motion to Amend (rMTA), have not yet passed in this proceeding. And without knowing, for example,

whether a rMTA will be filed by the Patent Owner, it is not possible to know at this time whether an in person or virtual hearing would be more helpful and appropriate. For this reason, Petitioner requests reserving an opportunity to meet and confer with opposing counsel, if necessary, and request its preference for an in person or virtual hearing at a later date.

Respectfully submitted,

Date: February 6, 2025

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CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e), the undersigned certifies that on February 6, 2025, a complete and entire copy of this Petitioner's Request for Oral Argument were provided via email, to the Patent Owner by serving the correspondence addresses of record as follows:

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