



Petitioner's Demonstratives

Resmed Corp. v. Cleveland Medical Devices, Inc.

March 19, 2026

IPR2025-00158

U.S. Patent No. 11,690,512

Agenda

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“a computer or a second processor at one or more sites”	14
“a computer or a second processor”	21
“over cell towers to the computer or the second processor”	26
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Overview

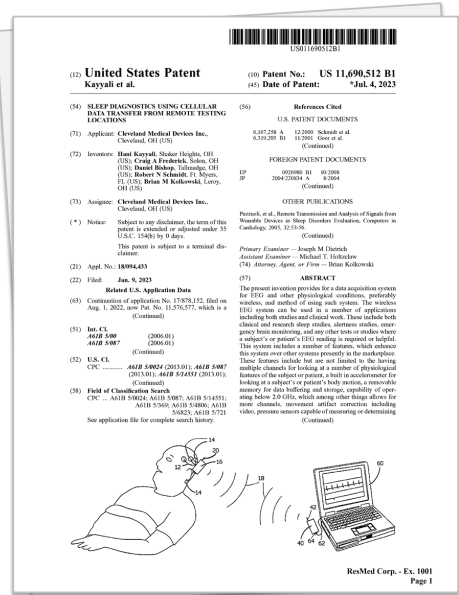
The '512 Patent

SLEEP DIAGNOSTICS USING CELLULAR DATA TRANSFER FROM REMOTE TESTING LOCATIONS

Filed: Jan. 9, 2023

Priority: Jun. 16, 2006 (US)

Issued: Jul. 4, 2023



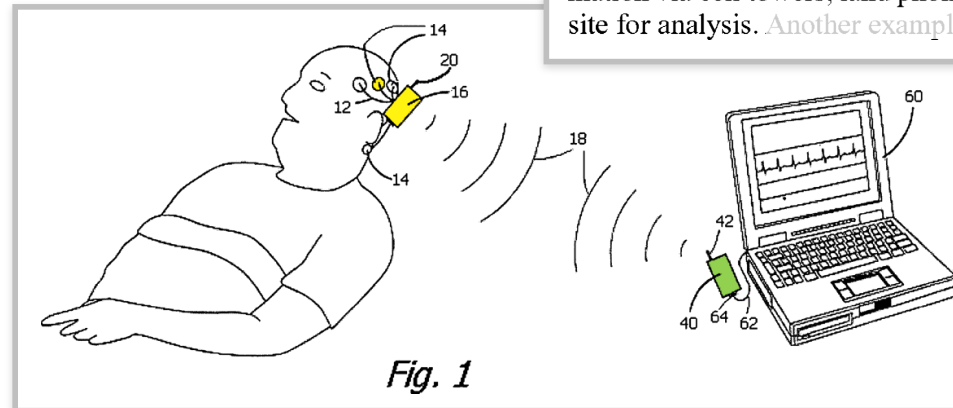
Pet., 1-4

The present invention provides for a data acquisition system for EEG and other physiological conditions, preferably wireless, and method of using such system. The wireless EEG system can be used in a number of applications including both studies and clinical work. These include both clinical and research sleep studies, alertness studies, emergency brain monitoring, and any other tests or studies where a subject's or patient's EEG reading is required or helpful.

EX1001
(*'512 Patent*)
at Abstract

Another example is where the base station, remote communication system or the like is a PDA, computer or cell phone, which receives the physiological data transmission, optionally re-processes the information, and re-transmits the information via cell towers, land phone lines or cable to a remote site for analysis. Another example is where the base station,

EX1001
(*'512 Patent*),
15:39-44



EX1001
(*'512 Patent*),
Fig. 1 (annotated)

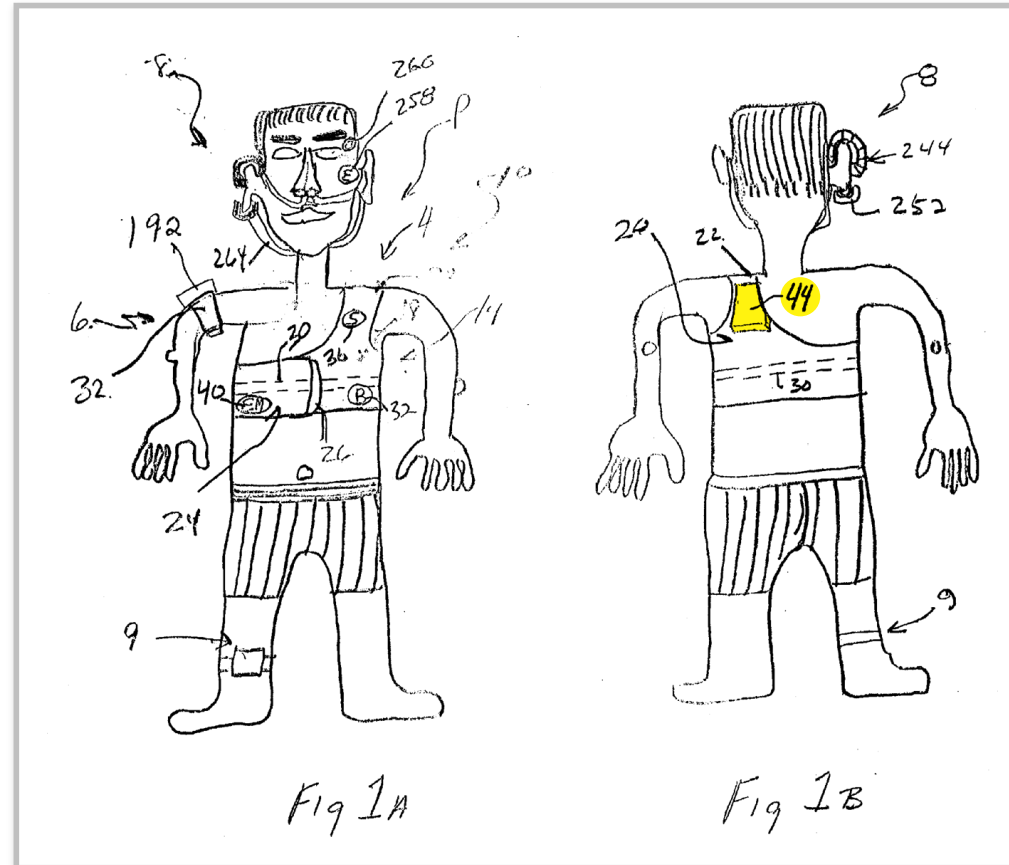
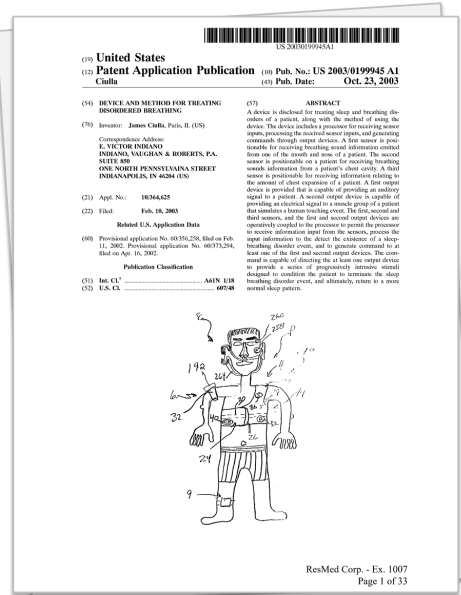
US 2003/ 0199945 (“Ciulla”)

DEVICE AND METHOD FOR TREATING DISORDERED BREATHING

Filed: Feb. 10, 2003

Priority: Feb. 11, 2002 (Prov.)

Published: Oct. 23, 2003



Pet., 5-6

EX1007 (Ciulla) Cover; Fig.1A and 1B (annotated)

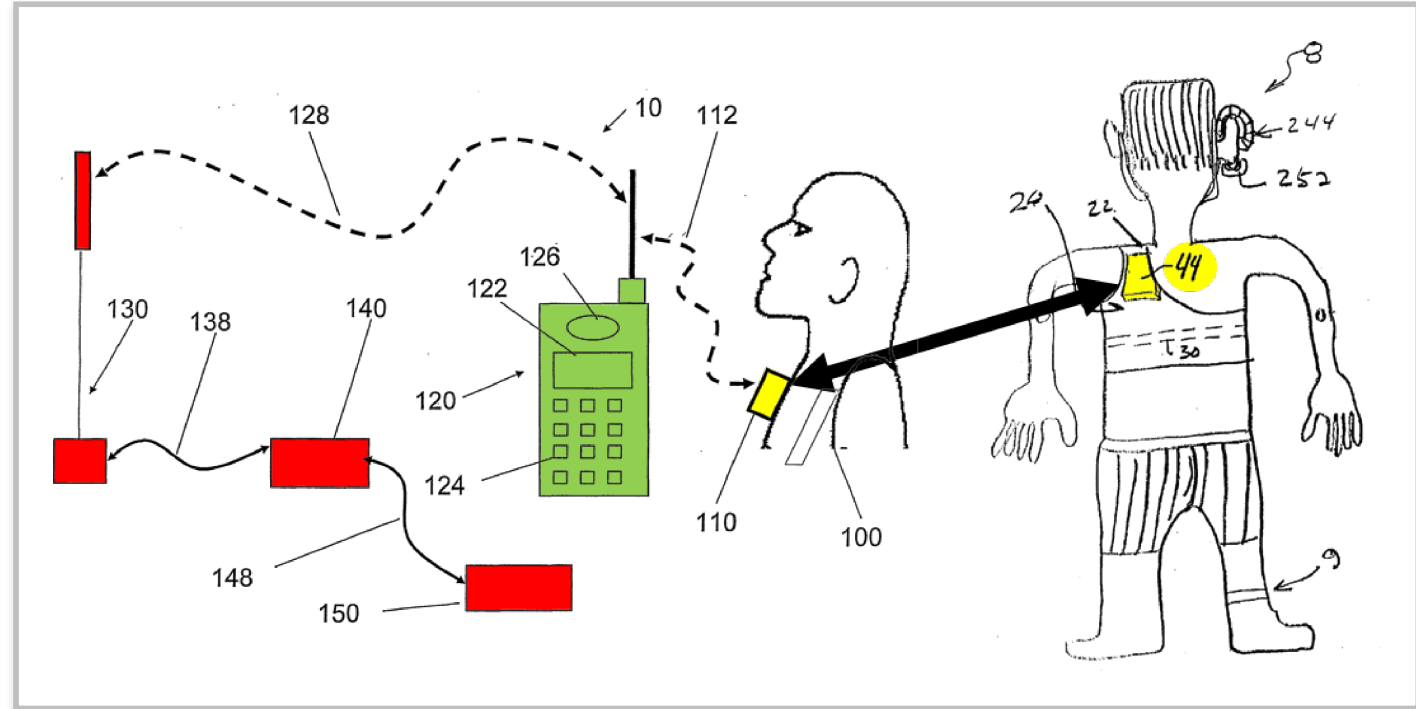
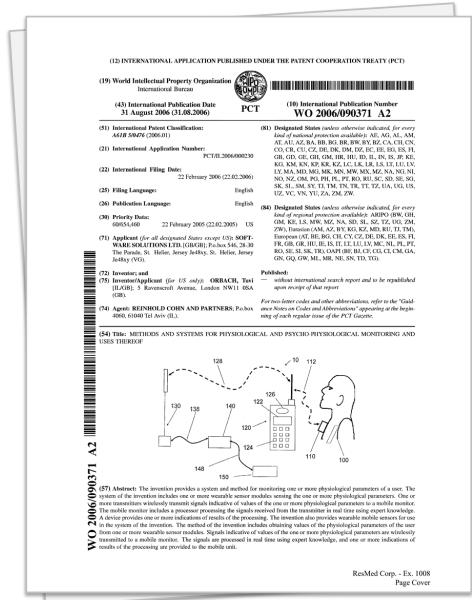
WO 2006/ 090371 (“Orbach”)

METHODS AND SYSTEMS FOR PHYSIOLOGICAL AND PSYCHO-PHYSIOLOGICAL MONITORING AND USES THEREOF

Filed: Feb. 22, 2006

Priority: Feb. 22, 2005 (US)

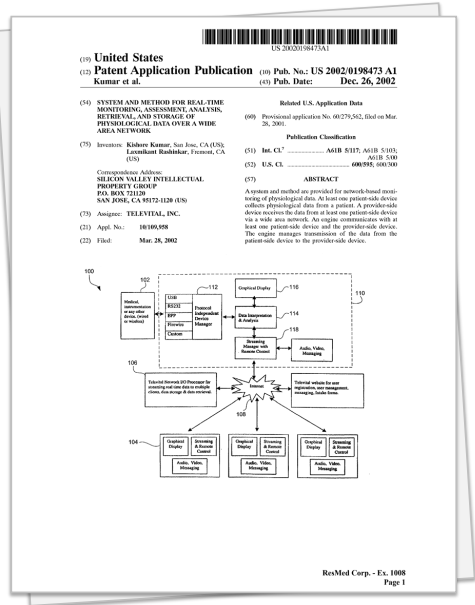
Published: Aug. 31, 2006



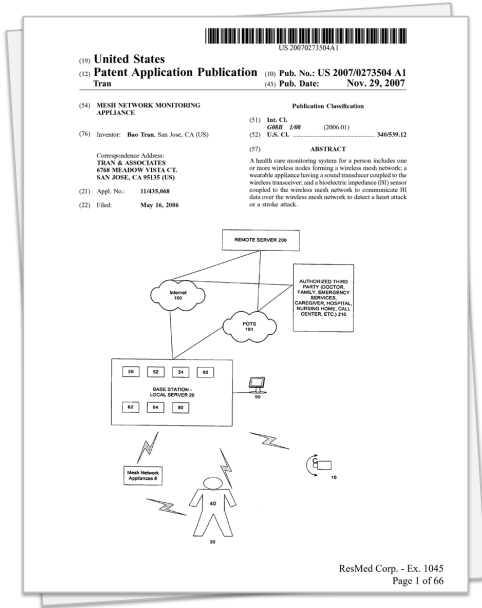
Pet., 10 (EX1008, FIG. 1 (left) (annotated); EX1007, FIG. 1B (right) (annotated))

Pet., 6-7

State of the Art – Kumar [US 2002/0198473]



State of the Art – Tran [US 2007/0273504]



(54) MESH NETWORK MONITORING APPLIANCE

(22) Filed: **May 16, 2006**

[0217] In one embodiment, if the patient is outside of the mesh network range such as when the user is traveling away from his/her home, the system continuously records information into memory until the home mesh network is reached or until the monitoring appliance reaches an internet access point. While the wearable appliance is outside of the mesh network range, the device searches for a cell phone with an expansion card plugged into a cell phone expansion slot such as the SDIO slot. **If the wearable appliance detects a cell phone that is mesh network compatible, the wearable appliance communicates with the cell phone and provides information to the server 200 using the cellular connection.**

Pet., 17; Rep., 25

EX1045 at ¶ 217

Grounds

Ground 1	Ciulla in view of Orbach renders obvious Claims 1-6, 8-17, 19 and 20
Ground 2	Ciulla in view of Orbach and Nagai renders obvious Claims 1-6, 8-17, 19 and 20
Ground 3	Ciulla in view of Orbach and Truschel renders obvious Claims 7 and 18
Ground 4	Ciulla in view of Orbach and Kumar renders obvious Claims 6, 8, 13-14, 17 and 19
Ground 5	Ciulla in view of Orbach, Kumar, and Truschel renders obvious Claims 7 and 18
Ground 6	Ciulla in view of Orbach, Nagai, and Kumar renders obvious Claims 6, 8, 13, 14, 17, and 19
Ground 7	Ciulla in view of Orbach, Nagai, and Truschel renders obvious Claims 7 and 18
Ground 8	Ciulla in view of Orbach, Nagai, and Kumar, and Truschel renders obvious Claims 7 and 18

Pet., 2-3

Petitioner's Experts



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Ph.D. (Medicine)

Johns Hopkins University
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- Post-doctoral Fellowship, Medicine

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- Ph.D., Medicine

Western Sydney University

- B.S., Exercise and Respiratory Physiology

13+ Years Work Experience in
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- Fisher & Paykel Healthcare
- 4DMedical
- American Thoracic Society
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EX1004



Sandeep Chatterjee
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Harvard University

- Exec. Ed., Global Leadership

MIT

- Ph.D., Computer Science
- M.S., Electrical Engineering & Computer Science

University of California, Berkeley

- B.S., Electrical Engineering & Computer Science

17+ Years Work Experience in Network
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- SourceTrace Systems, Inc.
- Cyndeo, LLC.
- Satora Networks, Inc.
- MIT Researcher

EX1006

POSITA in 2006 would have had at least a bachelor's degree in mechanical engineering, electrical engineering, computer science, biomedical engineering, or a similar technical field, with at least two years of relevant product design experience working with diagnostic sensor systems and network data systems. Additional experience could substitute for less education, and additional education could likewise substitute for less experience.

Pet., 8

EX1003 (Kirkness Decl.) at ¶¶ 44, 47-61; EX1005 (Chatterjee Decl.) at ¶¶ 21, 22

Claim 1

1. A sleep diagnostic data acquisition system comprising:

- [1.a] a first software stored on a non-transitory computer readable medium and executable by a first processor, the software configured to be loaded on a cell phone or Personal Digital Assistant ("PDA") comprising at least one first wireless transceiver and the first processor;
- [1.b] a portable, wearable patient interface box adapted to be secured to a subject at a first location and providing a single device for measuring and then wirelessly transferring sleep data from at least two sensors used for diagnosing sleep disorders, the portable, wearable patient interface box comprising:
 - [1.b.i] an enclosure of a rigid material;
 - [1.b.ii] a battery;
 - [1.b.iii] one or more electrical components within the portable, wearable patient interface box for receiving electrical signals from the at least two sensors, the one or more electrical components include a signal processing unit for receiving the electrical signals from the sensors, the at least two sensors which are attached to the subject and/or within the portable, wearable patient interface box that is secured to the subject, the at least two sensors further which are hardwired to connect through at least one connector of the portable, wearable patient interface box and/or are built within the portable, wearable patient interface box, the signal processing unit configured for receiving and processing the sleep data from one or more input channels; and
 - [1.b.iv] a second wireless transceiver or transmitter is adapted for operating at frequencies above 2 GHz and transmitting the sleep data collected with the portable, wearable patient interface box wirelessly to the at least one first wireless transceiver of the cell phone or PDA with the first software loaded;
- [1.c] the at least two sensors are selected from a group consisting of: accelerometer(s), pulse oximeter(s) including fingertip pulse oximeter(s) and those built into the portable, wearable patient interface box, RIP belt(s), respiratory effort belt(s), pressure sensor(s), microphone(s), strain gauge(s), pressure transducer(s), and transducer(s), the at least two sensors adapted:
 - [1.c.i] to be applied to the subject, a first and a second of the at least two sensors of the portable, wearable patient interface box when the one or more of the sensors are built into the portable, wearable patient interface box are adapted to be applied to a finger, arm and/or torso of the subject;
 - [1.c.ii] to measure or derive respiratory ventilation directly or indirectly, blood oxygenation and body position of the subject during testing; and
 - [1.c.iii] to be releasably connected and/or electrically hardwired to or within the portable, wearable patient interface box adapted to be worn by the subject;
- [1.d] an at least second software stored on a non-transitory computer readable medium and executable by a computer or a second processor at one or more sites remote to the first location;
- [1.e] the first software, when executed by the first processor of the cell phone or PDA, configured to wirelessly receive and re-transmit the sleep data, or optionally send the sleep data further processed with the first processor of the cell phone or the PDA, with the at least one first wireless transceiver over cell towers to the computer or the second processor for analysis;
- [1.f] the second software when executed by the computer or the second processor configured to analyze, output and/or format the sleep data at the one or more sites remote from the first location where the sleep data was collected; and
- [1.g] the at least second software, when executed by the second processor or the computer, configured to display both, in part, the sleep data and/or analyzed sleep data to allow for diagnosis of a sleep disorder and, if necessary, provide a basis to modify a sleep treatment of the subject.

EX1001 at Claim 1

Undisputed and Disputed Issues

- Patient diagnostic systems communicative with remote sites for further analysis were well known by and before 2006, the priority date year of the '512 patent
- Patent Owner does not dispute satisfaction of the elements of the claims, except
 - “a computer or a second processor at one or more sites”
 - “over cell towers to the computer or the second processor”
- Patent Owner contests Motivation to Combine and Reasonable Expectation of Success
- No secondary considerations that affect or overcome the strong case of obviousness

Pet., 12-13, 17; *Rep.*, 13-17, 22-28

Claim Construction

“a computer or a second processor at one or more sites”

Primary Dispute #1

Claim 1. A sleep diagnostic data acquisition system comprising:

- [1.d] an at least second software stored on a non-transitory computer readable medium and executable by **a computer or a second processor at one or more sites remote to the first location**;
- [1.e] the first software, when executed by the first processor of the cell phone or PDA, configured to wirelessly receive and re-transmit the sleep data, or optionally send the sleep data further processed with the first processor of the cell phone or the PDA, with the at least one first wireless transceiver over cell towers to the computer or the second processor for analysis;
- [1.f] the second software when executed by **the computer or the second processor configured to analyze, output and/or format the sleep data at the one or more sites** remote from the first location where the sleep data was collected; and
- [1.g] the at least second software, when executed by **the second processor or the computer, configured to display** both, in part, the sleep data and/or analyzed sleep data to allow for diagnosis of a sleep disorder and, if necessary, provide a basis to modify a sleep treatment of the subject.

EX1001 at Claim 1

“at one or more sites” Language Confirms Petitioner’s Construction

Petitioner:

“This ‘at one or more sites’ language confirms that ‘a computer’ can refer to one or more devices because the computer can be at different sites.”

Rep., 2

Patent Owner:

“One computer at one or more sites”

Pet., 48-49, 52; Rep., 2-6

An Indefinite Article “a” or “an” Means “one or more”

“[A]n indefinite article ‘a’ or ‘an’ in patent parlance carries the meaning of “one or more” in open-ended claims containing the transitional phrase ‘comprising.’”

KCJ Corp v. Kinetic concepts, Inc., 223 F.3d 1351, 1356 (Fed. Cir. 2000)

“Because the initial indefinite article (‘a’) carries either a singular or plural meaning, any later reference to that same claim element merely reflects the same potential plurality.”

Baldwin Graphic Sys., Inc. v. Siebert, Inc., 512 F.3d 1338, 1342-43 (Fed. Cir. 2008)

Intrinsic Evidence – No Intent to Limit

site for analysis. Another example is where the base station, remote communication system or the like is a computer or processor, which receives the data transmission and displays the data or records it on some recording medium, which can be displayed or transferred for analysis at a later time.

EX1001 at 15:44-48

corrected for artifacts within the interface box. The physiological signals are transmitted wirelessly to a receiver which can be a base station, a transceiver hooked to a computer, a PDA, a cellular phone, a wireless network, or the like. Most preferably the physiological signals are trans-

EX1001 at 10:36-40

computer 138. The physiological signals are then processed or further processed, depending on whether processing took place in the data acquisition units 110, 112, 114, and 116, by the computer 138 and that information or data can be output to a monitor 140 or into a data file 142.

EX1001 at 19:56-60

500 feet from the subject. The base station, remote communication station or the like can be used to re-transmit the signal based in part from the physiological signal from the base station, remote communication station or the like wirelessly or via the Internet to another monitor, computer or processor system. This allows the physician or monitoring

EX1001 at 15:61-66

Rep., 3

Intrinsic Evidence – No Intent to Limit

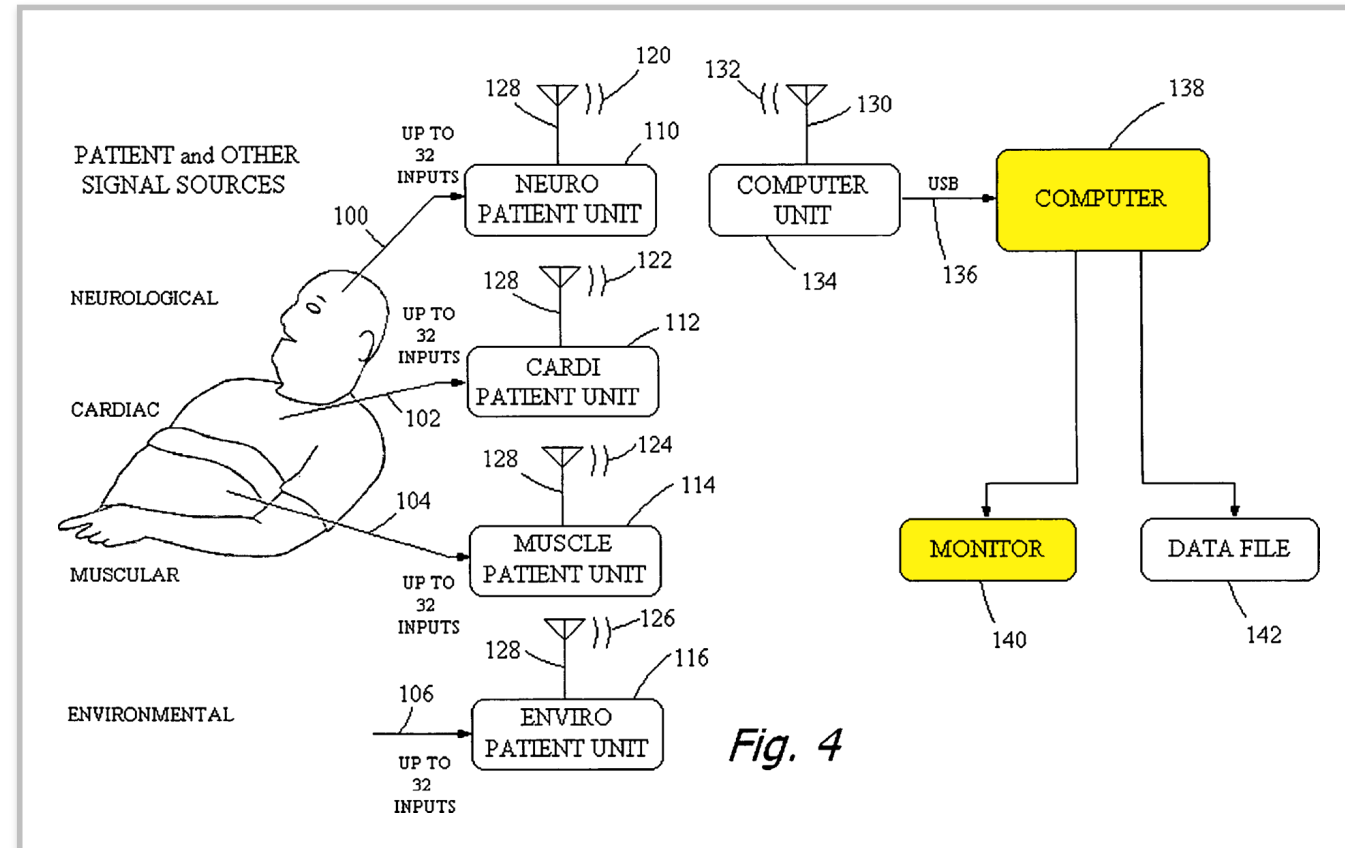
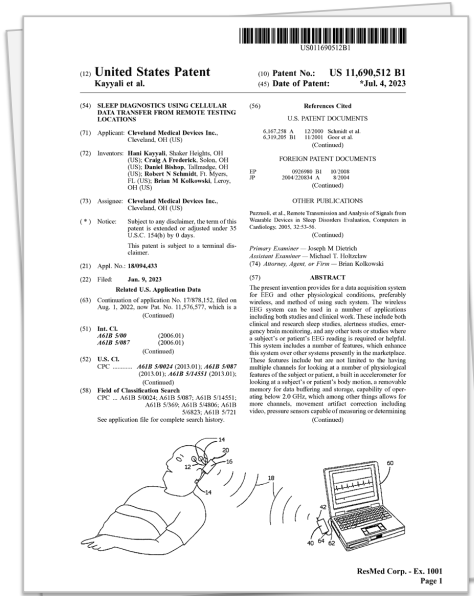


Fig. 4

Rep., 5-8

EX1001 ('512 Patent) at Fig.4 (annotated)

Only Petitioner's Construction Gives Meaning to “at one or more sites”

“A claim construction that gives meaning to all the terms of the claim is preferred over one that does not do so.”

Merck & Co. v. Teva Pharms. USA, Inc. 395 F.3d 1364, 1372 (Fed. Cir. 2005)

“a computer or a second processor”

Primary Dispute #2

Claim 1. A sleep diagnostic data acquisition system comprising:

- [1.d] an at least second software stored on a non-transitory computer readable medium and executable by a computer or a second processor at one or more sites remote to the first location;
- [1.f] the second software when executed by the computer or the second processor configured to analyze, output and/or format the sleep data at the one or more sites remote from the first location where the sleep data was collected; and
- [1.g] the at least second software, when executed by the second processor or the computer, configured to display both, in part, the sleep data and/or analyzed sleep data to allow for diagnosis of a sleep disorder and, if necessary, provide a basis to modify a sleep treatment of the subject.

EX1001 at Claim 1

Intrinsic Evidence – No intent to limit

The base station, remote communication station or the like of various embodiments of the present invention can be any device known to receive RF transmissions used by those skilled in the art to receive transmissions of data. The base station, remote communication station or the like by way of example but not limitation can include a communications device for relaying the transmission, a communications device for re-processing the transmission, a communications device for re-processing the transmission then relaying it to another remote communication station, a computer with wireless capabilities, a PDA with wireless capabilities, a processor, a processor with display capabilities, and combinations of these devices. Optionally, the base station, remote communication station or the like can further transmit data both to another device and/or back. Further optionally, two different remote communication stations can be used, one for receiving transmitted data and another for sending data. For example, with the EEG wireless data

Rep., 7-8

EX1001 at 15:16-48

Intrinsic Evidence - No Intent to Limit

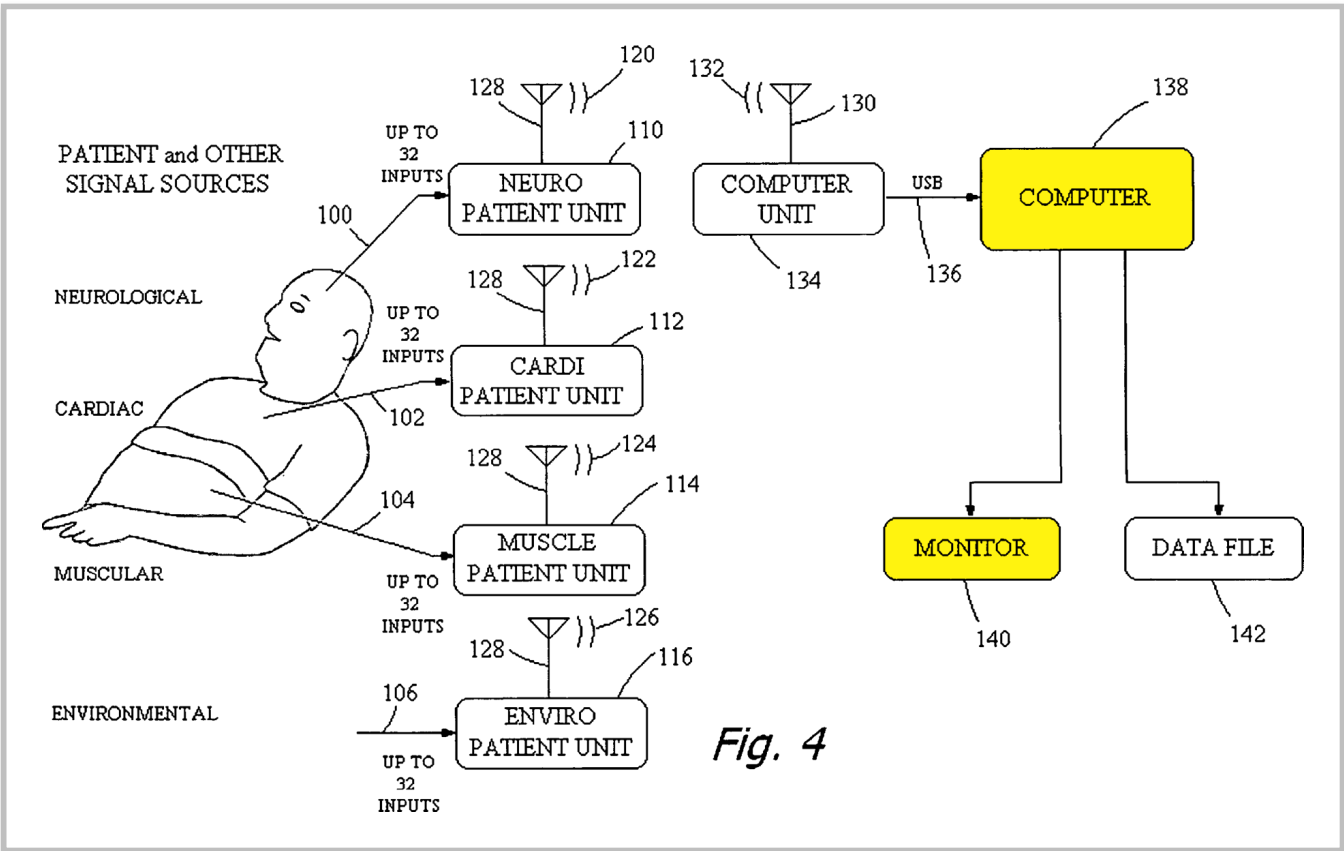
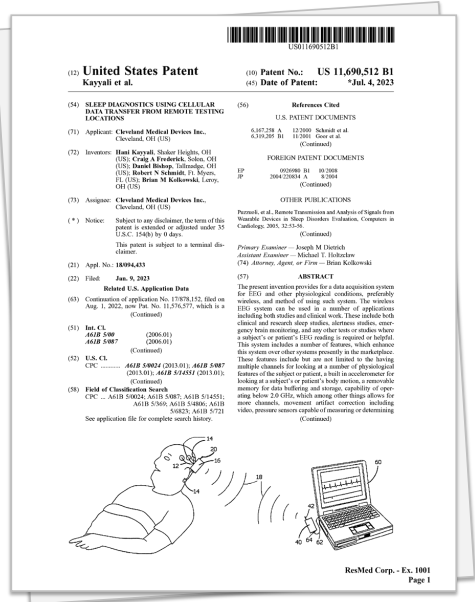


Fig. 4

Rep., 5-8

EX1001 ('512 Patent) at Fig.4 (annotated)

Claim Interpretation – Do Not Exclude Embodiments

“We normally do not interpret claim terms in a way that excludes embodiments disclosed in the specification.”

Oatey Co. v. IPS Corp., 514 F.3d 1271, 1276 (Fed. Cir. 2008); *Google LLC v. EcoFactor, Inc.*, 92 F.4th 1049, 1058 (Fed. Cir. 2024)

“over cell towers to the computer or the second processor”

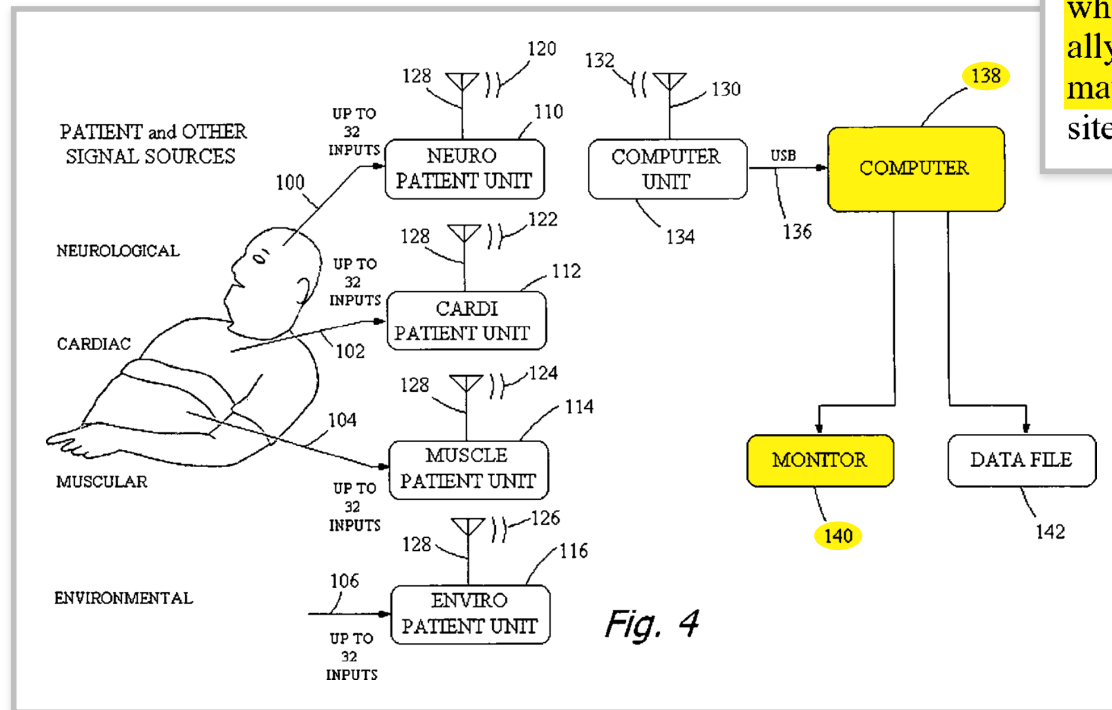
Claim 1 – No Direct Connection

Claim 1. A sleep diagnostic data acquisition system comprising:

[1.e] the first software, when executed by the first processor of the cell phone or PDA, configured to wirelessly receive and re-transmit the sleep data, or optionally send the sleep data further processed with the first processor of the cell phone or the PDA, with the at least one first wireless transceiver over cell towers to the computer or the second processor for analysis;

EX1001 at Claim 1

Claim Interpretation – Do Not Exclude Embodiments



Another example is where the base station, remote communication system or the like is a PDA, computer or cell phone, which receives the physiological data transmission, optionally re-processes the information, and re-transmits the information via cell towers, land phone lines or cable to a remote site for analysis. Another example is where the base station,

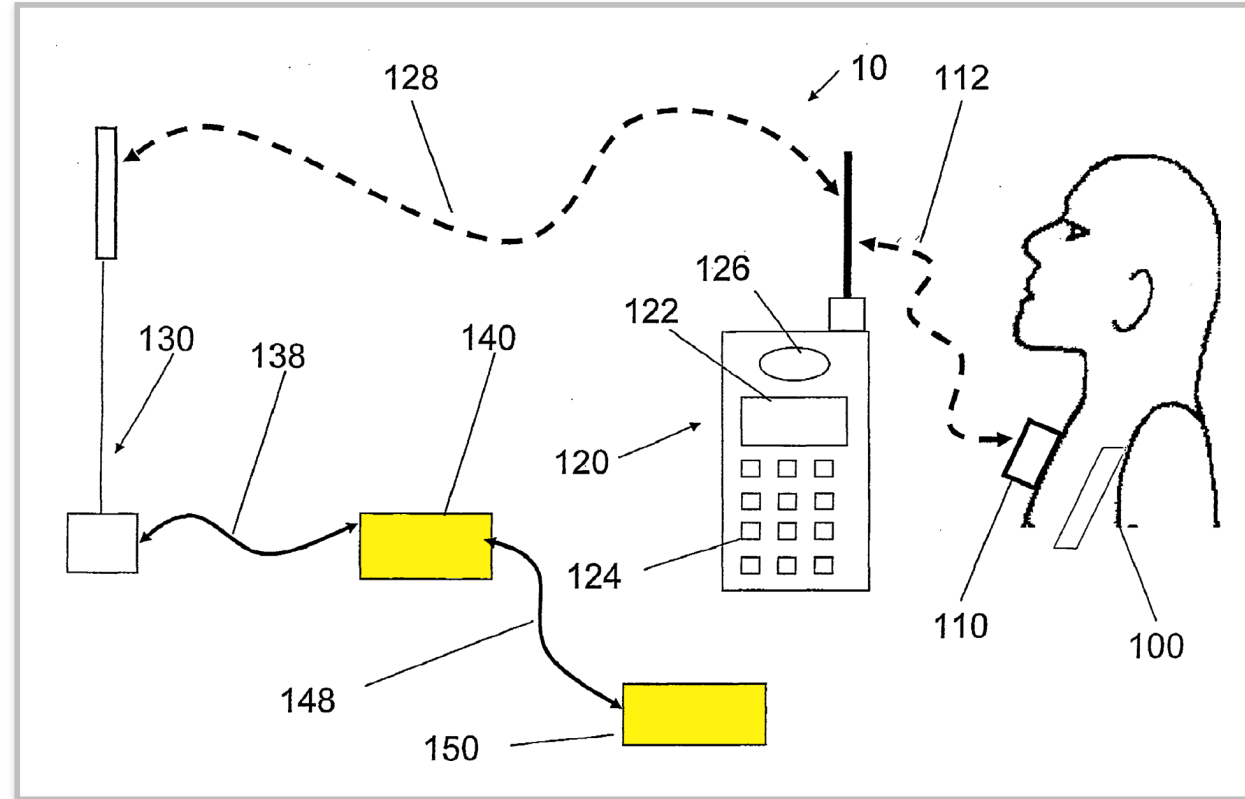
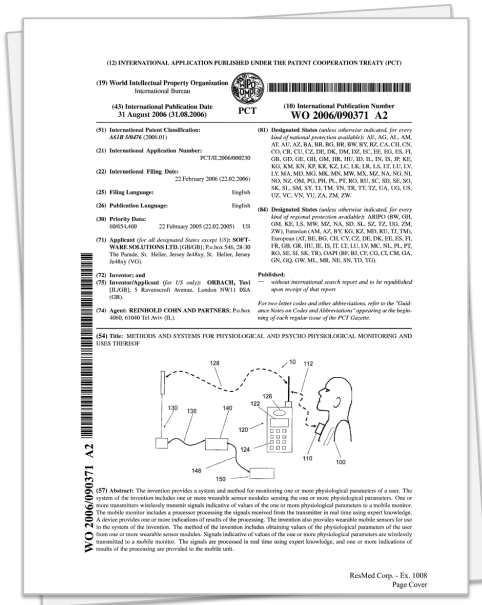
EX1001 at 15:39-44

Rep., 9-11

EX1001 at Fig. 4 (annotated)

Prior Art Mapping

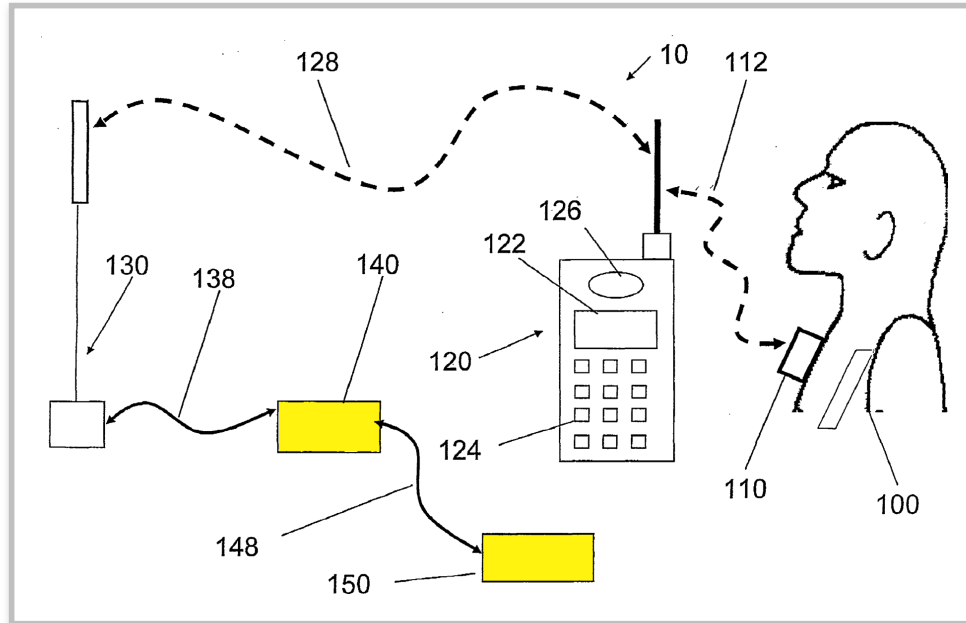
PO Misreads Petitioner's Mappings for the “second software” Limitations



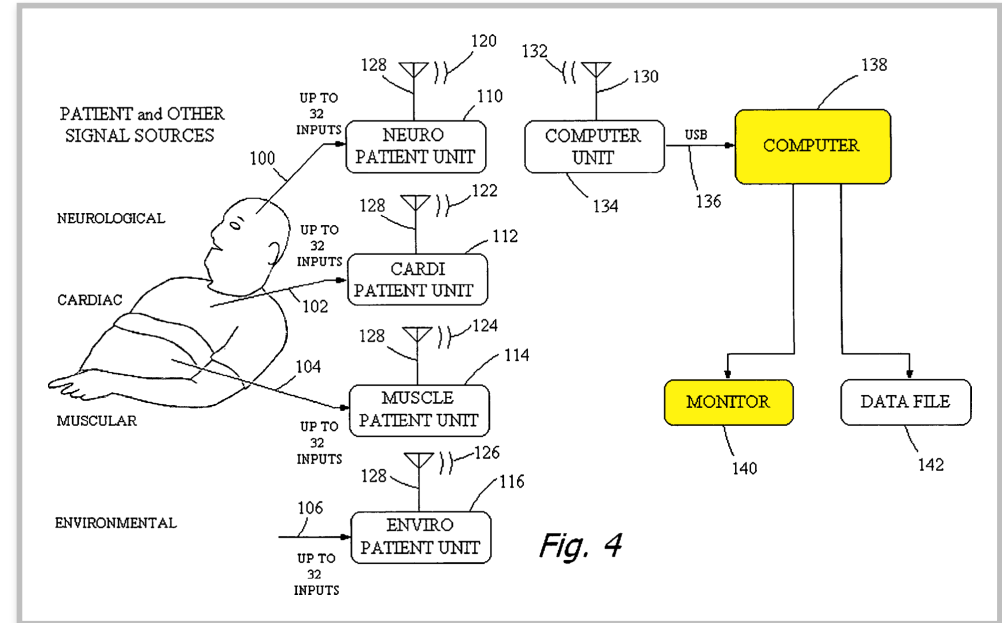
EX1008 (Orbach) at Fig. 1 (annotated)

Pet., 48-49, 52-53; *Rep.*, 13-15

Orbach and Disclosed Embodiment



EX1008 (Orbach) at Fig. 1 (annotated)



EX1001 ('512 Patent) at Fig. 4 (annotated)

The Remote Server and Viewing Station Analyze, Output, and/or Format Data

Claim 1. A sleep diagnostic data acquisition system comprising:

- [1.f] the second software when executed by the computer **or** the second processor configured to analyze, output and/or format the sleep data at the one or more sites remote from the first location where the sleep data was collected; and

EX1001 at Claim 1

	Remote Server 140	Viewing Station 150
Analyze and/or	“a remote server 140 where <i>in-depth analysis</i> of data obtained by the sensor unit 110 may be done” EX1008,13:21-14:2	“transmitting the ... signals to a viewing station <i>for analysis.</i> ” EX1008, 3:24-4:3
Output and/or	“the <i>remote server, viewing station, or corresponding processor</i> , [] these components are programmed to process sensor data and <i>output data</i> ” EX1003 at ¶117	
Format	“also output[s] the sleep data to the “viewing station” or <i>format[s] it for an expert to review</i> at the one or more [remote] sites” EX1003 at ¶183	

Pet., 15, 52-54

(emphasis added)

The Remote Server and Viewing Station Analyze, Output, and/or Format Data and Display Data

The system of the invention may further comprise a remote server capable of communication with said mobile monitor, the remote server receiving second signals from the mobile monitor, the remote server associated with a viewing station having a second processor, the remote server being configured to perform at least one of the following:

- (a) transmitting the second signals to a viewing station for analysis, the analysis ;
- (b) accessing historical data relating to the subject;
- (c) transmitting the historical data to the viewing station;
- (d) receiving from the viewing station results of the analysis;
- (e) transmitting the results of the analysis to the mobile unit; the analysis being based upon the second signals, and one or more of the historical data, expert knowledge and computerised protocols.

EX1008 (Orbach), 3:19-4:4

Optionally, a communication link 128 is used to connect the mobile monitor 120 to a remote server 140 where in-depth analysis of data obtained by the sensor unit 110 may be done and, optionally, data can be transmitted to an expert or another user. In the exemplary embodiment of Fig. 1, the mobile monitor 130 is a cellular phone, communication link 112 is a Bluetooth link, and communication link 128 is cellular RF link to a cellular base station 130 which is linked to a remote server 140 by a data link 138.

Optionally, an additional data link 148 such as Local Area Network (LAN) or Internet networking or RF cellular link connects the remote server 140 to a viewing station 150 where a human expert may provide interpretation of the data and transmit recommendations to the user.

EX1008 (Orbach), 13:21-14:2

Pet., 48-49, 52-54; Rep., 9, 11-22

The Remote Server and Viewing Station Display Data

Claim 1. A sleep diagnostic data acquisition system comprising:

[1.g] the at least second software, when executed by the second processor or the computer, configured to display both, in part, the sleep data and/or analyzed sleep data to allow for diagnosis of a sleep disorder and, if necessary, provide a basis to modify a sleep treatment of the subject.

EX1001 at Claim 1

	Remote Server 140	Viewing Station 150
Display	“the [data] is transmitted for display to the [] viewing station associated at the remote server” EX1005 at ¶173	“As the POSITA would have understood, the viewing station would have also displayed the analyzed sleep data, as this would have allowed the expert to efficiently interpret the data, if the sleep data is analyzed at the remote site.” EX1003 at ¶183

Pet., 15, 52-54

Motivation to Combine

There Is Motivation to Combine Orbach's Cell Phone With Ciulla's System

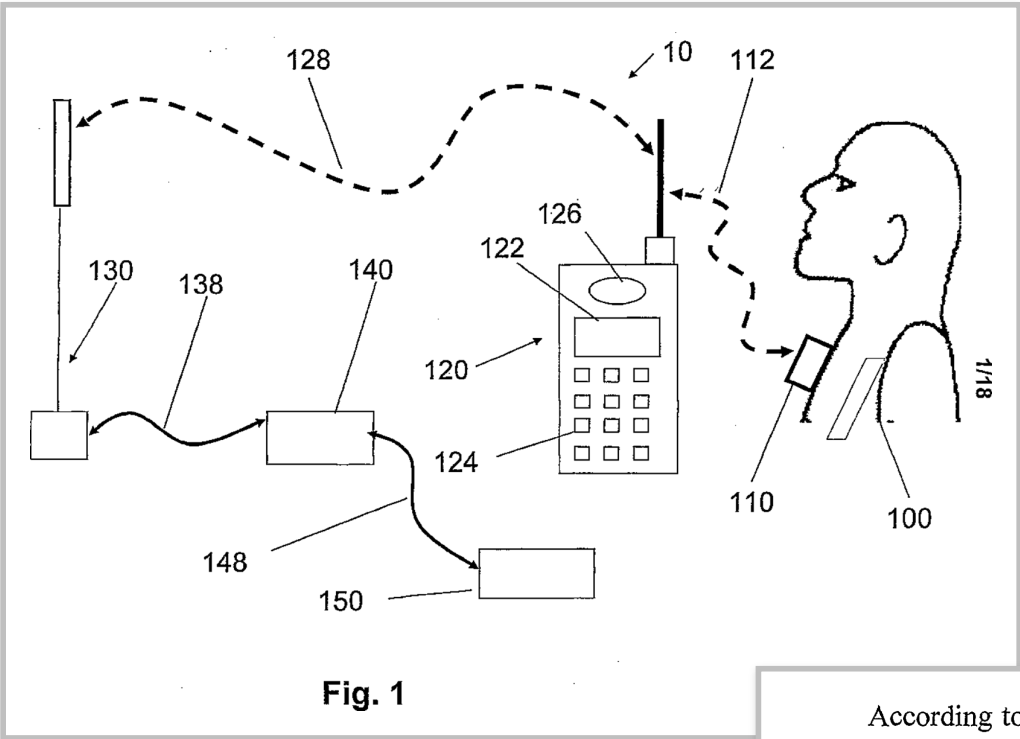
Correct inquiry:

- ✓ Secondary reference is a “suitable option” to address a known problem
- ✓ Combination is within ordinary skill

Intel Corp. v. PACT XPP Schweiz AG, 61 F.4th 1373 at 1381 (Fed. Cir. 2023)
KSR Int'l Co. v. Teleflex Inc., 550 U.S. 398, 417 (2007)

Pet., 14; *Rep.*, 24, 28

Orbach Is a “suitable option”



[0213] AP. The device of the present invention can be modified to add additional outputs and additional reporting capabilities to better adapt the device for use by trained technicians during attended sleep studies. This clinical trial version can be designed to transmit the multiple sensors' outputs wirelessly (RF, BlueTooth, WAN, LAN, IT Ethernet Modem or other) along with video cam images of the sleeping patient. The patient's embodiment will also incorporate a wireless receiver allowing the researcher to control the patient's stimulators and earphone, by transmitting different CAST algorithms and observing the patient's responses in a montage display format on the receiving computer's screen. EEG, EOG, EMG, oral nasal airflow transducer and leg actimeter tracings can be utilized with this testing mode embodiment, and incorporated into the device either as options or separately applied commercial PSG equipment (as unobtrusive as possible). All sensory data and responses to various trial CASTs can be recorded and analyzed by the researcher and/or medical practitioner.

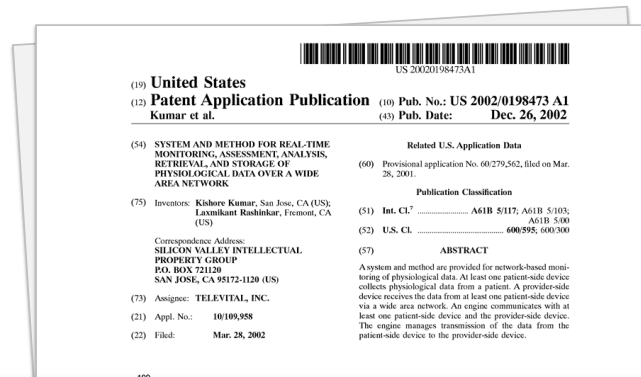
EX1007 (Ciulla) at ¶ 213

According to another embodiment of the invention, the system may be used to record physiological reading while the user is sleeping in order to help identify and possibly correct sleep disorders.

Pet., 9-15; Rep., 22-24, 28

EX1008 (Orbach) at 41:25-27, Fig. 1

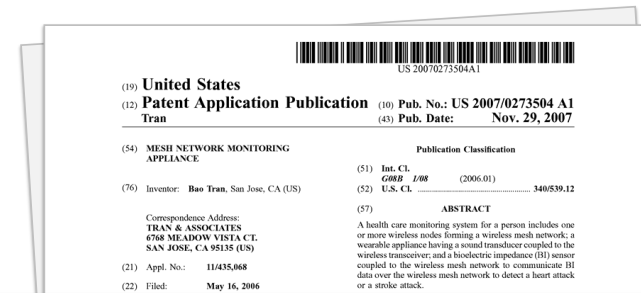
The Prior Art Discloses Using Cell Phones for Biological Data Communications



[0072] The patient-side device may then be connected via a computing device 110, such as a computer, handheld devices such as personal digital assistants (PDAs) and pocket PCs such as IPAQ with Windows CE operating System and Palm devices based on Palm OS), wireless telephone, or any other computing device, to the WAN. Optionally, the patient-side device may have a built-in computing device for communication over the WAN. A

ResMed Corp. - Ex. 1008
Page 1

EX1009
at ¶ 72

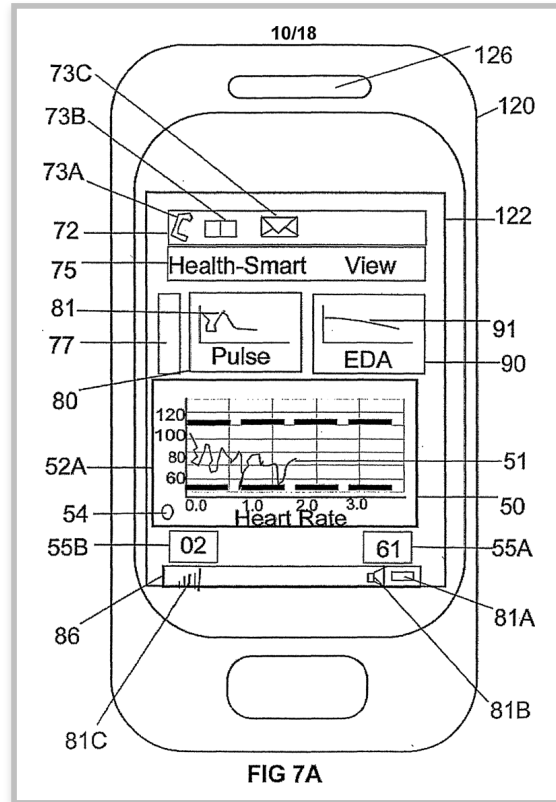


[0217] In one embodiment, if the patient is outside of the mesh network range such as when the user is traveling away from his/her home, the system continuously records information into memory until the home mesh network is reached or until the monitoring appliance reaches an internet access point. While the wearable appliance is outside of the mesh network range, the device searches for a cell phone with an expansion card plugged into a cell phone expansion slot such as the SDIO slot. If the wearable appliance detects a cell phone that is mesh network compatible, the wearable appliance communicates with the cell phone and provides information to the server 200 using the cellular connection.

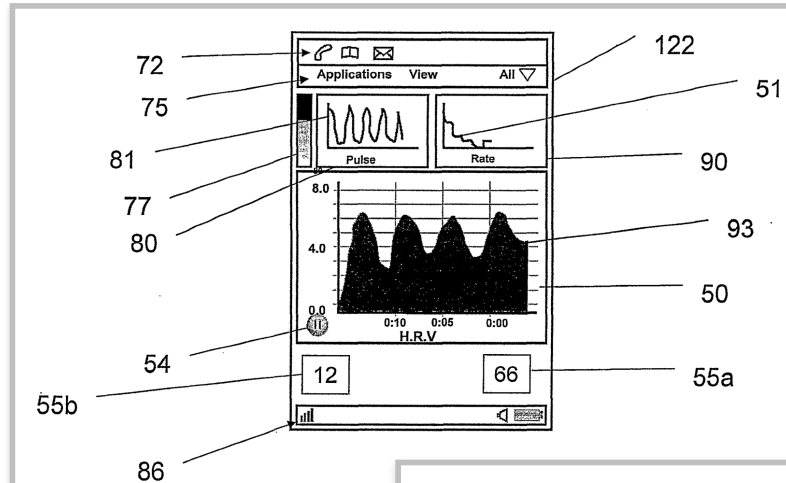
Pet., 12-13, 17; Rep., 24-27; EX1003 at ¶¶ 107-113; EX1005 at ¶¶ 72-81

EX1045 at ¶ 217

Orbach's Cell Phone Would Be An Improvement Over Ciulla's Reporting Unit



EX1008 (Orbach) at Fig. 7A



EX1008 (Orbach) at Fig. 7d

Below the icon driven phone menu 72 is an application menu 85 that allows the user to access other functions and display modes of the current invention. For example, the user can choose specific tutorial or interactive training. The application menu 75 may allow control of the sensor's mode of operation, for example: starting and stopping data acquisition or data transfer, turning on or off a sensor, determining the sampling rate and accuracy, etc. The user may use the application menu 85 to choose the format of the displayed graphs and data.

Tradeoffs Do Not Defeat Motivation to Combine

“[A] given course of action often has simultaneous advantages and disadvantages, and this does not necessarily obviate motivation to combine.”

Allied Erecting and Dismantling Co. v. Genesis Attachments, LLC, 825 F.3d 1373, 1381 (Fed. Cir. 2016)

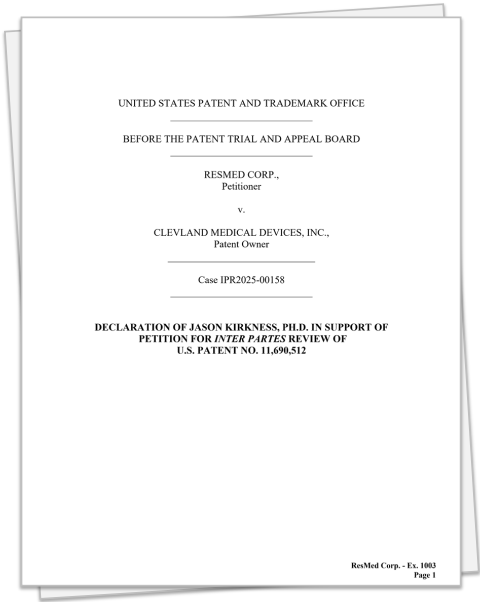
Reasonable Expectation of Success

PO's New Reasonable Expectation of Success Arguments Are Untimely

“[A]ny arguments not raised in the response may be deemed [forfeited].”

Integrated DNA Techs., Inc. v. Pillar Biosciences, Inc., No. 2022-2172, 2024 WL 5182912 at 5 (Fed. Cir. Dec. 20, 2024)
(affirming patent owner waived argument not briefed in patent owner response)

Improvements



Dr. Kirkness

1008, FIG. 1. Such a configuration would not require an additional or expensive custom device to transmit sensor data, as the relevant software would simply be downloaded to the user's mobile device, as suggested by Orbach in the following exemplary passages:

Specific programs necessary for interfacing with the sensor module and for providing feedback to the user may be uploaded by the user. For example, the program may be loaded into a cellular phone wirelessly in the same way a new game or ring tone is loaded.

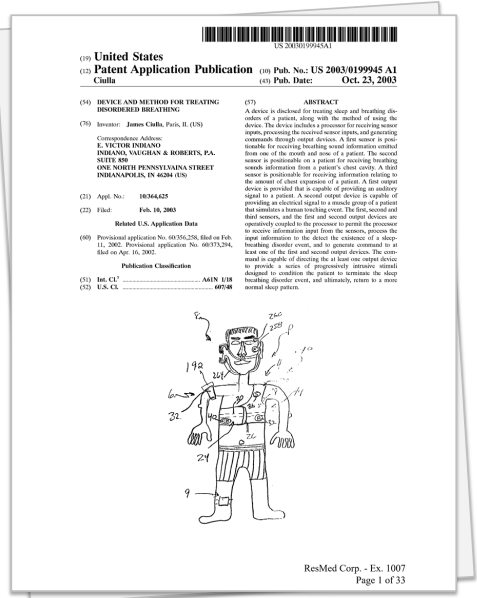
....

In the case where the mobile unit 120 is a cellular phone, the data analysis and screen display may be created by an application loaded into the cellular phone memory and executed by the processor within the cellular phone.

Pet., 10-13; *Rep.*, 24-27; *EX1003* at ¶¶ 108-111, 118-121; *EX1005* at ¶¶ 73-86

EX1003 at ¶ 109

Ciulla Expressly Contemplates Sending Sleep Data for Human Analysis

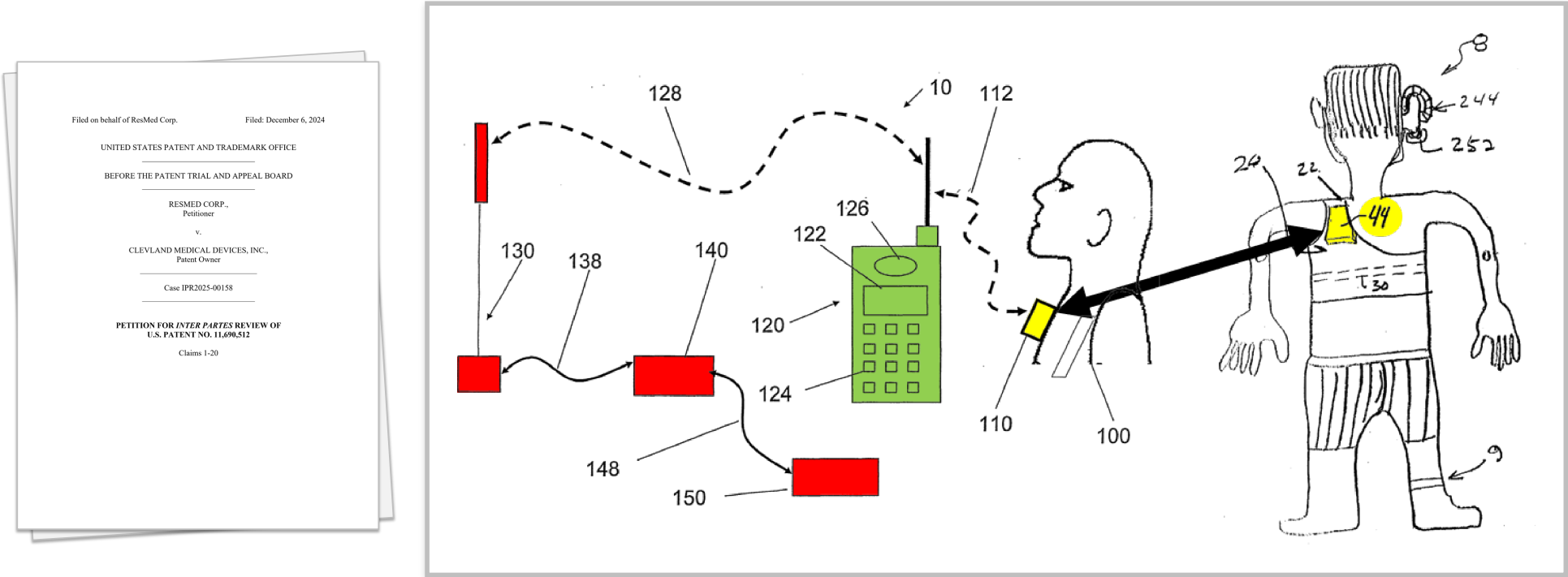


[0213] AP. The device of the present invention can be modified to add additional outputs and additional reporting capabilities to better adapt the device for use by trained technicians during attended sleep studies. This clinical trial version can be designed to transmit the multiple sensors' outputs wirelessly (RF, BlueTooth, WAN, LAN, IT Ethernet Modem or other) along with video cam images of the sleeping patient. The patient's embodiment will also incorporate a wireless receiver allowing the researcher to control the patient's stimulators and earphone, by transmitting different CAST algorithms and observing the patient's responses in a montage display format on the receiving computer's screen. EEG, EOG, EMG, oral nasal airflow transducer and leg actimeter tracings can be utilized with this testing mode embodiment, and incorporated into the device either as options or separately applied commercial PSG equipment (as unobtrusive as possible). All sensory data and responses to various trial CASTs can be recorded and analyzed by the researcher and/or medical practitioner.

Pet., 16-17; EX1003 at ¶ 119

EX1007 (Ciulla) at ¶ 213

Ciulla and Orbach Are Analogous With Readily Combinable Teachings



Ex. 1008, FIG. 1 (left) (annotated); Ex. 1007, FIG. 1B (right) (annotated)

Pet., 17-18; EX1003 at ¶¶ 105, 120

Real Party-in-Interest

Resmed Corp. Is the Only Real Party in Interest

Resmed Corp. is the sole RPI in this case. Resmed Corp. (not Resmed Inc.) paid and continues to pay for this proceeding. And Resmed Corp. (not Resmed Inc.) directs and controls counsel in this proceeding. These facts are dispositive and

Petitioner's Opposition to Motion to Terminate, 1

Resmed Corp. Is the Only Real Party in Interest

Invoice Number	Invoice Date	Payee	ResMed Matter Reference	Invoice Total with Currency (Use this for currency)	Type Reader	Matter Type	Source Currency	Raw Status Category	Owner	Client
2420617	11/25/2024	Paul Hastings LLP - Los Angeles	J344		J	Litigation	USD	litigation	ResMed Corp.	ResMed Corp
2423487	12/19/2024	Paul Hastings LLP - Los Angeles	J344		J	Litigation	USD	litigation	ResMed Corp.	ResMed Corp
2431735	2/28/2025	Paul Hastings LLP - Los Angeles	J344		J	Litigation	USD	litigation	ResMed Corp.	ResMed Corp
2440932	5/13/2025	Paul Hastings LLP - Los Angeles	J344		J	Litigation	USD	litigation	ResMed Corp.	ResMed Corp
2445470	6/24/2025	Paul Hastings LLP - Los Angeles	J344		J	Litigation	USD	litigation	ResMed Corp.	ResMed Corp
2449361	7/31/2025	Paul Hastings LLP - Los Angeles	J344		J	Litigation	USD	litigation	ResMed Corp.	ResMed Corp
JP33015	12/11/2024	Jason Paul Kirkness PhD (NLV), SJ344			J	Litigation	USD	litigation	ResMed Corp.	ResMed Corp
JP33016	2/2/2025	Jason Paul Kirkness PhD (NLV), SJ344			J	Litigation	USD	litigation	ResMed Corp.	ResMed Corp
JP33017	2/2/2025	Jason Paul Kirkness PhD (NLV), SJ344			J	Litigation	USD	litigation	ResMed Corp.	ResMed Corp

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Client

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Owner

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EX1080

Opp. Mot. Term., 2

Resmed Corp. Is the Only Real Party in Interest

Resmed

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☐ Relationship	ResMed Corp.		RMCORP	
☐ Client				
☐ Law Firm	Paul Hastings LLP		PHLLP	

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* Relationship

Comments

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Audit

Record created on 27 Oct 2024 by Piyush Tikoo

RMD v CleveMed IPR

Organization Name

ResMed Corp.

Paul Hastings LLP

Opp. Mot. Term., 2

EX1081