

On behalf of **Masimo Corporation**

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MASIMO CORPORATION
Petitioner,

v.

APPLE INC.
Patent Owner.

Case No. IPR2023-00745
U.S. Patent No. 10,076,257

PETITIONER'S REQUEST FOR ORAL ARGUMENT

Pursuant to 37 C.F.R. § 42.70(a), and the Revised Scheduling Order (Paper 28), Petitioner Masimo Corporation (“Masimo”) respectfully requests that the Board hear oral argument on all issues raised in any paper in this IPR, including but not limited to the following issues:

1. The patentability of the challenged claims of U.S. Patent No. 10,076,257.
2. Patent Owner’s Revised Contingent Motion to Amend (Paper 27).
3. Any issue raised in any motion, including any motion to exclude, that has been filed but not decided as of the date of the oral argument.
4. Any subsidiary issue, including claim construction, relevant to any of the above issues.

Oral argument is scheduled for August 12, 2024. Masimo requests a virtual hearing and believes each party should have 45 minutes of argument time. Because Masimo’s counsel are located on the West Coast of the United States, Masimo requests an oral hearing start time of 1:00 p.m. Eastern Daylight Time / 10:00 a.m. Pacific Daylight Time.

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: July 1, 2024

/ Benjamin J. Everton /
Benjamin J. Everton (Reg. No. 60,659)

Masimo v. Apple
IPR2023-00634

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CERTIFICATE OF SERVICE

I hereby certify that, pursuant to 37 C.F.R. § 42.6(e) and with the agreement of counsel for Patent Owner, a true and correct copy of **PETITIONER'S REQUEST FOR ORAL ARGUMENT** is being served electronically on July 1, 2024, to the e-mail addresses shown below:

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Dated: July 1, 2024

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