

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SOTERA WIRELESS, INC.,
Petitioner,

v.

MASIMO CORPORATION,
Patent Owner.

IPR2020-00967 (Patent RE47,244 E)
IPR2020-01019 (Patent RE47,353 E)
IPR2020-01033 (Patent RE47,249 E)

Record of Oral Hearing
Held: September 8, 2021

Before JOSIAH C. COCKS, JENNIFER MEYER CHAGNON, and
AMANDA F. WIEKER, *Administrative Patent Judges*.

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APPEARANCES:

ON BEHALF OF THE PETITIONER:

RUDOLPH TELSCHER, ESQUIRE
DAISY MANNING, ESQUIRE
Husch Blackwell, LLP
190 Carondelet Plaza
Suite 600
St. Louis, MO 63105

ON BEHALF OF PATENT OWNER:

STEPHEN W. LARSON, ESQUIRE
JACOB PETERSON, ESQUIRE
Knobbe Martens
2040 Main Street # 14
Irvine, CA 92614

The above-entitled matter came on for hearing on Wednesday, September 8, 2021, commencing at 1:00 p.m., EDT, at the U.S. Patent and Trademark Office, by video/by telephone, before Julie Souza, Notary Public.

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1 started. Our primary concern of course is your right to be heard
2 so if at any time during the proceeding you encounter any
3 technical or other difficulties that fundamentally undermine your
4 ability to adequately represent your client please let us know
5 immediately and adjustments will be made. Please also be sure
6 to keep yourself muted when you are not speaking so that we can
7 avoid as much background noise as possible. Please also
8 identify who is speaking for the benefit of the court reporter and
9 keep in mind that there may be a bit of an audio lag so try to
10 observe a pause prior to speaking to avoid speaking over others.
11 So everyone is aware I believe we do have members of the public
12 that are listening today. If there's any concerns about
13 confidential information please let us know right away.

14 Per our order of July 28th, each party was going to have 60
15 minutes of total time to present arguments today. We will have a
16 single transcript for the hearing and it will be entered into the
17 record in each proceeding. As a reminder however, any
18 argument or evidence presented will only be considered in
19 proceedings for which that argument or evidence has a proper
20 foundation in the record. If you are presenting arguments today
21 applicable to only one of the proceedings it would be helpful to
22 us if you would identify that during your presentations.
23 Petitioner will argue first today and may reserve up to 30
24 minutes of time for rebuttal. Patent Owner will the have the

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1 opportunity to respond to Petitioner's arguments and may also
2 reserve up to 30 minutes for surrebuttal time. Petitioner may
3 then use any reserved time to respond to arguments made during
4 Patent Owner's presentation and finally Patent Owner may use
5 any reserved time for responding to arguments made during
6 Petitioner's rebuttal time. We do have copies of your
7 demonstratives available to us so during your presentations
8 please remember to identify the demonstrative exhibit being
9 referenced clearly and specifically, for example by slide or
10 screen number. This will help us follow along and ensure clarity
11 and accuracy of the transcript. At the end of the hearing I do ask
12 that counsel for both parties stay on the line in case the court
13 reporter has any questions for you all. Then, last reminder
14 please refrain from interrupting the opposing party during their
15 presentation. If you do have any objections you can address
16 those during your own time for presentation. So Petitioner,
17 would you like to reserve time for rebuttal today?

18 MR. TELSCHER: Yes, Your Honor, 15 minutes.

19 JUDGE CHAGNON: Fifteen minutes. Patent Owner, do
20 you know right now how much time you would like to reserve?

21 MR. LARSON: Yes. I expect to reserve 15 minutes as
22 well.

23 JUDGE CHAGNON: All right. Great. And I will be
24 keeping time here. Mr. Telscher, would you like a five minute

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