

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,)
) IPR NO. 2020-1520
Petitioner,) US PATENT NO: 10,258,265
-against-) IPR NO. 2020-1537
) US PATENT NO: 10,588,553
MASIMO CORPORATION,)
) IPR NO. 2020-1539
Patent Owner.) US PATENT NO: 10,588,554
)

VIDEO-RECORDED DEPOSITION OF
THOMAS WILLIAM KENNY, JR. PH.D.

VOLUME 2

Zoom Recorded Videoconference

04/23/2021

9:02 a.m. (PDT)

REPORTED BY: AMANDA GORRONO, CLR

CLR NO. 052005-01

DIGITAL EVIDENCE GROUP
1730 M Street, NW, Suite 812
Washington, D.C. 20036

(202) 232-0646

**MASIMO 2007
Apple v. Masimo
IPR2020-01521**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

04/23/2021
9:02 a.m. (PDT)

VIDEO-RECORDED DEPOSITION OF THOMAS WILLIAM
KENNY, JR. Ph.D., VOLUME 2, held virtually via Zoom
Videoconferencing, before Amanda Gorrono, Certified
Live Note Reporter, and Notary Public of the State of
New York.

1 A P P E A R A N C E S

2 (Via Zoom Videoconferencing):

3 ON BEHALF OF PETITIONER APPLE:

Dan Smith, Esquire

4 Fish & Richardson

1717 Main Street

5 Suite 5000

Dallas, Texas 75201

6 PHONE: 214-292-4071

E-MAIL: Dsmith@fr.com

7 -AND-

8 Andrew B. Patrick, Esquire

Fish & Richardson

9 1000 Maine Avenue SW

Washington, D.C. 20024

10 PHONE: 202-626-7735

E-MAIL: Patrick@fr.com

11 -AND-

12 Hyun Jin In, Ph.D., Esquire

Fish & Richardson

13 1000 Maine Avenue SW

Washington, D.C. 20024

14 PHONE: 202-626-7765

15 E-MAIL: In@fr.com

16

17

18

19

20

21

22

1 A P P E A R A N C E S

(CONT.D)

2 (Via Zoom Videoconferencing):

3 ON BEHALF OF PATENT OWNER MASIMO:

Stephen W. Larson, Esquire

4 Knobbe Martens

2040 Main Street

5 Irvine, CA 92614

PHONE: 949-721-5301

6 E-MAIL: Stephen.larson@knobbe.com

-AND-

7 Jeremiah S. Helm, Ph.D., Esquire

Knobbe Martens

8 1717 Pennsylvania Avenue N.W.

Washington, DC 20006

9 PHONE: 202-640-6400

E-MAIL: Jeremiah.helm@knobbe.com

10 -AND-

Jacob Peterson, Esquire

11 Knobbe Martens

925 4th Ave #2500

12 Seattle, WA 98104

PHONE: 206-405-2000

13 E-MAIL: Jacob.peterson@knobbe.com

14

15 ALSO PRESENT:

16 Billy Fahnert, Legal Video Specialist/Trial Tech,

17 Digital Evidence Group

18

19

20

21

22

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

I N D E X

WITNESS: EXAMINATION
THOMAS WILLIAM KENNY, JR. Ph.D.
CONTINUED EXAMINATION 278
BY: MR. LARSON

PREVIOUSLY MARKED EXHIBITS IDENTIFIED

EXHIBIT	DESCRIPTION	PAGE
Exhibit 1003	Declaration IPR1520-01520 ..280 of Dr. Thomas W. Kenny	
Exhibit 1006	Aizawa Patent Application...	315
Exhibit 1008	Japanese Unexamined	329
	Patent Application Publication 2006-296564	
Exhibit 1003	Declaration of Dr. Thomas ..444 W. Kenny IPR2020-01537	

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.