

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

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APPLE, INC.,

Case IPR2020-01520

U.S. Patent 10,258,265

Petitioner,

Case IPR2020-01539

U.S. Patent 10,588,554

-against-

Case IPR2020-01537

U.S. Patent 10,588,553

MASIMO CORPORATION,

Case IPR2020-01536

U.S. Patent 10,588,553

Patent Owner.

Case IPR2020-01538

U.S. Patent 10,588,554

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VIDEO-RECORDED DEPOSITION OF
THOMAS WILLIAM KENNY JR., PH.D.
Zoom Recorded Videoconference
09/18/2021
9:03 a.m. Pacific Daylight Time

REPORTED BY: AMANDA GORRONO, CLR

CLR NO. 052005-01

DIGITAL EVIDENCE GROUP
1730 M Street, NW, Suite 812
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**MASIMO 2027
Apple v. Masimo
IPR2020-01521**

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09/18/2021

9:03 a.m. (PDT)

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

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22 Digital Evidence Group

1 I N D E X

2

3 WITNESS EXAMINATION BY Page

4 THOMAS WILLIAM MR. HELM 6

5 KENNY, JR. Ph.D.

6

7 EXHIBITS IDENTIFIED

8 EXHIBIT DESCRIPTION PAGE

9 Exhibit 1047 Second Declaration of Dr. ... 8
Thomas W. Kenny - IPR1520

10 Exhibit 1040 Eugene Hecht Optics, Second.. 33
Edition Bates No.

11 IPR2020-01520

12 Exhibit 1015 Mendelson Design and 46
Evaluation of a New

13 Reflectance Pulse Oximeter
Sensor

14 Exhibit 1014 Ohsaki US Patent 127
Application Pub. No.

15 2001/0056243A1

16 Exhibit 2012 Webster Design of Pulse 185
Oximeters

17 Exhibit 1001 United States Patent Poeze .. 201
Patent No. 10,258,265

18 Exhibit 1013 United States Patent 228
Application No. US

19 2004/0054291 A1, dated
March 18, 2004

20 Exhibit 1047 Second Declaration, IPR No... 228
IPR2020-01536

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1 AUTOMATED MESSAGE: Recording in
2 progress.

3 THE TECH: We are on the record.

4 This is the remote video deposition of Dr. Thomas W.
5 Kenny regarding IPR numbers 2020-01520, 2020-01536,
6 2020-01537, 2020-1538 -- 01538, and 2020-01539 in the
7 matter of Apple, Inc. versus Masimo Corporation in
8 the United States Patent and Trademark Office.

9 My name is Billy Fahnert. I am the
10 video technician today. The court reporter is Amanda
11 Gorrano. We are here on behalf of Digital Evidence
12 Group.

13 Today's date is September 18th, 2021.
14 The time is 9:03 a.m. Pacific Daylight Time. All
15 parties have stipulated to the witness being recorded
16 remotely.

17 Will counsel please identify
18 yourselves for the record and then the witness will
19 be sworn in.

20 MR. HELM: Jeremiah Helm, Knobbe
21 Martens on behalf of the patent owner, Masimo, and
22 with me on the line is Steve Larson and Jacob

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