

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,  
Petitioner,

v.

MASIMO CORPORATION,  
Patent Owner.

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Case IPR2020-01523  
Patent No. 8,457,703

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**PETITIONER'S OBJECTIONS TO EVIDENCE**

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner hereby submits the following objections to evidence filed with Patent Owner's Response of July 28, 2021.

<u>Evidence</u>	<u>Objections</u>
<b>Exhibit 2001</b>	Petitioner objects to the admissibility of Exhibit 2001 under FRE 702 and 703, because it contains opinions that are conclusory, do not disclose supporting facts or data, are based on unreliable facts, data, or methods, and/or include testimony outside the scope of Dr. Madisetti's specialized knowledge (to the extent he has any such knowledge) that will not assist the trier of fact. Petitioner also objects to Exhibit 2001 as containing opinions that are irrelevant, confusing, and presenting the danger of unfair prejudice under FRE 401, 402, and 403.
<b>Exhibit 2003</b>	Petitioner incorporates the real-time objections made by Petitioner's counsel reflected in Exhibit 2003, to the extent that such objections relate to portions of Exhibit 2003 that are cited in Patent Owner's Response.

For at least these reasons, Petitioner objects to Exhibits 2001 and 2003.

Petitioner reserves the right to move to exclude Exhibits 2001 and 2003.

Respectfully submitted,

Dated August 4, 2021

/Dan Smith/

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**CERTIFICATE OF SERVICE**

Pursuant to 37 CFR §§ 42.6(e)(4)(i) *et seq.*, the undersigned certifies that on August 4, 2021, a complete and entire copy of this Petitioner's Objections to Evidence was provided by electronic mail to the Patent Owner by serving the correspondence e-mail address of record as follows:

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