

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE, INC.

Petitioner,

v.

MASIMO CORPORATION,

Patent Owner.

Case IPR2020-01526

U.S. Patent 6,771,994

VIRTUAL VIDEOTAPED DEPOSITION OF

DR. BRIAN W. ANTHONY

Tuesday, June 1, 2021

11:05 a.m. Eastern Daylight Time

REPORTER: Dawn A. Jaques, CSR, CLR

DIGITAL EVIDENCE GROUP

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**MASIMO 2003
Apple v. Masimo
IPR2020-01526**

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17 Henry Marte, Digital Evidence Group

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19

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21

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1	I-N-D-E-X	
2	WITNESS:	PAGE:
3	DR. BRIAN W. ANTHONY	
4	Examination by Ms. Lam	5
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6	E-X-H-I-B-I-T-S	
7	ANTHONY DEPOSITION EXHIBIT:	PAGE:
8	Exhibit 1001 U.S. Patent 6,771,994 B2 Kiani, et al.	110
9	Exhibit 1003 Declaration of Dr. Brian W. Anthony	10
10	Exhibit 1006 U.S. Patent, 5,638,818 Diab, et al.	128
11	Exhibit 1007 U.S. Patent 4,015,595 Benjamin, Jr.	143
12	Exhibit 1008 U.S. Patent 5,254,388 Melby, et al.	175
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14	Exhibit 1010 Textbook Medical Science Series Design of Pulse Oximeters	
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16	Exhibit 1010 Excerpts from Medical Science Series, Design of Pulse Oximeters	
17	(113 pages)	231
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1 P R O C E E D I N G S

2 THE VIDEOGRAPHER: We are now on the
3 record. My name is Henry Marte, videographer on
4 behalf of Digital Evidence Group. Today's date
5 is June 1st, 2021, and the time is 11:05 a.m.
6 Eastern Time.

7 This deposition is being held by
8 Remote Zoom in the matter of Apple Inc. versus
9 Masimo Corporation. The deponent today is
10 Dr. Brian W. Anthony.

11 All parties to this deposition are
12 appearing remotely and have agreed to the witness
13 being sworn in remotely. All appearances also
14 noted on the stenographic record.

15 Will the court reporter please
16 administer the oath to the witness?

17 THE REPORTER: Raise your right hand,
18 please.

19 (The witness was administered the oath.)

20 THE VIDEOGRAPHER: Ms. Lam, you may
21 begin.

22

1 Whereupon,

2 BRIAN W. ANTHONY, Ph.D.

3 was called as a witness, after having been

4 first duly sworn by the Notary Public,

5 was examined and testified as follows:

6 EXAMINATION BY COUNSEL FOR THE

7 PATENT OWNER MASIMO CORPORATION

8 BY MS. LAM:

9 Q Good morning, Dr. Anthony.

10 A Good morning.

11 Q Can you please state your full name
12 for the record?

13 A Brian W. Anthony.

14 Q Have you been deposed before?

15 A Yes, I have.

16 Q Were those patent cases?

17 A Yes, they were IPR cases.

18 Q And do you recall what the subject
19 matter of those IPRs was?

20 A Many of them have been related to
21 physiological monitors.

22 Q What types of physiological monitors?

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