

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  
Washington, D.C. 20036  
(202) 232-0646

**MASIMO 2027  
Apple v. Masimo  
IPR2020-01538**

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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.

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22 Digital Evidence Group

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I N D E X

WITNESS	EXAMINATION BY	Page
THOMAS WILLIAM	MR. HELM	6
KENNY, JR. Ph.D.		

EXHIBITS IDENTIFIED

EXHIBIT	DESCRIPTION	PAGE
Exhibit 1047	Second Declaration of Dr. ... Thomas W. Kenny - IPR1520	8
Exhibit 1040	Eugene Hecht Optics, Second.. Edition Bates No. IPR2020-01520	33
Exhibit 1015	Mendelson Design and ..... Evaluation of a New Reflectance Pulse Oximeter Sensor	46
Exhibit 1014	Ohsaki US Patent ..... Application Pub. No. 2001/0056243A1	127
Exhibit 2012	Webster Design of Pulse ..... Oximeters	185
Exhibit 1001	United States Patent Poeze .. Patent No. 10,258,265	201
Exhibit 1013	United States Patent ..... Application No. US 2004/0054291 A1, dated March 18, 2004	228
Exhibit 1047	Second Declaration, IPR No... IPR2020-01536	228

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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