

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

APPLE INC.,  
Petitioner,

v.

MASIMO CORPORATION,  
Patent Owner.

---

Case IPR2020-01538  
Patent 10,588,554

---

**PETITIONER'S IDENTIFICATION OF TESTIMONY**

## EXHIBITS

APPLE-1001	US Patent No. 10,588,554
APPLE-1002	File History for U.S. Patent No. 10,588,554
APPLE-1003	Declaration of Dr. Kenny
APPLE-1004	Curriculum Vitae of Dr. Kenny
APPLE-1005	<i>Masimo Corporation, et al. v. Apple Inc.</i> , Complaint, Civil Action No. 8:20-cv-00048 (C.D. Cal.)
APPLE-1006	US Pub. No. 2002/0188210 (“Aizawa”)
APPLE-1007	JP Pub. No. 2006/296564 (“Inokawa”)
APPLE-1008	Certified English Translation of Inokawa and Translator’s Declaration
APPLE-1009	US Pub. No. 2001/0056243 (“Ohsaki”)
APPLE-1010	“A Wearable Reflectance Pulse Oximeter for Remote Physiological Monitoring,” Y. Mendelson, et al.; Proceedings of the 28th IEEE EMBS Annual International Conference, 2006; pp. 912-915 (“Mendelson-2006”)
APPLE-1011	RESERVED
APPLE-1012	US Patent No. 6,801,799 (“Mendelson ’799”)
APPLE-1013	US Pub. No. 2004/0054291 (“Schulz”)
APPLE-1014-1016	RESERVED

- APPLE-1017 “Design and Evaluation of a New Reflectance Pulse Oximeter Sensor,” Y. Mendelson, et al.; Worcester Polytechnic Institute, Biomedical Engineering Program, Worcester, MA 01609; Association for the Advancement of Medical Instrumentation, Vol. 22, No. 4, 1988; pp. 167-173 (“Mendelson-1988”)
- APPLE-1018 “Skin Reflectance Pulse Oximetry: In Vivo Measurements from the Forearm and Calf,” Y. Mendelson, et al.; Journal of Clinical Monitoring, vol. 7, No. 1, January 1991 (“Mendelson 1991”)
- APPLE-1019 Design of Pulse Oximeters, J.G. Webster; Institution of Physics Publishing, 1997 (“Webster”)
- APPLE-1020 QuickSpecs; HP iPAQ Pocket PC h4150 Series
- APPLE-1021 How to Do Everything with Windows Mobile, Frank McPherson; McGraw Hill, 2006 (“McPherson”)
- APPLE-1022 Master Visually Windows Mobile 2003, Bill Landon, et al.; Wiley Publishing, Inc., 2004 (“Landon”)
- APPLE-1023 “Stimulating Student Learning with a Novel ‘In-House’ Pulse Oximeter Design,” J. Yao and S. Warren; Proceedings of the 2005 American Society for Engineering Education Annual Conference & Exposition, 2005 (“Yao”)
- APPLE-1024 US Pub. No. 2008/0194932 (“Ayers”)
- APPLE-1025 U.S. Patent No. 7,031,728 (“Beyer”)
- APPLE-1026 US Pub. No. 2007/0145255 (“Nishikawa”)
- APPLE-1027 National Instruments LabVIEW User Manual
- APPLE-1028-1030 RESERVED
- APPLE-1031 Scheduling Order, *Masimo v. Apple et al.*, Case 8:20-cv-00048, Paper 37 (April 17, 2020)

- APPLE-1032 Stipulation by Apple
- APPLE-1033 Telephonic Status Conference, Masimo v. Apple et al., Case 8:20-cv-00048, Paper 78 (July 13, 2020)
- APPLE-1034 Joseph Guzman, “Fauci says second wave of coronavirus is ‘inevitable’”, TheHill.com (Apr. 29, 2020), available at: <https://thehill.com/changing-america/resilience/natural-disasters/495211-fauci-says-second-wave-of-coronavirus-is>
- APPLE-1035 “Tracking the coronavirus in Los Angeles County,” LATimes.com (Aug. 20, 2020), available at <https://www.latimes.com/projects/california-coronavirus-cases-tracking-outbreak/los-angeles-county/>
- APPLE-1036 Declaration of Jacob R. Munford
- APPLE-1037 Order Granting Motion to Stay in *Masimo Corporation et al. v. Apple Inc.*, Civil Action No. 8:20-cv-00048-JVS-JDE, October 13, 2020
- APPLE-1038 Second Declaration of Jacob R. Munford
- APPLE-1039 Excerpts of Eugene Hecht, *Optics* (2<sup>nd</sup> Ed. 1990), pages 79-143, 211-220
- APPLE-1040 Eugene Hecht, *Optics* (2<sup>nd</sup> Ed. 1990)
- APPLE-1041 Deposition Transcript of Dr. Vijay Madiseti in IPR2020-01520, IPR2020-01537, IPR2020-01539, Day 1 (August 1, 2021)
- APPLE-1042 Deposition Transcript of Dr. Vijay Madiseti in IPR2020-01520, IPR2020-01537, IPR2020-01539, Day 2 (August 2, 2021)
- APPLE-1043 Deposition Transcript of Dr. Vijay Madiseti in IPR2020-01536, IPR2020-01538 (August 3, 2021)

- APPLE-1044      “Refractive Indices of Human Skin Tissues at Eight Wavelengths and Estimated Dispersion Relations between 300 and 1600 nm,” H. Ding, et al.; Phys. Med. Biol. 51 (2006); pp. 1479-1489 (“Ding”)
- APPLE-1045      “Analysis of the Dispersion of Optical Plastic Materials,” S. Kasarova, et al.; Optical Materials 29 (2007); pp. 1481-1490 (“Kasarova”)
- APPLE-1046      “Noninvasive Pulse Oximetry Utilizing Skin Reflectance Photoplethysmography,” Y. Mendelson, et al.; IEEE Transactions on Biomedical Engineering, Vol. 35, No. 10, October 1988; pp. 798-805 (“Mendelson-IEEE-1988”)
- APPLE-1047      Second Declaration of Dr. Thomas W. Kenny
- APPLE-1048      RESERVED
- APPLE-1049      Eugene Hecht, Optics (4<sup>th</sup> Ed. 2002)
- APPLE-1050-1051      RESERVED
- APPLE-1052      Email Authorization dated November 10, 2021

# 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.