

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 IPR2020-01737  
Patent 10,709,366

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**PETITIONER'S EXHIBIT LIST**

## EXHIBIT LIST

APPLE-1001	U.S. Patent No. 10,709,366 to Poeze, et al. (“the ’366 patent”)
APPLE-1002	Excerpts from the Prosecution History of the ’366 patent (“the Prosecution History”)
APPLE-1003	Declaration of Dr. Thomas W. Kenny
APPLE-1004	Curriculum Vitae of Dr. Thomas W. 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	U.S. Pub. No. 2002/0188210 (“Aizawa”)
APPLE-1007	JP 2006-296564 (“Inokawa”)
APPLE-1008	Certified English Translation of Inokawa and Translator’s Declaration
APPLE-1009	U.S. Pat. No. 7,088,040 (“Ducharme”)
APPLE-1010	U.S. Pat. No. 6,198,951 (“Kosuda”)
APPLE-1011	RESERVED
APPLE-1012	RESERVED
APPLE-1013	RESERVED
APPLE-1014	U.S. Pub. No. 2001/0056243 (“Ohsaki”)
APPLE-1015	“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-1016	“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-1017 “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-1018 “Acrylic: Strong, stiff, clear plastic available in a variety of brilliant colors,” available at <https://www.curbellplastics.com/Research-Solutions/Materials/Acrylic>
- APPLE-1019 U.S. Pat. No. 7,031,728 (“Beyer”)
- APPLE-1020 U.S. Pat. No. 7,092,735 (“Osann, Jr.”)
- APPLE-1021 U.S. Pat. No. 6,415,166 (“Van Hoy”)
- APPLE-1022 RESERVED
- APPLE-1023 RESERVED
- APPLE-1024 “Measurement Site and Photodetector Size Considerations in Optimizing Power Consumption of a Wearable Reflectance Pulse Oximeter,” Y. Mendelson, et al.; Proceedings of the 25th IEEE EMBS Annual International Conference, 2003; pp. 3016-3019 (“Mendelson-2003”)
- APPLE-1025 U.S. Pat. No. 6,801,799 (“Mendelson-’799”)
- APPLE-1026 Declaration of Jacob Munford
- APPLE-1027 U.S. Pub. No. 2007/0093786 (“Goldsmith”)
- APPLE-1028 RESERVED
- APPLE-1029 Wikipedia: The Free Encyclopedia, “Universal asynchronous receiver-transmitter” at [https://en.wikipedia.org/wiki/Universal\\_asynchronous\\_receiver-transmitter](https://en.wikipedia.org/wiki/Universal_asynchronous_receiver-transmitter), last accessed 08/27/2020
- APPLE-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 Order Amending Scheduling Order, *Masimo et al. v. True Wearables et al.*, Case 8:18-CV-02001 (July 7, 2020)

APPLE-1037 *Masimo Corporation, et al. v. Apple Inc.*, Second Amended Complaint, Civil Action No. 8:20-cv-00048 (C.D. Cal.)

APPLE-1038 RESERVED

APPLE-1039 RESERVED

APPLE-1040 Order Granting Stipulation to Amend the Scheduling Order, *Masimo v. Apple et al.*, Case 8:20-cv-00048, Paper 201 (September 21, 2020)

APPLE-1041 RESERVED

APPLE-1042 U.S. Patent No. 7,230,227 (“Wilcken”)

APPLE-1043 to 1046 RESERVED

APPLE-1047 U.S. Patent No. 4,941,236 (“Sherman”)

APPLE-1048 Order Re Motion to Stay in *Masimo Corporation et al. v. Apple Inc.*, Case 8:20-cv-00048-JVS-JDE, October 13, 2020

## CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e), the undersigned certifies that on January 22, 2021, a complete and entire copy of this Petitioner's Exhibit List and Exhibit 1048 were provided via email, to the Patent Owner by serving the correspondence address of record as follows:

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