

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 IPR2021-00209  
Patent 10,376,191

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**PETITIONER'S SUBMISSION OF SUPPLEMENTAL INFORMATION**

**EXHIBITS**

APPLE-1001	U.S. Patent No. 10,376,191 to Poeze, et al. (“the ’191 patent”)
APPLE-1002	Excerpts from the Prosecution History of the ’191 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. 8,177,720 (“Nanba”)
APPLE-1011 to 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	RESERVED
APPLE-1017	RESERVED
APPLE-1018	“Acrylic: Strong, stiff, clear plastic available in a variety of brilliant colors,” available at <a href="https://www.curbellplastics.com/Research-Solutions/Materials/Acrylic">https://www.curbellplastics.com/Research-Solutions/Materials/Acrylic</a>

APPLE-1019 to 1022    RESERVED

APPLE-1023        U.S. Pat. App. Pub. No. 2007/0145255 (“Nishikawa”)

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 to 1036    RESERVED

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

APPLE-1038        U.S. Patent No. 8,577,431 to Lamego et al. (“CIP Patent”)

APPLE-1039        Order Re Motion to Stay in *Masimo Corporation et al. v. Apple Inc.*, Case 8:20-cv-00048-JVS-JDE, October 13, 2020

Exhibit 1040        Declaration of Jacob Munford

Exhibit 1041        Declaration of Gordon MacPherson: Mendelson-2003

Pursuant to the Board's Order of July 13, 2021, granting Petitioner's Motion to Submit Supplemental Information (Paper 11), Petitioner submits herewith Exhibit 1040 ("Declaration of Jacob Munford") and Exhibit 1041 ("Declaration of Gordon MacPherson: Mendelson-2003") and their respective appendices. These exhibits are true and exact copies of the exhibits attached to Petitioner's motion.

Respectfully submitted,

Dated: July 19, 2021

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**CERTIFICATE OF SERVICE**

Pursuant to 37 CFR §§ 42.6(e)(4)(i) *et seq.*, the undersigned certifies that on July 19, 2021, a complete and entire copy of this “Petitioner’s Submission of Supplemental Information” and its attached exhibits were provided by electronic mail to the Patent Owner by serving the correspondence e-mail address of record as follows:

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