

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Albert et al.
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Title: DISCORDANCE MONITORING

DECLARATION OF DR. BERNARD R. CHAITMAN

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I, Dr. Bernard R. Chaitman, of St. Louis, Missouri, declare that:

I. ASSIGNMENT

1. I have been retained on behalf of Apple Inc. (“Apple” or “Petitioner”) to offer technical opinions related to U.S. Patent No. 10,638,941 (“The ’941 patent”) (APPLE-1001). I understand that Apple is requesting that the Patent Trial and Appeal Board (“PTAB” or “Board”) to institute an *inter partes* review (“IPR”) proceeding of the ’941 patent.

2. I have been asked to provide my independent analysis of the ’941 patent based on the prior art publications cited in this declaration.

3. I am not and never have been, an employee of Apple. I received no compensation for this declaration beyond my normal hourly compensation based on my time actually spent analyzing the ’941 patent, the prior art publications cited below, and issues related thereto, and I will not receive any added compensation based on the outcome of any IPR or other proceeding involving the ’941 patent

II. QUALIFICATIONS

4. I am over the age of 18 and am competent to write this declaration. I have personal knowledge, or have developed knowledge of these technologies based upon education, training, or experience, of the matters set forth herein.

5. I am an Emeritus Professor of Medicine, and Director of Cardiovascular Research at St Louis University School of Medicine. I am also a

Board-Certified Cardiologist and have practiced Internal Medicine and Cardiovascular Disease for four decades. I am currently licensed in the State of Missouri and Florida. I also serve as the Chair for Clinical Event Committees and Data and Safety Monitoring Boards for numerous clinical trials sponsored by National Heart Lung and Blood Institute (NHLBI) and industry. I am currently a member of the Editorial Board of nine journals that include Circulation, Journal of the American College of Cardiology, and the European Heart Journal. I also founded and am the Medical Director of St Louis University Core ECG Laboratory that provides ECG analysis for numerous NHLBI and industry sponsored clinical trials that test various treatment strategies.

6. I received a Bachelor of Science degree in 1965 and a medical degree 1969, both from McGill University in Montreal, Canada. I completed my Internal Medicine training at McGill University and Royal Victoria Hospital in 1972. I then completed post-graduate training in Cardiovascular Diseases at the University of Oregon (from 1972-1974) and University of Montreal (from 1974-1975).

7. I have a long and distinguished career in academic medicine and have published more than 400 peer-reviewed papers and more than 600 abstracts, book chapters, and short communications. My areas of expertise in Cardiovascular Medicine include rest and exercise ECG analysis, diagnostic noninvasive testing, large scale multinational clinical trials testing different treatment strategies, and

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