Apple Inc. (Petitioner) v. Masimo Corp. (Patent Owner)

Petitioner's Demonstratives

Case No. IPR2022-01299
U.S. Patent No. 7,761,127
Before Hon. JOSIAH C. COCKS, GEORGE R. HOSKINS, and ROBERT A. POLLOCK
Administrative Patent Judges



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'127 Patent Overview



Overview of the '127 Patent

(12) United States Patent Al-Ali et al.

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(54) MULTIPLE WAVELENGTH SENSOR SUBSTRATE

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Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 1154 days.

(21) Appl. No.: 11/366,209

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(51) Int. Cl.

A61B 5/145 (52) U.S. Cl.

600/310: 362/84 600/310. 600/331, 333, 336

See application file for complete search history

U.S. PATENT DOCUMENTS 3.998.550 A 12/1976 Konishi et al.

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4,167,331 A 4.266.554 A 5/1981 Hamaeuri 4,446,871 A 5/1984 Imura 5/1986 Hamagur 4.586.513 A 4,621,643 A 11/1986 New et al. 4,653,498 A 4.685.464 A 8/1987 Goldberger

(Continued)

FOREIGN PATENT DOCUMENTS

WO 98/43071

(Continued)

OTHER PUBLICATIONS

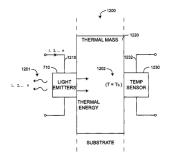
Schmitt, Joseph M.; Zhou, Guan-Xiong; Miller, Justin, Measuremen Blood Hematocrit by Dual-wavelength Near-IR toplethysmography, published May 1992, Proc. SPIE vol. 1641, o. 150-161, Physiological Monitoring and Early Detection Diagnostic Methods, Thomas S. Mang; Ed. (SPIE homepage), in 12 pages.

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ABSTRACT

A physiological sensor has emitters configured to transmit optical radiation having multiple wavelengths in response to corresponding drive currents. A thermal mass is disposed proximate the emitters so as to stabilize a bulk temperature for the emitters. A temperature sensor is thermally coupled to the thermal mass. The temperature sensor provides a temperature sensor output responsive to the bulk temperature so that the wavelengths are determinable as a function of the drive currents and the bulk temperature.

30 Claims, 48 Drawing Sheets



- The '127 Patent was filed March 1, 2006, and its earliest claimed priority date is March 1, 2005.
- The '127 Patent includes 30 claims.
- The Petition challenges claims 1-30, of which claims 1, 7, 13, 20, and 26 are independent.





Overview of the '127 Patent

bstrate

FIG. 12 illustrates light emitters 710 configured to transmit ical radiation 1201 having multiple wavelengths in ponse to corresponding drive currents 1210. A thermal ss 1220 is disposed proximate the emitters 710 so as to bilize a bulk temperature 1202 for the emitters. A temperate sensor 1230 is thermally coupled to the thermal mass 20, wherein the temperature sensor 1230 provides a temature sensor output 1232 responsive to the bulk temperate 1202 so that the wavelengths are determinable as a function of the drive currents 1210 and the bulk temperature 1202. In one embodiment, an operating wavelength λ_a of each attempt the emitter 710 is determined according to EQ. 3

$$\lambda_{a=f}(T_b, I_{drive}, \Sigma I_{drive}) \tag{3}$$

ere T_b is the bulk temperature, I_{drive} is the drive current for articular light emitter, as determined by the sensor control-4500 (FIG. 45), described below, and ΣI_{drive} is the total ve current for all light emitters. In another embodiment,

APPLE-1001, 10:21-39.

Paper 46 (Reply), 21-22.

Paper 2 (Petition), 20-21.

FIGS. 13-18 illustrate one embodiment of a substrate 1200 configured to provide thermal conductivity between an emitter array 700 (FIG. 8) and a thermistor 1540 (FIG. 16). In this manner, the resistance of the thermistor 1540 (FIG. 16) can be measured in order to determine the bulk temperature of LEDs 801 (FIG. 8) mounted on the substrate 1200. The substrate 1200 is also configured with a relatively significant thermal mass, which stabilizes and normalizes the bulk temperature so that the thermistor measurement of bulk temperature is meaningful.

FIGS. 13-14 illustrate a substrate 1200 having a component side 1301, a solder side 1302, a component end 1305 and a connector end 1306. Alignment notches 1310 are disposed between the ends 1305, 1306. The substrate 1200 further has a component layer 1401, inner layers 1402-1405 and a solder layer 1406. The inner layers 1402-1405, e.g. inner layer 1402 (FIG. 18), have substantial metallized areas 1411 that provide a thermal mass 1220 (FIG. 12) to stabilize a bulk temperature for the emitter array 700 (FIG. 12). The metallized areas 1411 also function to interconnect component pads 1510 and wire bond pads 1520 (FIG. 15) to the connector 1530.

APPLE-1001, 10:62-11:15.
Paper 46 (Reply), 21-22.
Paper 2 (Petition), 20-21.



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