

Filed: June 16, 2023

Filed on behalf of:

Patent Owner Masimo Corporation  
By: Brian C. Claassen (Reg. No. 63,051)  
Carol Pitzel Cruz (Reg. No. 61,224)  
Daniel Kiang (Reg. No. 79,631)  
Jeremiah S. Helm, Ph.D. (admitted *pro hac vice*)

KNOBBE, MARTENS, OLSON & BEAR, LLP  
2040 Main Street, Fourteenth Floor  
Irvine, CA 92614  
Tel.: (949) 760-0404  
Fax: (949) 760-9502  
E-mail: AppleIPR745-3@knobbe.com

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

APPLE INC.,  
Petitioner,

v.

MASIMO CORPORATION,  
Patent Owner.

---

Case IPR2022-01465  
U.S. Patent 10,687,745

---

**PATENT OWNER CORRECTED UPDATED EXHIBIT LIST**

Exhibit No.	Description
2001	Declaration of Jeremiah S. Helm in Support of <i>Pro Hac Vice</i> Motion
2002	Declaration of Professor R. James Duckworth, Ph.D.
2003	<i>Curriculum Vitae</i> of Professor R. James Duckworth, Ph.D.
2004	Y. Mendelson et al., “A wearable reflectance pulse oximeter for remote physiological monitoring,” Proceedings of the 28th IEEE EMBS Annual International Conference, pp. 912-915, 2006
2005	R.J. Duckworth et al., “Field Testing of a Wireless Wearable Reflectance Pulse Oximeter,” American Telemedicine Association Annual Conference, 2006
2006	Y. Mendelson, “Wearable Wireless Pulse Oximetry for Physiological Monitoring,” Worcester Polytechnic Institute Precise Personnel Location Workshop, 2008
2007	RESERVED
2008	<i>Masimo Corp. et al. v. Apple Inc.</i> , June 6-10, 2022 Public Hearing Transcript, ITC Inv. No 337-TA-1276
2009-2010	RESERVED
2011	<i>Masimo Corp. et al. v. Apple Inc.</i> , Masimo’s June 27, 2022 Public Initial Post-Hearing Brief, ITC Inv. No 337-TA-1276
2012	<i>Masimo Corp. et al. v. Apple Inc.</i> , Masimo’s August 18, 2022 Motion to Modify Protective Order, ITC Inv. No 337-TA-1276
2013	<i>Masimo Corp. et al. v. Apple Inc.</i> , Apple’s August 29, 2022 Opposition to Masimo’s Motion to Modify Protective Order, ITC Inv. No 337-TA-1276

Exhibit No.	Description
2014	Masimo's September 20, 2022 Email to Board Requesting Authorization to File Motions for Additional Discovery
2015	Apple's September 19, 2022 Email to Masimo Opposing Masimo's Request for Additional Discovery
2016-2018	RESERVED
2019	U.S. Patent Pub. No. 2017/0325744
2020	January 3, 2013 Masimo Press Release Regarding iSpO2
2021	October 2, 2013 Marcelo Lamego Email to Apple CEO Tim Cook
2022	U.S. Patent No. 10,524,671
2023	U.S. Patent No. 10,247,670
2024	U.S. Patent No. 11,009,390
2025	U.S. Patent No. 10,219,754
2026	RESERVED
2027	<i>Masimo Corp. et al. v. Apple Inc.</i> , Public Order Regarding Masimo's Motion for Preliminary Injunction, Case No. 8:20-cv-00048 (C.D. Cal.)
2028	Apple Webpage Titled "Apple Watch Series 6"
2029	Apple Watch Series 6 Video
2030-2049	RESERVED
2050	Respondent Apple Inc.'s Post-Hearing Brief (publicly filed July 13, 2022 in the Investigation)

Exhibit No.	Description
2051	Complainants' Reply Post-Hearing Brief (publicly filed July 25, 2022 in the Investigation)
2052	Respondent Apple Inc.'s Corrected Pre-Hearing Brief (publicly filed May 27, 2022 in the Investigation)
2053	February 23, 2022 Updated Joint Proposed Claim Construction Chart, filed in the Investigation
2054	January 27, 2022 Complainants' Opening Claim Construction Brief, filed in the Investigation
2055	February 10, 2022 Respondent Apple Inc.'s Rebuttal <i>Markman</i> Brief, filed in the Investigation
2056	Excerpts of the File History of App. No. 16/532,065
2057	Excerpts of the File History of App. No. 15/195,199
2058	August 31-September 27, 2022 Email Chain between Masimo's counsel and Apple's counsel regarding Petition correction
2059	PCT Publication WO 02/28274
2060	Redlined comparison of text of Mendelson-799 and PCT Publication WO 02/28274
2061	U.S. Pat. App. Pub. No. 2014/0107493
2062	September 15, 2020 Apple Press Release Regarding Apple Watch Series 6
2063	Andrew Griffin, "Apple Watch Series 6: Why Apple Added a Sensor to Tell How Much Oxygen Is in Your Blood as Its Big New Feature – And What It Means," Independent, Oct. 7, 2020 ( <a href="https://www.independent.co.uk/tech/apple-watch-series-6-blood-oxygen-pulse-oximetry-red-light-heart-rate-vo2-max-b513807.html">https://www.independent.co.uk/tech/apple-watch-series-6-blood-oxygen-pulse-oximetry-red-light-heart-rate-vo2-max-b513807.html</a> )

Exhibit No.	Description
2064	Brian Chen, “The New Apple Watch Measures Your Blood Oxygen. Now What?,” New York Times, Sept. 17, 2020 ( <a href="https://www.nytimes.com/2020/09/17/technology/personaltech/new-apple-watch-blood-oxygen-level-review.html">https://www.nytimes.com/2020/09/17/technology/personaltech/new-apple-watch-blood-oxygen-level-review.html</a> )
2065	Excerpts of Webster’s New Collegiate Dictionary (1980)
2066	Masimo 2014 Annual Report
2067	Marcelo Lamego LinkedIn Profile ( <a href="https://www.linkedin.com/in/marcelo-lamego-72564454">https://www.linkedin.com/in/marcelo-lamego-72564454</a> )
2068	Findings of Fact & Conclusions of Law, <i>Masimo Corp. v. True Wearables, Inc.</i> , No. 8:18-cv-02001-JVS-JDE, Dkt. 600 (C.D. Cal. Nov. 7, 2022)
2069	Eric W. Weisstein, <i>Annulus</i> , Wolfram MathWorld (Dec. 1, 2022, 3:20 PM), <a href="https://mathworld.wolfram.com/Annulus.html">https://mathworld.wolfram.com/Annulus.html</a>
2070	Declaration of Professor R. James Duckworth, Ph.D. in Support of Masimo’s Patent Owner Responses
2071	Transcript of March 24, 2023 Deposition of Dr. Brian W. Anthony and Exhibits 1-3 Thereto
2072	Excerpt of Webster’s II New College Dictionary (2001)
2073	Encyclopedia Britannica, <i>Light, the visible spectrum</i> , <a href="https://www.britannica.com/science/light">https://www.britannica.com/science/light</a> (last visited May 19, 2023)
2074	Nonconfidential Excerpt of Page 65 from June 6-10, 2022 Hearing Transcript, <i>Masimo Corp. et al. v. Apple Inc.</i> , ITC Inv. No 337-TA-1276
2075	February 13, 2023 Respondent Apple Inc.’s Response to Complainants’ Petition for Review (Public Version), filed in <i>Masimo Corp. et al. v. Apple Inc.</i> , ITC Inv. No 337-TA-1276

# 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.