

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

MASIMO CORPORATION,  
Petitioner,

v.

APPLE INC.,  
Patent Owner

---

IPR2023-00664  
Patent 11,106,352

---

**PATENT OWNER'S OBJECTIONS TO EVIDENCE**

Pursuant to 37 C.F.R. § 42.64(b)(1), Patent Owner hereby submits the following objections to evidence filed with Petitioner's Opposition to Patent Owner's Contingent Motion to Amend of March 6, 2024.

| <b>Evidence</b>     | <b>Objections</b>                                                                                                                                                                                                                                  |
|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Exhibit 1053</b> | Patent Owner objects to the admissibility of Exhibit 1053 under FRE 402 and 901 because this exhibit is not relevant to any issue in this proceeding. Masimo has not shown that the exhibit is prior art. This exhibit has not been authenticated. |
| <b>Exhibit 1055</b> | Patent Owner objects to the admissibility of Exhibit 1055 under FRE 402 and 901 because this exhibit is not relevant to any issue in this proceeding. Masimo has not shown that the exhibit is prior art. This exhibit has not been authenticated. |

For at least these reasons, Patent Owner objects to Exhibits **1053** and **1055** and reserves the right to move to exclude these exhibits as inadmissible.

Respectfully submitted,

Dated: March 13, 2024

/Kim H. Leung/  
Kim Leung, Reg. No. 64,399  
Fish & Richardson P.C.  
60 South Sixth Street, Suite 3200  
Minneapolis, MN 55402  
T: 202-783-5070  
F: 877-769-7945

**CERTIFICATE OF SERVICE**

Pursuant to 37 CFR § 42.8(b), the undersigned certifies that on March 13, 2024, a complete and entire copy of this Patent Owner's Objections to Evidence were provided via email to the Petitioner by serving the correspondence email addresses of record as follows:

Ted M. Cannon (Reg. No. 55,036)  
Jarom D. Kesler (Reg. No. 57,046)  
Philip M. Nelson (Reg. No. 62,676)  
Irfan A. Lateef (Reg. No. 51,922)  
Jeremy Anapol (Reg. No. 75,686)

KNOBBE, MARTENS, OLSON & BEAR, LLP  
2040 Main Street, Fourteenth Floor  
Irvine, CA 92614  
Tel.: (949) 760-0404  
Fax: (949) 760-9502

E-mail: [MasimoIPR-352@knobbe.com](mailto:MasimoIPR-352@knobbe.com)

/Crena Pacheco/

Crena Pacheco  
Fish & Richardson P.C.  
60 South Sixth Street  
Minneapolis, MN 55402  
[pacheco@fr.com](mailto:pacheco@fr.com)