Filed: July 18, 2024

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MASIMO CORPORATION,
Petitioner

v.

APPLE INC.,
Patent Owner

Case No. IPR2023-00664
Patent No. 11,106,352

PETITIONER'S UPDATED EXHIBIT LIST

EXHIBIT LIST

Exhibit No.	Description
1001	U.S. Patent No. 11,106,352 ("the '352 patent")
1002	File History of the '352 patent
1003	Declaration of Craig Rosenberg, Ph.D.
1004	*Curriculum Vitae* of Craig Rosenberg, Ph.D.
1005	U.S. Patent Appl. Publication No. US 2012/0129495 A1 ("Chae")
1006	U.S. Patent Appl. Publication No. US 2013/0305351 A1 ("Narendra")
1007	*Android 4.2 lock screen widgets* (MP4 copy of November 12, 2012 YouTube video) ("Android")
1008	U.S. Patent Appl. Publication No. US 2014/0189577 A1 ("Shuttleworth")
1009	U.S. Patent Appl. Publication No. US 2013/0227418 A1 ("de Sa")
1010	U.S. Patent Appl. Publication No. US 2015/0095819 A1 ("Hong")
1011	U.S. Patent Appl. Publication No. US 2015/0346976 A1 ("Karunamuni")
1012	Excerpts from *The Design of Everyday Things*, Norman, Donald A., Doubleday, 1988 ("Norman")
1013	"Do Interface Standards Stifle Design Creativity," archive copy of "http://www.useit.com/altertbox/990822.html" from August 22, 1999, Nielsen, Jakob ("Nielsen 1")
1014	"Enhancing the Explanatory Power of Usability Heuristics," *Human Factors in Computing Systems*, 1994, Nielsen, Jakob,

Exhibit No.	Description
	("Nielsen 2")
1015	"Could I have the Menu Please? An Eye Tracking Stucy of Design Conventions," *People and Computers XVII – Designing for Society*, 2004, pp. 401-414, McCarthy, John D. *et al*, ("McCarthy")
1016	"The effects of link format and screen location on visual search of web pages," *Ergonomics*, Vol. 47, No. 8, June 22, 2004, pp. 907-921, Ling, Jonathan and van Schaik, Paul ("Ling")
1017	"The effect of violating visual conventions of a website on user performance and disorientation. How bad can it be?," *SIGDOC'08*, September 22-24, 2008, Santa-Maria, Luis and Dyson, Mary C. ("Santa-Maria")
1018	U.S. Patent No. 10,466,889
1019	U.S. Patent No. 8,311,514 ("Bandyopadhyay")
1020	Reserved
1021	Declaration of Sylvia D. Hall-Ellis, Ph.D.
1022	*Curriculum Vitae* of Sylvia D. Hall-Ellis, Ph.D.
1023-1030	Reserved
1031	Declaration of Kate Talbot
1032	Résumé of Kate Talbot
1033	U.S. District Court – Judicial Caseload Profile – Delaware
1034-1040	Reserved
1041	Declaration of Nathaniel E. Frank-White
1042-1049	Reserved
1050	*Apple Inc. v. Masimo Corporation, et al.,* May 25, 2023

Exhibit No.	Description
	Scheduling Order, Case No. 1:22-cv-01378-MN (JLHx) (D. Del.)
1051	U.S. Patent Appl. Publication No. US 2017/0046024 A1 ("Dascola")
1052	International Patent Appl. Publication No. WO 2013/045983 A1 ("Zanella")
1053	Excerpts from *Apple Watch (Idiot's Guides)*, Spivey, Dwight, DK Publishing 1st ed., 2015 ("Spivey")
1054	Second Declaration of Craig Rosenberg, Ph.D.
1055	"Wearable Photoplethysmography for Cardiovascular Monitoring," *Proc IEEE Inst Electr Electron Eng. 2022 Mar 11*, 2022, pp. 355-381, Charlton, Peter H. *et al*, ("Charlton")
1056	Third Declaration of Craig S. Rosenberg, Ph.D.
1057	Deposition of Dr. Andrew Cockburn
1058	Excerpts of the parties' joint claim construction brief in *Apple Inc. v. Masimo Corp. et al.*, C.A. No. 22-1378 (D. Del.)
1059	Declaration of Craig S. Rosenberg, Ph.D. in support of Masimo's claim construction in *Apple Inc. v. Masimo Corp. et al.*, C.A. No. 22-1378 (D. Del.)
1060	Non-confidential excerpts of rebuttal expert report of Craig S. Rosenberg, Ph.D. in *Apple Inc. v. Masimo Corp. et al.*, C.A. No. 22-1378 (D. Del.)
1061	Non-confidential excerpts of opening expert report of Craig S. Rosenberg, Ph.D. in *Apple Inc. v. Masimo Corp. et al.*, C.A. No. 22-1378 (D. Del.)
1062	Non-confidential excerpts of deposition of Craig S. Rosenberg, Ph.D. in *Apple Inc. v. Masimo Corp. et al.*, C.A. No. 22-1378 (D. Del.)

Exhibit No.	Description
1063	Declaration of Jeremy A. Anapol in Response to Patent Owner's Objection to Evidence [served only]
1064	Fourth Declaration of Craig S. Rosenberg, Ph.D.
1065	U.S. Patent Appl. Publication No. US 2016/0018872 A1 ("Tu")
1066	U.S. Patent Appl. Publication No. US 9,966,047 B2 ("Gao")
1067	Moto 360 User Manual
1068	U.S. Patent Appl. Publication No. US 2006/0139326A1 ("Tsukamoto")
1069	U.S. Patent Appl. Publication No. US 9,159,294 B2 ("Le Grand")
1070	U.S. Patent Appl. Publication No. US 2012/0272230 A19 ("Lee")
1071	Errata Sheet of April 24, 2024 Deposition of Craig Rosenberg, Signed May 29, 2024
1072	U.S. Patent No. US 8,826,172 B2 ("Brinda")
1073	Declaration of Ted M. Cannon in Response to Patent Owner's Objections to Evidence [served only]
1074	*Moto 360 Review!* (MP4 copy of September 15, 2014 YouTube video) [served only]
1075	"Moto 360 review—Beautiful outside, ugly inside," *ArsTechnica*, September 7, 2014, Amadeo, Ron, https://arstechnica.com/gadgets/2014/09/moto-360-review-beautiful-outside-ugly-inside/ [served only]
1076	Transcript of July 11, 2024 Deposition of Dr. Andrew Cockburn

Respectfully submitted,

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Dated: July 18, 2024

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CERTIFICATE OF SERVICE

I hereby certify that, pursuant to 37 C.F.R. § 42.6(e) and with the agreement of counsel for Patent Owner, a true and correct copy of **PETITIONER'S UPDATED EXHIBIT LIST** and **EXHIBIT 1076** are being served electronically on July 18, 2024, to the e-mail addresses shown below:

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