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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

Petitioner,

v.

MASIMO CORPORATION,

Patent Owner.

Case IPR2024-00243
U.S. Patent 10,722,159

PATENT OWNER'S UPDATED EXHIBIT LIST

EXHIBIT LIST

Exhibit No.	Description
2001	Curriculum Vitae of Vijay K. Madisetti
2002	Expert Declaration of Vijay K. Madisetti in Support of Patent Owner's Preliminary Response
2003	Commission Opinion (Public), *Certain Light-Based Physiological Measurement Devices and Components Thereof*, Inv. No. 337-TA-1276, EDIS No. 808521 (ITC Oct. 26, 2023)
2004	Decision Denying Institution of Inter Partes Review, *Apple Inc. v. Masimo Corp.*, IPR2022-01271, Paper 15 (PTAB Jan. 24, 2023)
2005	Decision Denying Institution of Inter Partes Review, *Apple Inc. v. Masimo Corp*., IPR2022-01272, Paper 16 (PTAB Jan. 24, 2023)
2006	Decision Denying Institution of Inter Partes Review, *Apple Inc. v. Masimo Corp.*, IPR2022-01273, Paper 15 (PTAB Jan. 24, 2023)
2007	Decision Denying Institution of Inter Partes Review, *Apple Inc. v. Masimo Corp.*, IPR2022-01274, Paper 15 (PTAB Jan. 24, 2023)
2008	Decision Denying Institution of Inter Partes Review, *Apple Inc. v. Masimo Corp.*, IPR2022-01275, Paper 15 (PTAB Jan. 30, 2023)
2009	Decision Denying Institution of Inter Partes Review, *Apple Inc. v. Masimo Corp*., IPR2022-01276, Paper 15 (PTAB Jan. 30, 2023)
2010	Plaintiff Apple Inc.'s Opposition to Defendants' Motion for Stay Pending Inter Partes Review (Public), *Apple Inc. v. Masimo Corp.*, No. 22-1378-MN-JLH (D. Del. Jan. 10, 2024), D.I. 457
2011	Plaintiff Apple Inc.'s Opening Brief in Support of Its Motion for an Expedited Trial, *Apple Inc. v. Masimo Corp.*, No. 22-1377-MN-JLH (D. Del. Feb. 10, 2023), D.I. 50

Exhibit No.	Description
2012	Transcript of May 5, 2023 Hearing in *Apple Inc. v. Masimo Corp.*, Nos. 22-1377-MN-JLH, 22-1378-MN-JLH (D. Del. May 5, 2023)
2013	Original Scheduling Order, *Apple Inc. v. Masimo Corp.*, No. 22-1378-MN-JLH (D. Del. May 25, 2023), D.I. 92
2014	Amended Scheduling Order, *Apple Inc. v. Masimo Corp.*, No. 22-1378-MN-JLH (D. Del. Sept. 21, 2023), D.I. 359
2015	Lex Machina Patent Case Timeline Statistics for the District of Delaware between December 12, 2022 and December 12, 2023
2016	Lex Machina Case Statistics for Magistrate Judge Jennifer Hall
2017	Lex Machina Case Statistics for Judge Colm Connolly, Judge Maryellen Noreika, Judge Richard Andrews, Judge Gregory Williams, and Magistrate Judge Jennifer Hall
2018	Transcript of September 14, 2023 Markman Hearing, *Apple Inc. v. Masimo Corp*., Nos. 22-cv-1377-MN-JLH, 22-cv-1378-MN-JLH
2019	Aaron Tilley, *The Entrepreneur Who Bet His Company on a Fight With Apple*, Wall Street J., Dec. 30, 2023, https://www.wsj.com/tech/joe-kiani-entrepreneur-apple-warning-52eb09a9
2020	Notice of Refund, *Apple Inc. v. Masimo Corp*., IPR2022-1271, Paper 20 (PTAB June 20, 2023)
2021	Notice of Refund, *Apple Inc. v. Masimo Corp*., IPR2022-1272, Paper 20 (PTAB June 20, 2023)
2022	Notice of Refund, *Apple Inc. v. Masimo Corp*., IPR2022-1273, Paper 19 (PTAB June 20, 2023)

Exhibit No.	Description
2023	Notice of Refund, *Apple Inc. v. Masimo Corp*., IPR2022-1274, Paper 19 (PTAB June 20, 2023)
2024	Notice of Refund, *Apple Inc. v. Masimo Corp*., IPR2022-1275, Paper 19 (PTAB June 26, 2023)
2025	Notice of Refund, *Apple Inc. v. Masimo Corp*., IPR2022-1276, Paper 20 (PTAB June 26, 2023)
2026	Notice of Refund, *Apple Inc. v. Masimo Corp*., IPR2022-1292, Paper 17 (PTAB Mar. 7, 2023)
2027	Notice of Refund, *Apple Inc. v. Masimo Corp*., IPR2022-1466, Paper 17 (PTAB Apr. 5, 2023)
2028	Correspondence from counsel for Apple to counsel for Masimo regarding Apple's prior art grounds in the Delaware Litigation, dated November 16, 2023
2029	June 6–10, 2022 Public Hearing Transcript, ITC Inv. No. 337-TA-1276
2030	Emails dated August–September 2022 between Apple's and Masimo's Counsel re IPR2022-01291 and -01465
2031	Email chain regarding false statements in IPR Petitions
2032	November 17, 2023 Letter from U.S. Food & Drug Administration to Masimo Corp. re Masimo W1 510(k) Clearance
2033	Petition for Inter Partes Review, *Apple Inc. v. Masimo Corp*., IPR2022-01292
2034	Petition for Inter Partes Review, *Apple Inc. v. Masimo Corp*., IPR2022-01466
2035	Final Written Decision (Public Version), *Apple Inc. v. Masimo Corp*., IPR2022-01291 (Jan. 30, 2024)

Exhibit No.	Description
2036	Final Written Decision (Public Version), *Apple Inc. v. Masimo Corp*., IPR2022-01465 (Feb. 2, 2024)
2037	Redacted Excerpt of the December 15, 2023 Rebuttal Report of Dr. Majid Sarrafzadeh
2038	Joint Claim Construction Statement Regarding Masimo Asserted Patents, *Apple Inc. v. Masimo Corp*., No. 22-1378-MN-JLH (Aug. 31, 2023)
2039	Petitioner's Reply (Public Version), Apple Inc. v. Masimo Corp., IPR2022-01291
2040	Order re Conduct of the Proceedings, *Apple Inc. v. Masimo Corp*., IPR2022-01291, Order Conduct of the Proceedings (Paper 43)
2041	Excerpt of Apple's Final Invalidity Contentions, *Apple Inc. v. Masimo Corp*., No. 1:22-cv-1378-JLH (D. Del.)
2042	Masimo Post-Hearing Brief (Public Version), ITC Inv. No. 337-TA-1276
2043	ITC Final Initial Determination (Public Version), ITC Inv. No. 337-TA-1276
2044-2049	RESERVED
2050	Apple Inc.'s Post-Hearing Brief (Public Version), ITC Inv. No. 337-TA-1276
2051-2055	RESERVED
2056	Excerpts of File History of App. No. 16/532,065
2057	Excerpts of File History of App. No. 15/195,199
2058-2068	RESERVED

Exhibit No.	Description
2069	Eric W. Weisstein, *Annulus*, Wolfram MathWorld (Dec. 1, 2022, 3:20 pm), https://mathworld.wolfram.com/Annulus.html
2070-2071	RESERVED
2072	Excerpt of Webster's II New College Dictionary (2001)
2073	RESERVED
2074	Nonconfidential Excerpt of Page 65 from June 6-10, 2022 Hearing Transcript, ITC Inv. No 337-TA-1276
2075	RESERVED
2076	CONFIDENTIAL – Transcript of Testimony of Brian Land from June 6-10, 2022 Hearing Transcript, *Certain Light-Based Physiological Measurement Devices and Components Thereof*, Inv. No. 337-TA-1276
2077	CONFIDENTIAL – Transcript of Testimony of Dr. Paul Mannheimer from June 6-10, 2022 Hearing Transcript, *Certain Light-Based Physiological Measurement Devices and Components Thereof*, Inv. No. 337-TA-1276
2078	CONFIDENTIAL – Transcript of Testimony of Dr. Stephen Waydo from June 6-10, 2022 Hearing Transcript, *Certain Light-Based Physiological Measurement Devices and Components Thereof*, Inv. No. 337-TA-1276
2079	RESERVED
2080	CONFIDENTIAL – ITC Exhibit CX-0289C – Designated Portions of February 10, 2022 Deposition of Dr. Paul Mannheimer
2081	CONFIDENTIAL – ITC Exhibit CX-0299C – Designated Portions of February 18, 2022 Deposition of Dr. Stephen Waydo

Exhibit No.	Description
2082	CONFIDENTIAL – ITC Exhibit CX-0295C – Designated Portions of February 11, 2022 Deposition of Tao Shui
2083	CONFIDENTIAL – ITC Exhibit CX-0007C – Email from Brian Land to Paul Mannheimer et al.
2084	CONFIDENTIAL – ITC Exhibit CX-0175C – Apple Organization Chart
2085	CONFIDENTIAL – ITC Exhibit CX-0177C – Apple Presentation
2086	CONFIDENTIAL – ITC Exhibit CX-0185C – Apple Presentation
2087	RESERVED
2088	ITC Exhibit CX-1616 – Fowler, Geoffrey, "The new Apple Watch says my lungs may be sick. Or perfect. It can't decide." Washington Post, September 23, 2020 (https://www.washingtonpost.com/technology/2020/09/23/apple-watch-oximeter/)
2089	CONFIDENTIAL – ITC Exhibit CX-1793C – Apple Presentation
2090	RESERVED
2091	William, Andrews, "Fitbit Update Lets You Quickly Check Your Blood Oxygen Saturation." Forbes, Sept. 9, 2020 (https://www.forbes.com/sites/andrewwilliams/2020/09/09/fitbit-update-lets-you-quickly-check-your-blood-oxygen-saturation/?sh=5d6ecb55e76a)
2092	"Track Your SpO2 to Uncover Changes in Your Wellbeing," Fitbit, Sept. 7, 2020 (https://blog.fitbit.com/track-your-spo2/)
2093	CONFIDENTIAL – ITC Final Initial Determination (Public version filed as Exhibit 2043)

Exhibit No.	Description
2094	CONFIDENTIAL – Transcript of November 7, 2023 Deposition of Dr. Paul Mannheimer, *Apple Inc. v. Masimo Corp. et al.*, Nos. 22-1377-MN-JLH, 22-1378-MN-JLH (D. Del.)
2095	Stein, "Withings Pulse O2 review: Fitness band plus heart rate monitor checks blood oxygen, too," CNET.com (April 25, 2014), https://www.cnet.com/reviews/withings-pulse-o2-review/ (Previously filed as APPLE-1057 in IPR2022-01291)
2096	CONFIDENTIAL - Final Written Decision, *Apple Inc. v. Masimo Corp*., IPR2022-01291 (Jan. 30, 2024) (Public version previously filed as EX2035)
2097	Excerpt of C. A. Bennett, *Principles of Physical Optics*, John Wiley & Sons, Inc. (2008)
2098	CONFIDENTIAL - Excerpt of December 15, 2023 Expert Report of Majid Sarrafzadeh, Ph.D. Regarding Non-Infringement of U.S. Patent Nos. 10,687,743 & 10,722,159, *Apple Inc. v. Masimo Corp.*, C.A. Nos. 22-1377-MN-JLH, 22-1378-MN-JLH (D. Del.)
2099	Transcript of Hearing Held November 17, 2023 in IPR2022-01291, -01465 (Public Version)
2100	CONFIDENTIAL - Declaration of Vijay K. Madisetti, Ph.D. in Support of Patent Owner's Response
2101	Document produced by Apple in related litigation bearing production numbers APL-MAS_00117783-877
2102	CONFIDENTIAL - Excerpt of document produced by Apple in related litigation bearing production numbers APL_DEL03985999-6078
2103	Document produced by Apple in related litigation bearing production numbers APL_MAS_ITC_00311268-73

Exhibit No.	Description
2104	CONFIDENTIAL - Document produced by Apple in related litigation bearing production numbers APL-MAS_01812072-78
2105	Petition, *Apple Inc. v. Masimo Corp.*, IPR2020-01722
2106	"How to use the Blood Oxygen app on Apple Watch," Apple Inc. (https://support.apple.com/en-us/120358)
2107	Transcript of October 28, 2024 Deposition of Brian Anthony, Ph.D. and Deposition Exhibit 1 Thereto
2108	Chris Stokel-Walker, "A Stand-Out Health Tracker: Masimo W1 Medical," TIME, Oct. 30, 2024 (https://time.com/7094688/masimo-w1-medical)
2109	Declaration of Daniel C. Kiang in Response to Petitioner's Objections to Evidence (Served Only)
2110	Email Chain Between Masimo and Apple re Cross-Use (Served Only)

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: November 26, 2024

/s/ Daniel C. Kiang
Daniel C. Kiang (Reg. No. 79,631)

Attorney for Patent Owner
Masimo Corporation

CORRECTED CERTIFICATE OF SERVICE

I hereby certify that, pursuant to 37 C.F.R. § 42.6(e) and with the agreement of counsel for Apple, a true and correct copy of **PATENT OWNER'S UPDATED EXHIBIT LIST AND EXHIBITS 2109 - 2110** is being served electronically on November 26, 2024, to the e-mail addresses shown below:

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