

Filed: March 26, 2025

Filed on behalf of:

Patent Owner Masimo Corporation
By: Benjamin A. Katzenellenbogen (Reg. No. 53,102)
Brian C. Claassen (Reg. No. 63,051)
Daniel Hughes (Reg. No. 76,592)
Irfan A. Lateef (Reg. No. 51,922)
Jarom D. Kesler (Reg. No. 57,046)
Daniel C. Kiang (Reg. No. 79,631)

KNOBBE, MARTENS, OLSON & BEAR, LLP
2040 Main Street, Fourteenth Floor
Irvine, CA 92614
Tel.: (949) 760-0404
Fax: (949) 760-9502
E-mail: AppleIPR223@knobbe.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

MASIMO CORPORATION,
Patent Owner.

Case IPR2024-00290
U.S. Patent 8,190,223

PATENT OWNER'S UPDATED EXHIBIT LIST

EXHIBIT LIST

Exhibit No.	Description
2001	Curriculum Vitae of R. James Duckworth, Ph.D.
2002	Declaration of R. James Duckworth, Ph.D.
2003	Commission Opinion (Public), <i>Certain Light-Based Physiological Measurement Devices and Components Thereof</i> , Inv. No. 337-TA-1276, EDIS No. 808521 (ITC Oct. 26, 2023)
2004	Decision Denying Institution of <i>Inter Partes</i> Review, <i>Apple Inc. v. Masimo Corp.</i> , IPR2022-01271, Paper 15 (PTAB Jan. 24, 2023)
2005	Decision Denying Institution of <i>Inter Partes</i> Review, <i>Apple Inc. v. Masimo Corp.</i> , IPR2022-01272, Paper 16 (PTAB Jan. 24, 2023)
2006	Decision Denying Institution of <i>Inter Partes</i> Review, <i>Apple Inc. v. Masimo Corp.</i> , IPR2022-01273, Paper 15 (PTAB Jan. 24, 2023)
2007	Decision Denying Institution of <i>Inter Partes</i> Review, <i>Apple Inc. v. Masimo Corp.</i> , IPR2022-01274, Paper 15 (PTAB Jan. 24, 2023)
2008	Decision Denying Institution of <i>Inter Partes</i> Review, <i>Apple Inc. v. Masimo Corp.</i> , IPR2022-01275, Paper 15 (PTAB Jan. 30, 2023)
2009	Decision Denying Institution of <i>Inter Partes</i> Review, <i>Apple Inc. v. Masimo Corp.</i> , IPR2022-01276, Paper 15 (PTAB Jan. 30, 2023)
2010	Plaintiff Apple Inc.'s Opposition to Defendants' Motion for Stay Pending <i>Inter Partes</i> Review (Public), <i>Apple Inc. v. Masimo Corp.</i> , No. 22-1378-MN-JLH (D. Del. Jan. 10, 2024), D.I. 457

Exhibit No.	Description
2011	Plaintiff Apple Inc.’s Opening Brief in Support of Its Motion for an Expedited Trial, <i>Apple Inc. v. Masimo Corp.</i> , No. 22-1377-MN-JLH (D. Del. Feb. 10, 2023), D.I. 50
2012	Transcript of May 5, 2023 Hearing in <i>Apple Inc. v. Masimo Corp.</i> , Nos. 22-1377-MN-JLH, 22-1378-MN-JLH (D. Del. May 5, 2023)
2013	Original Scheduling Order, <i>Apple Inc. v. Masimo Corp.</i> , No. 22-1377-MN-JLH (D. Del. May 25, 2023), D.I. 92
2014	Amended Scheduling Order, <i>Apple Inc. v. Masimo Corp.</i> , No. 22-1377-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, <i>Apple Inc. v. Masimo Corp.</i> , Nos. 22-cv-1377-MN-JLH, 22-cv-1378-MN-JLH
2019	Aaron Tilley, <i>The Entrepreneur Who Bet His Company on a Fight With Apple</i> , Wall Street J., Dec. 30, 2023, https://www.wsj.com/tech/joe-kiani-entrepreneur-apple-warning-52eb09a9
2020	Notice of Refund, <i>Apple Inc. v. Masimo Corp.</i> , IPR2022-1271, Paper 20 (PTAB June 20, 2023)
2021	Notice of Refund, <i>Apple Inc. v. Masimo Corp.</i> , IPR2022-1272, Paper 20 (PTAB June 20, 2023)

Exhibit No.	Description
2022	Notice of Refund, <i>Apple Inc. v. Masimo Corp.</i> , IPR2022-1273, Paper 19 (PTAB June 20, 2023)
2023	Notice of Refund, <i>Apple Inc. v. Masimo Corp.</i> , IPR2022-1274, Paper 19 (PTAB June 20, 2023)
2024	Notice of Refund, <i>Apple Inc. v. Masimo Corp.</i> , IPR2022-1275, Paper 19 (PTAB June 26, 2023)
2025	Notice of Refund, <i>Apple Inc. v. Masimo Corp.</i> , IPR2022-1276, Paper 20 (PTAB June 26, 2023)
2026	Notice of Refund, <i>Apple Inc. v. Masimo Corp.</i> , IPR2022-1292, Paper 17 (PTAB Mar. 7, 2023)
2027	Notice of Refund, <i>Apple Inc. v. Masimo Corp.</i> , 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	Reserved
2030	Masimo Corp., Press Releases, 2005, http://www.masimo.com/news/2006.htm , captured Oct. 30, 2009
2031	Masimo Corp., Masimo rainbow® Pulse Co-Oximetry, https://professional.masimo.com/technology/co-oximetry/rainbow/ , captured Mar. 20, 2024
2032	Joint Claim Construction Brief Regarding Masimo Asserted Patents, No. 1:22-cv-01378, D.I. 295, Aug. 31, 2023, <i>Apple, Inc. v. Masimo Corporation and Sound United, LLC</i> , (D. Del.)

Exhibit No.	Description
2033	Jim Duckworth, “Integrated First Responder Location and Physiological Monitoring,” Presentation, 1st Invitational Workshop on Body Area Network Technology and Applications, Worcester Polytechnic Institute, Jun. 19-20, 2011
2034	Yitzhak Mendelson, “Wearable Wireless Pulse Oximetry for Physiological Monitoring,” Presentation, PPL Workshop, Worcester Polytechnic Institute, Aug. 4 2008
2035	Y. Mendelson, J. Duckworth, et al. “A Wearable Pulse Oximeter for Remote Physiological Monitoring,” Proceedings of the 28th IEEE EMBS Annual Int’l Conf., Aug. 30 - Sept. 3, 2006
2036	U.S. Patent No. 6,091,530
2037	U.S. Patent No. 6,075,755
2038	U.S. Pat. App. Pub. 2002/0082488
2039	Merriam Webster’s Collegiate Dictionary, 11 th Ed. (2003)
2040	Cambridge Advanced Learner’s Dictionary (2003)
2041	The New Britannica/Webster Dictionary Reference Guide (1981)
2042	Declaration of R. James Duckworth, Ph.D. in Support of Patent Owner’s Response
2043	Transcript of August 23, 2024 Deposition of Dr. Andrew Cockburn
2044	Transcript of January 24, 2025 Deposition of Dr. Andrew Cockburn
2045	Patent Owner's Oral Hearing Demonstratives

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 26, 2025

/Daniel C. Kiang/

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

Customer No. 20,995

Attorney for Patent Owner

Masimo Corporation

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to 37 C.F.R. § 42.6(e) and with the agreement of counsel for Petitioner, a true and correct copy of **PATENT OWNER'S UPDATED EXHIBIT LIST** is being served electronically on March 26, 2025, to the e-mail addresses shown below:

W. Karl Renner, Reg. No. 41,265 Fish & Richardson P.C. 60 South Sixth Street Minneapolis, MN 55402 Tel: 202-783-5070 Fax: 877-769-7945 Email: IPR50095-0132IP2@fr.com	Andrew B. Patrick, Reg. No. 63,471 Grace Kim, Reg. No. 71,977 Gretchen DeVries, Reg. No. 72,505 Fish & Richardson P.C. 60 South Sixth Street Minneapolis, MN 55402 Tel: 202-783-5070 Fax: 877-769-7945 Email: IPR50095-0132IP2@fr.com
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Dated: March 26, 2025

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

Attorney for Patent Owner
Masimo Corporation