

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

MASIMO CORPORATION,
Petitioner

Case IPR2024-00294
U.S. Patent 10,736,507

**PETITIONER'S NOTICE OF INTENT TO DESIGNATE MICHAEL
AMON, A PROVISIONALLY RECOGNIZED PTAB ATTORNEY, AS
BACK-UP COUNSEL UNDER 37 C.F.R. § 42.10(c)**

EXHIBIT LIST

APPLE-1001	U.S. Patent No. 10,736,507 (“the ’507 patent”)
APPLE-1002	U.S. Patent No. 10,736,507 File History
APPLE-1003	Declaration of Dr. Thomas Kenny
APPLE-1004	RESERVED
APPLE-1005	U.S. Patent Application Pub. No. 2008/0004904 to Tran (“Tran”)
APPLE-1006	U.S. Patent No. 6,658,276 to Kianl et al. (“Kianl”)
APPLE-1007	Lorenzo T. D’Angelo, et al., A Sensor Network to iPhone Interface Separating Continuous and Sporadic Processes in Mobile Telemedicine, 33rd Annual International Conference of the IEEE EMBS Boston, Massachusetts USA, August 30 - September 3, 2011 (“D’Angelo”)
APPLE-1008	U.S. Patent No. 7,812,826 to Ording et al. (“Ording”)
APPLE-1009	U.S. Patent Application Pub. No. 2007/0093786 to Goldsmith et al. (“Goldsmith”)
APPLE-1010	U.S. Patent Application Pub. No. 2010/0324387 to Moon et al. (“Moon”)
APPLE-1011	Y. Mendelson, et al., A Wearable Reflectance Pulse Oximeter for Remote Physiological Monitoring, Proceedings of the 28th IEEE EMBS Annual International Conference New York City, USA, Aug 30-Sept 3, 2006
APPLE-1012	Declaration of June Munford

APPLE-1013	U.S. Patent No. 8,195,848 to Jones (“Jones”)
APPLE-1014	Exemplary Infringement Claim Chart for the ’507 patent from Apple Inc. v. PO Corporation et al., Case No. 1-22-cv-01378 (D. Del. Oct. 20, 2022)
APPLE-1015	Exemplary Infringement Claim Chart for the ’911 patent from Apple Inc. v. PO Corporation et al., Case No. 1-22-cv-01378 (D. Del. Oct. 20, 2022)
APPLE-1016 – 1059	[RESERVED]
APPLE-1060	U.S. District Courts–Combined Civil and Criminal Federal Court Management Statistics (Sep. 30, 2023) United States Courts (uscourts.gov), https://www.uscourts.gov/sites/default/files/data_tables/fcms_na_distprofile0630.2023.pdf
APPLE-1061	Memorandum, Interim Procedure for Discretionary Denials in AIA Post-Grant Proceedings with Parallel District Court Litigation (USPTO June 21, 2022) (“Director’s Guidance”)
APPLE-1062	Apple’s Complaint for Patent Infringement (Design), Apple Inc., v PO Corporation, et al., Case No. 1-22-cv-01377 (D. Del. Oct. 20, 2022)
APPLE-1063	Apple’s Complaint for Patent Infringement (Utility), Apple Inc., v PO Corporation, et al., Case No. 1-22-cv-01378 (D. Del. Oct. 20, 2022)
APPLE-1064	Defendant PO Corporation’s Answer to Complaint and Counterclaims, Apple Inc., v PO Corporation, et al., Case No. 1-22-cv-01378 (D. Del. Dec. 12, 2022)
APPLE-1065	Order Granting Joint Motion to Amend the Case Schedule,

Apple Inc., v PO Corporation, et al., Case No. 1-22-cv01378
(D. Del. Sep. 21, 2023)

APPLE-1066	Stipulation by Apple Inc.
APPLE-1067	Email Identifying PO's District Court Invalidity Grounds (Nov. 16, 2023)
APPLE-1068	Excerpt of Apple's District Court Expert Invalidity Report, <i>Apple Inc., v PO Corporation, et al.</i> , Case No. 1-22-cv-01378 (Nov. 22, 2023)
APPLE-1069	Order Granting Unopposed Motion to Stay Certain Patent Counterclaims, <i>Apple Inc., v PO Corporation, et al.</i> , Case No. 1-22-cv-01378 (Jan. 10, 2023)
APPLE-1070 – 1074	[RESERVED]
APPLE-1075	Joint Letter for March 20, 2024 Case Management Conference, <i>Apple Inc., v Masimo Corporation, et al.</i> , Case No. 1-22-cv-01378 (Mar. 16, 2024)
APPLE-1076	Combined Civil and Criminal Federal Court Management Statistics (Dec. 31, 2023) United States Courts (uscourts.gov), available at: https://www.uscourts.gov/sites/default/files/fcms_na_distprofile1231.2023_0.pdf
APPLE-1077	Median Time to Disposition in Cases Terminated After Hearing or Submission United States Court of Appeals for the Federal Circuit (Sep. 30, 2023), available at: MedDispTimeMERITS-Table-FY23.pdf (uscourts.gov)
APPLE-1078	<i>Sotera</i> Stipulation by Apple Inc.
APPLE-1079	Board Email Authorizing Motion to Strike and Evidence

APPLE-1080	Email Record of Meet-and-Confer Regarding Patent Owner Response, Petitioner Reply, and Patent Owner Sur-Reply Deadline Extensions
APPLE-1081	Email Record of Meet-and-Confer Regarding Motion to Strike
APPLE-1082	Declaration of Gordon MacPherson
APPLE-1083	Second Declaration of Dr. Thomas Kenny
APPLE-1084	Definition of “responsive” from Chambers Concise Dictionary, Chambers Harrap Publishers Ltd. (2009)
APPLE-1085	Definition of “responsive” from Bloomsbury English Dictionary, Bloomsbury Publishing Plc (2004)
APPLE-1086	Definition of “response” from The New Penguin Dictionary of Civil Engineering, Penguin Books (2005)
APPLE-1087	Transcript of the Deposition of Dr. R. James Duckworth (December 20, 2024)
APPLE-1088	Definition of “output” from Chambers Dictionary of Science and Technology, Chambers Harrap Publishers Ltd. (2007)
APPLE-1089	Definition of “output” from Dictionary of Computing, A & C Black Publishers Ltd. (2010)
APPLE-1090	Definition of “output” from Newton’s Telecom Dictionary, Flatiron Publishing Inc. (2013)
APPLE-1091	U.S. Patent Application Pub. No. 2006/0253010 to Brady et al. (“Brady”)
APPLE-1092	U.S. Patent No. 7,598,878 to Goldreich (“Goldreich”)
APPLE-1093	U.S. Patent Application Pub. No. 2013/0069431 to Tseng et al. (“Tseng”)

APPLE-1094	J. Hudson, et al., Usability Testing of a Prototype Phone Oximeter with Healthcare Providers in High- and Low-Medical Resource Environments, 67 Anaesthesia 957-67 (2012) (“Hudson”)
APPLE-1095	Joseph A. Sankman, et al., Development of a Remote Pulse Oximeter, Bachelor’s thesis, University of Arizona (2010)
APPLE-1096	RESERVED
APPLE-1097	Walter Karlen, et al., Human-Centered Phone Oximeter Interface Design for the Operating Room, Proceedings of the International Conference on Health Informatics, Rome, Italy, SciTePress, 433-38 (2011)
APPLE-1098	Press Release, EDN, Nonin Medical Launches Low Power Xpod® Model 3012LP, OEM Pulse Oximeter Globally (May 3, 2011) available at https://www.edn.com/nonin-medical-launches-low-power-xpod-model-3012lp-oem-pulse-oximeter-globally/
APPLE-1099	Nonin, Xpod®: External EOM Pulse Oximeter (February 9, 2011) available at http://www.nonin.com/OEMSolutions/Xpod
APPLE-1100	U.S. Patent Application Pub. No. 2010/0146463 to Cho et al.
APPLE-1101	U.S. Patent No. 7,650,176 to Sarussi et al.
APPLE-1102	U.S. Patent No. 7,468,036 to Rulkov et al.
APPLE-1103	U.S. Patent Application Pub. No. 2009/0231960 to Hutcheson
APPLE-1104	U.S. Patent Application Pub. No. 2007/0173705 to Teller et al.
APPLE-1105	U.S. Patent Application Pub. No. 2007/0016053 to Lo et al.
APPLE-1106	Arpita Shah, PDA based ambulatory pulse oximeter, New Jersey Institute of Technology, May 2006 (“Shah”)
APPLE-1107	Transcript of the Deposition of Bilal Muhsin (January 8, 2025)

APPLE-1108	Second Declaration of June Munford
APPLE-1109	Third Declaration of Dr. Thomas Kenny
APPLE-1110	U.S. Patent Application Pub. No. 2011/0082711 to Poeze et al. ("Poeze")
APPLE-1111	U.S. Patent Application Pub. No. 2010/0030040 to Poeze et al. ("Poeze-040") (incorporated by reference in APPLE-1084)
APPLE-1112	U.S. Patent Application Pub. No. 2006/0211924 to Dalke et al. ("Dalke") (incorporated by reference in APPLE-1084)
APPLE-1113	U.S. Patent Application Pub. No. 2011/0187245 to Pakula et al. ("Pakula")
APPLE-1114	U.S. Patent Application Pub. No. 2003/0176815 to Baba et al. ("Baba")
APPLE-1115	U.S. Patent Application Pub. No. 2009/0149299 to Tchao et al. ("Tchao")
APPLE-1116	U.S. Patent Application Pub. No. 2011/0003665 to Burton et al. ("Burton")
APPLE-1117	U.S. Patent No. 6,443,614 to Read ("Read")
APPLE-1118	PCT Pub. No. WO2011/127446 to Soden et al. ("Soden")
APPLE-1119	U.S. Patent Application Pub. No. 2010/0113950 to Lin et al. ("Lin")
APPLE-1120	U.S. Patent No. 6,970,792 to Diab ("Diab")
APPLE-1121	U.S. Patent No. 7,712,970 to Lee ("Lee")
APPLE-1122	U.S. Patent No. 6,869,315 to Nakai et al. ("Nakai")

APPLE-1123	U.S. Patent Application Pub. No. 2005/0265668 to Martin (“Martin”)
APPLE-1124	U.S. Patent Application Pub. No. 2004/0089570 to Chien et al. (“Chien”)
APPLE-1125	U.S. Patent Application Pub. No. 2011/0194234 to Kim et al. (“Kim”)
APPLE-1126	U.S. Patent Application Pub. No. 2011/0216482 to Moscovitch et al. (“Moscovitch”)
APPLE-1127	U.S. Patent No. 7,649,741 to Liu (“Liu”)
APPLE-1128	U.S. Patent Application Pub. No. 2008/0223892 to Hamilton (“Hamilton”)
APPLE-1129	U.S. Patent Application Pub. No. 20120122519 to Jochheim (“Jochheim”)
APPLE-1130	U.S. Patent Application Pub. No. 2010/0004522 to Varela (“Varela”)
APPLE-1131	U.S. Patent Application Pub. No. 2009/0171170 to Li et al. (“Li”)
APPLE-1132	Pomona Model 3231 Size B Aluminum Box With Cover BNC Male/Female specification (1999)
APPLE-1133	Pomona Model 3301 Size F Extruded Aluminum Box With Cover specification (1999)
APPLE-1134	Transcript of the Deposition of Dr. R. James Duckworth (May 13, 2025)
APPLE-1135	Petitioner’s Demonstratives

APPLE-1136 Declaration of Michael Amon in Support of Notice of Intent to
Designate a Provisionally Recognized PTAB Attorney

Pursuant to the email of March 3, 2025 authorizing filing of this notice, Petitioner, Apple Inc., respectfully notifies the Board of its intent to designate Michael Amon, a provisionally recognized PTAB attorney, as back-up counsel in this proceeding. Petitioner seeks the counsel of Michael Amon due to his experience in representing Petitioner in other patent-related matters and particularly due to his familiarity with the substantive and technical issues involved in this proceeding. The Board previously granted *pro hac vice* admission of Michael Amon in IPR2023-00948, IPR2023-00949, IPR2022-00872, IPR2022-01186, and IPR2022-00651.

1. Lead Counsel

W. Karl Renner, Reg. No. 41,265 serves as lead counsel in this proceeding.

2. Accompanying Certification

Michael Amon satisfies all requirements set forth by the Board for *pro hac vice* recognition of a provisionally recognized PTAB attorney and agrees to be subject to the USPTO Rules of Professional Conduct set forth in §§ 37 C.F.R. § 11.101 *et seq.* and disciplinary jurisdiction under § 11.19(a). This Notice of Intent To Designate a Provisionally Recognized PTAB Attorney as Back-Up Counsel is accompanied by a Declaration of Michael Amon.

Petitioner submits that Michael Amon has satisfied all requirements to be deemed admitted *pro hac vice* in this proceeding.

Respectfully submitted,

Dated: June 3, 2025

/Grace J. Kim/

Grace J. Kim, Reg. No. 71,977

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CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.8(b), the undersigned certifies that on June 3, 2025, a complete and entire copy of this Petitioner's Notice of Intent to Designate Michael Amon were provided via email to the Patent Owner by serving the correspondence email addresses of record as follows:

Brian C. Claassen (Reg. No. 63,051)
Daniel Hughes (Reg. No. 76,592)
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