

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

APPLE INC.,

*Plaintiff,*

v.

MASIMO CORPORATION and  
SOUND UNITED, LLC,

*Defendants.*

C.A. No. 22-1378-MN-JLH

**JURY TRIAL DEMANDED**

**OPENING EXPERT REPORT OF PEDRO P. IRAZOQUI, PH.D.**

**CONCERNING MASIMO CORPORATION AND SOUND UNITED, LLC'S  
INFRINGEMENT OF U.S. PATENT NOS. 10,076,257; 10,627,783; 10,942,491; 11,474,483;  
AND 10,987,054**

Dated: November 22, 2023

By:  \_\_\_\_\_

Pedro P. Irazoqui, Ph.D.

[REDACTED]

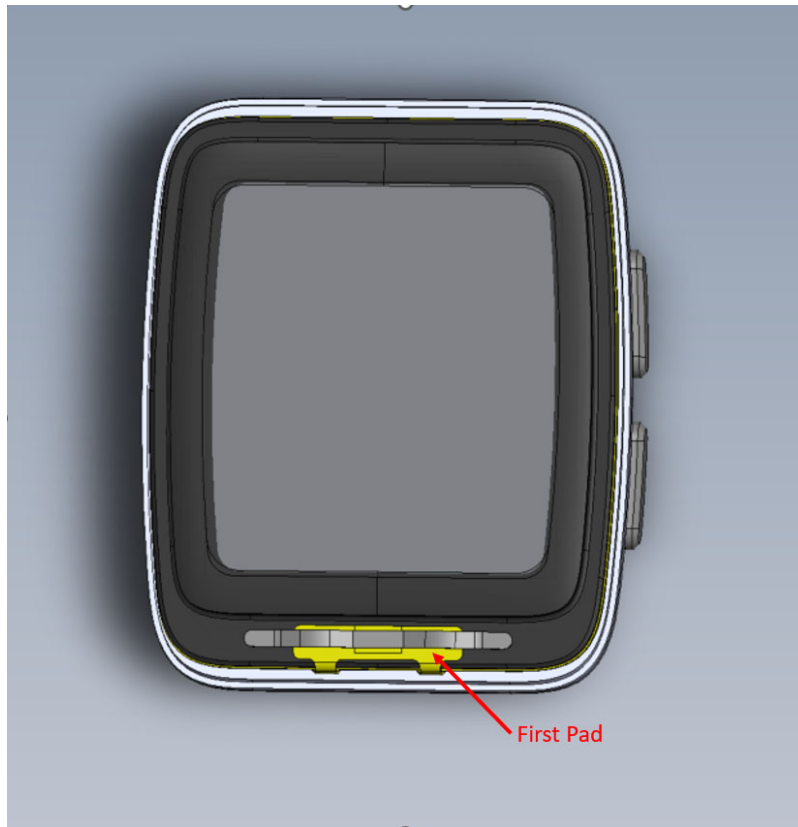
comprising a first pad that is embedded in a first portion of the enclosure” for the reasons provided below.

**The Exposed Copper Region on the ECG Flex Circuit that the Spring Contact is Soldered to, Which is Embedded in the Bezel is “A First Lead Comprising a First Pad that is Embedded in a First Portion of the Enclosure” Under Apple’s Construction**

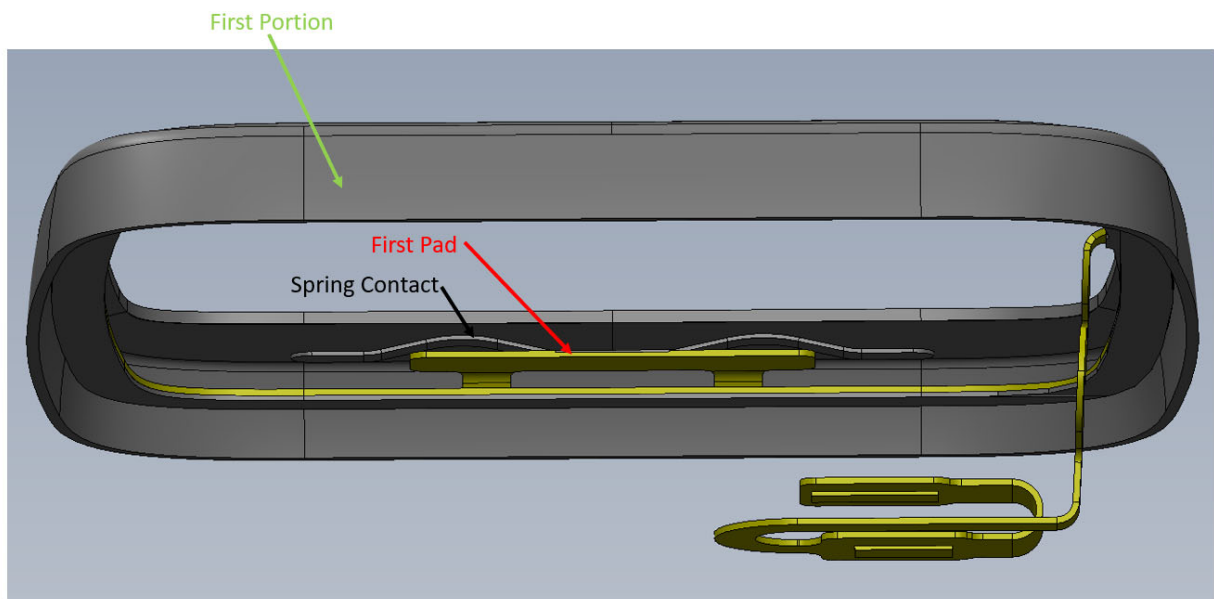
34. The W1 and W1 Redesign include “a first pad that is embedded in a first portion of the enclosure” under the plain and ordinary meaning of “embedded in.”

35. Specifically, the first pad is embedded in the bezel because the first pad is at least partially set in the bezel. Markman Tr. at 88:5-9 (“So we submit that any [plain] meaning, which is what we suggest, would have to reflect what’s shown in Figure 4A, which is it has to at least partially be set in material. It doesn’t have to be completely surrounded by it.”).

36. CAD images demonstrate that the W1 and W1 Redesign include a first pad that is embedded in a first portion of the enclosure.

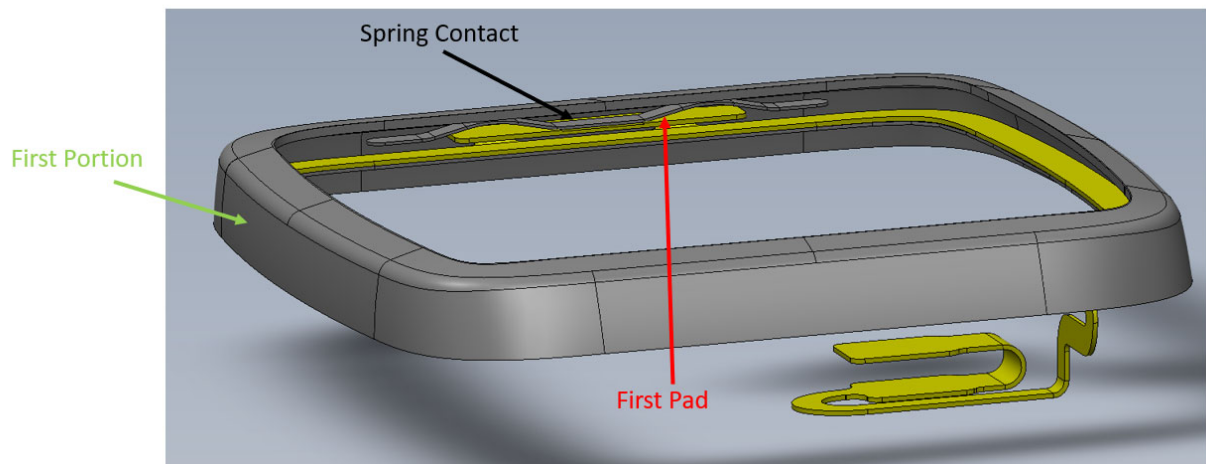


MASAD00116642 (annotated).



MASAD00014301 (annotated).

[REDACTED]



MASAD00014301 (annotated).

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

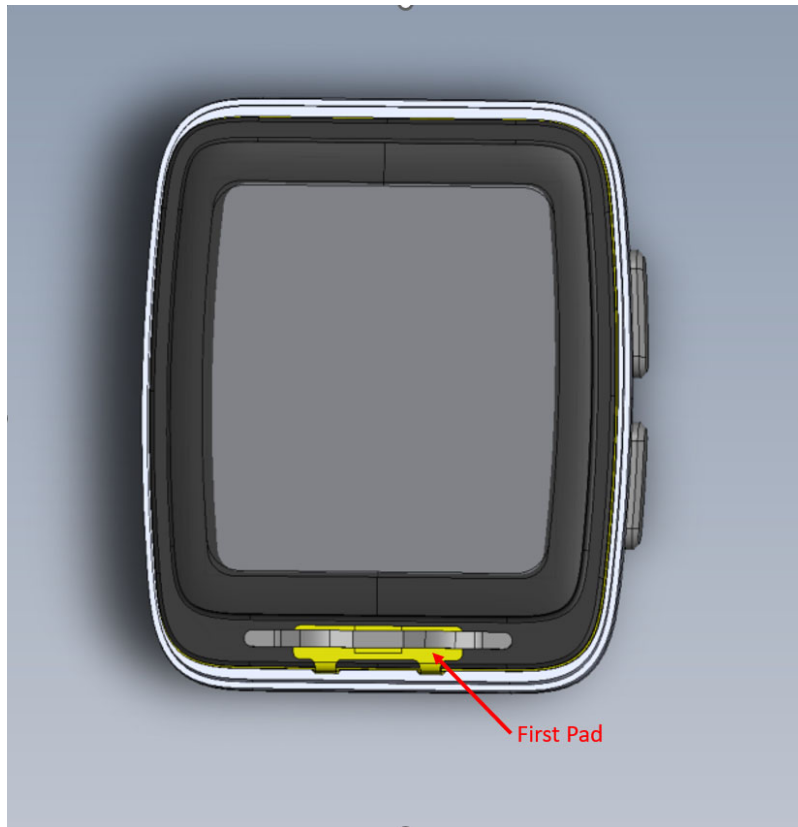
[REDACTED]

**The Exposed Copper Region on the ECG Flex Circuit that the Spring Contact is Soldered to, Which is Embedded in the Bezel is “A First Lead Comprising a First Pad that is Embedded in a First Portion of the Enclosure” Under Masimo’s Construction**

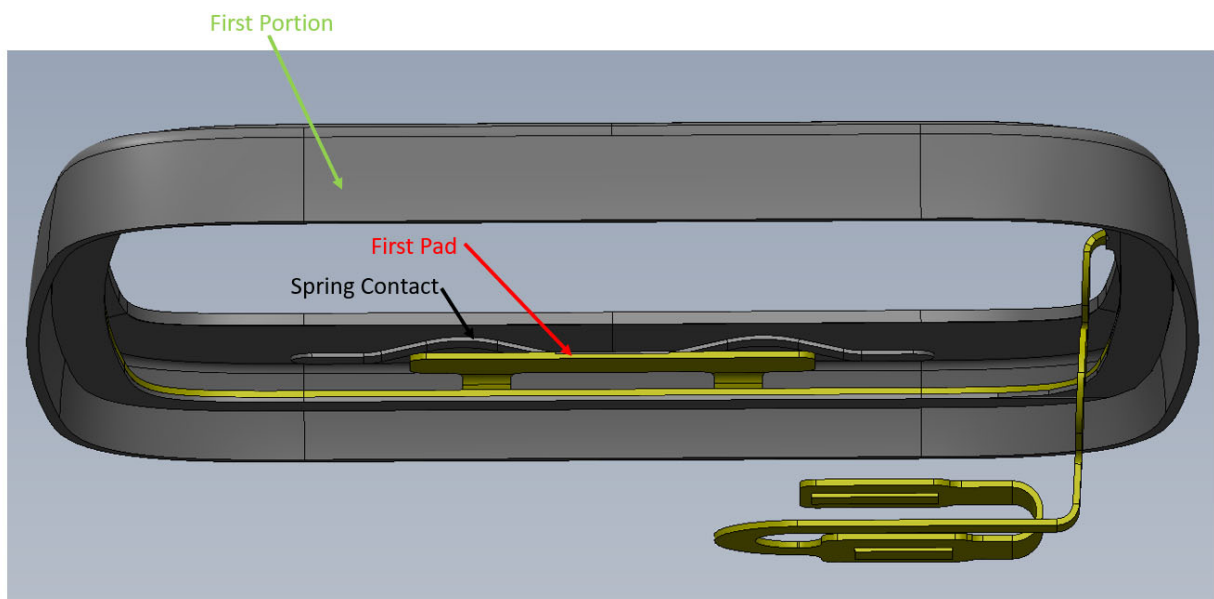
39. The W1 and W1 Redesign include “a first pad that is embedded in a first portion of the enclosure” under Masimo’s proposed construction of “embedded in.”

40. Specifically, the first pad is embedded in the bezel because it is set firmly into and surrounded by it.

41. CAD images demonstrate that the W1 and W1 Redesign include a first pad that is set firmly into and surrounded by the bezel.

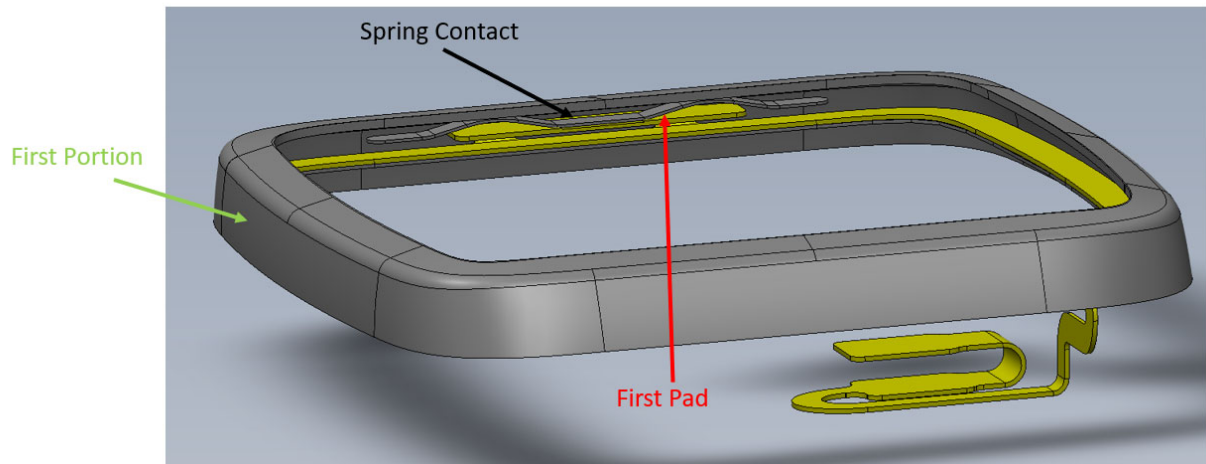


MASAD00116642 (annotated).



[REDACTED]

MASAD00014301 (annotated).



*Id.* (annotated).

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]