

Filed: March 13, 2024

Filed on behalf of **Masimo Corporation**
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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. IPR2023-00745
Patent No. 10,076,257

PETITIONER'S NOTICE OF DEPOSITION OF DR. THOMAS KENNY

Pursuant to 37 C.F.R. § 42.53, Petitioner Masimo Corporation hereby provides notice that it will conduct a cross-examination deposition of Dr. Thomas Kenny. The parties have conferred and agreed upon the below listed date for this deposition. The deposition will be recorded stenographically and by use of Realtime and/or videotape and will be taken before a court reporter, notary public, or other person authorized by law to administer oaths.

The deposition of Dr. Kenny will take place starting at 8:00 a.m. PDT, or at another time mutually agreed upon by the parties, on March 26, 2024. The deposition will be conducted and attended remotely, utilizing web-based deposition options or remote video conferencing and video recording with details for remote access to be arranged by counsel for Masimo.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 13, 2024

By: /Ted M. Cannon/
Ted M. Cannon (Reg. No. 55,036)
Customer No. 64,735

Attorney for Petitioner
Masimo Corporation
(949) 760-0404

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 NOTICE OF DEPOSITION OF DR. THOMAS KENNY** is being served electronically on March 13, 2024, to the e-mail addresses shown below:

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Dated: March 13, 2024

/Ted M. Cannon/

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