

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

)

)

Petitioner,

)

) Case IPR2020-01523

-against-

) U.S. Patent

) 8,457,703

MASIMO CORPORATION,

)

)

Patent Owner.

)

)

VIDEO-RECORDED DEPOSITION OF

BRIAN W. ANTHONY, PH.D.

Zoom Recorded Videoconference

07/07/2021

1:03 p.m. (EDT)

REPORTED BY: AMANDA GORRONO, CLR

CLR NO. 052005-01

DIGITAL EVIDENCE GROUP

1730 M Street, NW, Suite 812

Washington, D.C. 20036

(202) 232-0646

**MASIMO 2006
Apple v. Masimo
IPR2020-01524**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

07/07/2021

1:03 p.m. (EDT)

VIDEO-RECORDED DEPOSITION OF BRIAN W. ANTHONY,
Ph.D., held virtually via Zoom Videoconferencing,
before Amanda Gorrone, Certified Live Note Reporter,
and Notary Public of the State of New York.

1 A P P E A R A N C E S

(Via Zoom Videoconferencing):

2 ON BEHALF OF PLAINTIFF APPLE INC.:

Dan Smith, Esquire

3 Fish & Richardson

1717 Main Street

4 Suite 5000

Dallas, Texas 75201

5 PHONE: 214-292-4071

E-MAIL: Dsmith@fr.com

6 -AND-

Kim Leung, Esquire

7 Fish & Richardson

12860 El Camino Real

8 Suite 400

San Diego, CA 92130

9 PHONE: 858-678-4713

E-MAIL: Leung@fr.com

10

11 ON BEHALF OF DEFENDANT MASIMO CORPORATION:

Joshua Stowell, Esquire

12 Knobbe Martens

2040 Main Street

13 Irvine, CA 92614

PHONE: 949-760-0404

14 E-MAIL: Joshua.stowell@knobbe.com

-AND-

15 Jacob Peterson, Esquire

Knobbe Martens

16 925 4th Ave #2500

Seattle, WA 98104

17 PHONE: 206-405-2000

E-MAIL: Jacob.peterson@knobbe.com

18

19 ALSO PRESENT:

Andrew Hill

20 Sarah Howard - Legal Videographer - Digital Evidence

21 Group

22 Brian Sparks - Exhibit Technician - Digital Evidence

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

I N D E X

WITNESS	EXAMINATION BY	PAGE
BRIAN W. ANTHONY Ph.D.	MR. STOWELL	6

PREVIOUSLY MARKED EXHIBITS IDENTIFIED

EXHIBIT	DESCRIPTION	PAGE
Exhibit	United States Patent	11
1001	8,457,703	
Exhibit	Declaration of Dr. Brian W.	12
1003	Anthony	
Exhibit	Diab Patent.....	36
1007		
Exhibit	Amano Patent.....	157
1004		

1 THE VIDEOGRAPHER: Stand by. This is
2 Tape No. 1 of the videotaped deposition of
3 Dr. Brian W. Anthony, in the matter of Apple, Inc.,
4 versus Masimo Corporation in the United States Patent
5 and Trademark Office before the Patent Trial and
6 Appeal Board.

7 This deposition is being held via
8 Zoom videoconference on July 7, 2021. The time on
9 the video screen is 1:03 p.m. (ET).

10 My name is Sarah Howard, and I'm the
11 legal videographer from Digital Evidence Group; and
12 the court reporter is Amanda Gorrone in association
13 with Digital Evidence Group.

14 All parties to this deposition are
15 appearing remotely and have agreed to the witness
16 being sworn in remotely, unless an objection is
17 stated to this agreement.

18 Due to the nature of remote
19 reporting, please pause briefly before speaking to
20 ensure all parties are heard completely.

21 Will counsel please introduce
22 themselves for the record.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.