

Patent No. 9,194,597

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE LLC

Petitioner

v.

ECOFACITOR, INC.

(record) Patent Owner

IPR2022-00538  
U.S. Patent No. 9,194,597

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**PETITION FOR INTER PARTES REVIEW  
UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. § 42.100 ET. SEQ**

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**TABLE OF EXHIBITS**

<b>Exhibit No.</b>	<b>Description</b>
1001	U.S. Patent No. 9,194,597 (“ <b>the 597 patent</b> ”).
1002	Declaration of Rajendra Shah.
1003	C.V. of Rajendra Shah.
1004	U.S. Patent App. Pub. 2004/0117330 (“ <b>Ehlers ’330</b> ”).
1005	U.S. Patent App. Pub. 2005/0040250 A1 (“ <b>Wruck</b> ”).
1006	Excerpt from <i>The Industrial Electronics Handbook</i> , Irwin, J.D. ed. CRC Press and IEEE Press, 1997, pp. 59-60.
1007	Horan, T, <i>Control Systems and Applications for HVAC/R</i> , Prentice-Hall, Inc., 1997.
1008	Levenhagen, J, <i>HVAC Control and Systems</i> , McGraw-Hill, Inc., 1993.
1009	File History of Application No. 14/082,675.
1010	U.S. Patent No. 8,751,186 B2 (“ <b>the ’186 patent</b> ”).
1011	<i>Exhibit number not used.</i>
1012	U.S. Patent No. 6,789,739 (“ <b>Rosen</b> ”).
1013	WO 2007/128783 A1 (“ <b>McNulty</b> ”).
1014	U.S. Pat. App. Pub. 2005/0171645 (“ <b>Oswald</b> ”).
1015	U.S. Patent No. 5,943,544 (“ <b>Charles</b> ”).
1016	U.S. Patent No. 6,029,092 (“ <b>Stein</b> ”).
1017	ITC Inv. No. 337-TA-1185, Public Version of April 20, 2021 Initial Determination

1018	<i>Google, LLC f/k/a Google Inc. v. EcoFactor, Inc.</i> , 4-21-cv-03220 (N.D. Cal.), Answer (July 13, 2021).
1019	<i>Google, LLC f/k/a Google Inc. v. EcoFactor, Inc.</i> , 4-21-cv-03220 (N.D. Cal.), Scheduling Order (August 11, 2021).
1020	<i>Security People, Inc. v. Ojmar US, LLC</i> , 14-cv-04968-HSG (N.D. Cal.), Order (May 29, 2015).

Patent No. 9,194,597

Petitioner respectfully requests *inter partes* review under 35 U.S.C. § 311 of claims 1-24 of U.S. Pat. No. 9,194,597 (“the ’597 patent”).

### NOTICE OF LEAD AND BACKUP COUNSEL

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### NOTICE OF THE REAL-PARTIES-IN-INTEREST

The real-party-in-interest for this petition is Google LLC (“Google”).

### NOTICE OF RELATED MATTERS

The ’597 patent has been asserted in the following litigations:

*EcoFactor, Inc. v. ecobee, Inc.*, 6-21-cv-00428 (W.D. Tex. April 28, 2021);

*Google, LLC f/k/a Google Inc. v. EcoFactor, Inc.*, 4-21-cv-03220 (N.D. Cal. April 30, 2021).

### NOTICE OF SERVICE INFORMATION

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