

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE LLC, and ECOBEE TECHNOLOGIES ULC,

Petitioner,

v.

ECOFACITOR, INC.

(record) Patent Owner.

IPR2022-00538<sup>1</sup>  
Patent No. 9,194,597

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**PETITIONER'S REPLY**

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<sup>1</sup> IPR2022-01461 (ecobee Technologies ULC) has been joined with this proceeding.

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Exhibit No.	Description
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 Controls 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. 5,943,554 (“ <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).
1021	Reply Declaration of Rajendra Shah.
1022	Excerpts from December 16, 2022 Deposition of Dr. John Palmer in <i>EcoFactor, Inc. v. ecobee, Inc.</i> , Case No. 6:21-cv-00428 (W.D. Tex.).
1023	Transcript of January 6, 2023 Deposition of John A. Palmer in IPR2022-00473.
1024	Transcript of August 27, 2021 Deposition of Dr. John Palmer in IPR2020-01504.
1025	Email between Counsel for Petitioner and EcoFactor.
1026	Transcript of April 29, 2022 Deposition of Dr. John Palmer in IPR2021-00982.
1027	Transcript of January 10, 2023 Deposition of Dr John A. Palmer.
1028	U.S. Patent No. 8,131,497 (“ <b>the ’497 patent</b> ”).

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