

UNITED STATES INTERNATIONAL TRADE COMMISSION  
WASHINGTON, D.C. 20436

**In the Matter of**

**CERTAIN SMART THERMOSTATS,  
SMART HVAC SYSTEMS, AND  
COMPONENTS THEREOF**

**Inv. No. 337-TA-1185**

**INITIAL DETERMINATION**

**Administrative Law Judge David P. Shaw**

Pursuant to the notice of investigation, 84 Fed. Reg. 65421 (Nov. 27, 2019), this is the initial determination in *Certain Smart Thermostats, Smart HVAC Systems, and Components Thereof*, United States International Trade Commission Investigation No. 337-TA-1185.

It is held that no violation of section 337 of the Tariff Act, as amended, has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation, of certain smart thermostats, smart HVAC systems, and components thereof, with respect to asserted claims 1, 2, and 5 of U.S. Patent No. 8,131,497, asserted claims 1, 2, and 5 of U.S. Patent No. 8,423,322, and asserted claim 9 of U.S. Patent No. 10,018,371.

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a. A system for calculating a value for the operational efficiency of a heating, ventilation, and air conditioning (HVAC) system comprising: .....	205
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c. one or more databases that store at least said temperatures measured at said first location over time;.....	213
d. one or more processors that receive outside temperature measurements from at least one source other than said HVAC system; .....	213
e. wherein said one or more processors are configured to calculate one or more rates of change in temperature at said first location for periods during which the status of the HVAC system is “on” and	

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