



**Planet Depos**<sup>®</sup>  
We Make It *Happen*<sup>™</sup>

---

# Transcript of John A. Palmer, Ph.D.

**Date:** April 11, 2023

**Case:** Ecobee Technologies ULC -v- Ecofactor, Inc. (PTAB)

**Planet Depos**

**Phone:** 888.433.3767

**Email:** [transcripts@planetdepos.com](mailto:transcripts@planetdepos.com)

[www.planetdepos.com](http://www.planetdepos.com)

WORLDWIDE COURT REPORTING & LITIGATION TECHNOLOGY

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

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

ECOBEE TECHNOLOGIES ULC,

Petitioner

v.

ECOFACOR, INC.,

Patent Owner

---

IPR2022-00969

and

IPR2022-00983

U.S. Patent No. 8,596,550 B2

---

Deposition of JOHN A. PALMER, PH.D.

Conducted Virtually

Tuesday, April, 11, 2023

10:28 a.m. EST

Job No.: 486391

Pages: 1 - 165

Reported by: Judith E. Bellinger, RPR, CRR

1           Deposition of JOHN A. PALMER, PH.D.,

2           conducted virtually.

3

4

5

6

7

8

9

10

11           Pursuant to notice, before Judith E.

12           Bellinger, Registered Professional Reporter,

13           Certified Realtime Reporter, and Notary Public in

14           and for the State of Maryland.

15

16

17

18

19

20

21

22

PLANET DEPOS

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

A P P E A R A N C E S

ON BEHALF OF THE PETITIONER:

JUSTIN J. OLIVER, ESQUIRE

VENABLE LLP

600 Massachusetts Avenue NW

Washington, DC 20001

202.344.4000

ON BEHALF OF THE PATENT OWNER:

JONATHAN LINK, ESQUIRE

RUSS AUGUST & KABAT

12424 Wilshire Boulevard

12th Floor

Los Angeles, CA 90025

310.826.7474

ALSO PRESENT:

Charlotte Forrest, Planet Depos Technician

PLANET DEPOS

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

C O N T E N T S

EXAMINATION OF JOHN A. PALMER, PH.D.	PAGE
By Mr. Oliver	5

E X H I B I T S

(Attached to the transcript)

Palmer Exhibits:	PAGE
Exhibit 1001 United States Patent Number 8,596,550	8
Exhibit 1004 United States Patent Application Publication Number US 2004/0117330 A1	9
Exhibit 1005 United States Patent Application Publication Number US 2005/0040250 A1	10
Exhibit 1006 United States Patent Number 8,374,725	140
Exhibit 1007 UK Paten Application GB 2 432 016 A	11
Exhibit 2006 Declaration of John A. Palmer, Ph.D., IPR2022-00969, Patent Number 8,596,550	12

# 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.