

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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ECOBEE TECHNOLOGIES ULC  
Petitioner

v.

ECOFACTOR, INC.  
Patent Owner

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Case No. IPR2022-00969  
Patent No. 8,596,550

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**PETITIONER'S UPDATED EXHIBIT LIST**

## Exhibit List

Exhibit No.	Description
1001	U.S. Patent No. 8,596,550 (“the ’550 patent”).
1002	Declaration of David M. Auslander.
1003	C.V. of David M. Auslander.
1004	U.S. Patent App. Pub. 2004/0117330 (“Ehlers ’330”).
1005	U.S. Patent App. Pub. 2005/0040250 A1 (“Wruck”).
1006	U.S. Patent No. 8,374,725 (“Ols ’725”).
1007	U.K. Patent App. Pub. No. GB 2432016 (“Boait”).
1008	File History of Application No. 12/778,052.
1009	U.S. Patent App. Pub. 2005/0171645 (“Oswald”).
1010	U.S. Patent No. 5,934,554 (“Charles”).
1011	U.S. Patent No. 6,029,092 (“Stein”).
1012	ITC Inv. No. 337-TA-1258, Order No. 18, Construing the Terms of the Asserted Claims of the Patents at Issue (Sept. 1, 2021).
1013	<i>ecobee, Inc. v. EcoFactor, Inc.</i> , 1-21-cv-00323 (D. Del.), Answer (May 5, 2021).
1014	<i>ecobee, Inc. v. EcoFactor, Inc.</i> , 1-21-cv-00323 (D. Del.), Scheduling Order (October 14, 2021).
1015	Horan, T, <i>Control Systems and Applications for HVAC/R</i> , Prentice-Hall, Inc., 1997.

1016	Levenhagen, J, <i>HVAC Control and Systems</i> , McGraw-Hill, Inc., 1993.
1017	U.S. Patent No. 8,751,186 B2 (“the ’186 patent”).
1018	Excerpt from McDaniel, G, <i>IBM Dictionary of Computing</i> , McGraw-Hill, Inc., 1993, p. 165.
1019	U.S. Patent No. 7,784,704 (“Harter”).
1020	<i>Exhibit number not used.</i>
1021	<i>Exhibit number not used.</i>
1022	Deposition transcript of John A. Palmer, Ph.D., April 11, 2023.
1023	Reply Declaration of David M. Auslander.
1024	Petitioner's Demonstratives

DATED: August 16, 2023

Respectfully, submitted

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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Updated Exhibit List was served on Patent Owner's counsel as follows:

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DATED: August 16, 2023

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