

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

ECOBEE TECHNOLOGIES ULC,  
Petitioner,

v.

ECOFACITOR, INC.  
Patent Owner.

---

Case IPR2022-01461  
U.S. Patent No. 9,194,597

**ECOFACITOR, INC.'S MANDATORY NOTICES PURSUANT TO 37 C.F.R.  
§42.8(a)(2)**

Pursuant to 37 C.F.R. § 42.8(a)(2), Patent Owner, EcoFactor, Inc. hereby files its Mandatory Notices.

**I. 37 C.F.R § 42.8(b)(1) – REAL PARTY-IN-INTEREST**

The Patent Owner and real party-in-interest is EcoFactor, Inc.

**II. 37 C.F.R § 42.8(b)(2) – RELATED MATTERS**

Patent Owner notes the following proceedings that may affect, or be affected by, a decision in this proceeding:

No.	Case Caption	Court	Civil Action No.
1	Google, LLC v. EcoFactor, Inc.	NDCA	4:21-cv-03220
2	EcoFactor, Inc. v. ecobee, Inc.	WDTX	6:21-cv-00428
3	Google, LLC v. EcoFactor, Inc.	PTAB	IPR2022-00538

**III. 37 C.F.R § 42.8(b)(3) – LEAD AND BACKUP COUNSEL**

Lead Counsel	Back-Up Counsel
Philip X. Wang Reg. No. 74,621 Russ August & Kabat 12424 Wilshire Blvd., 12 <sup>th</sup> Fl. Los Angeles, CA 90025 Phone: (310) 826-7474 Fax: (310) 826-6991 pwang@raklaw.com rak_ecofactor@raklaw.com	Jonathan Link (Reg. 41,548) Reza Mirzaie (Reg. No. 69,138) Kristopher Davis (Reg. No. 62,063) Russ August & Kabat 12424 Wilshire Blvd., 12 <sup>th</sup> Fl. Los Angeles, CA 90025 Phone: (310) 826-7474 Fax: (310) 826-6991 jlink@raklaw.com rmirzaie@raklaw.com kdavis@raklaw.com rak_ecofactor@raklaw.com

Pursuant to 37 C.F.R. § 42.10(b), a Power of Attorney is being filed concurrently with these mandatory notices.

#### **IV. 37 C.F.R § 42.8(b)(4) – SERVICE INFORMATION**

Please address all correspondence to the lead and backup counsel as shown above. Patent Owner consents to electronic service by e-mail at the e-mail addresses above.

#### **V. CONCLUSION**

Patent Owner believes that this submission fulfills the requirements of 37 C.F.R. § 42.8(a)(2). Please contact the undersigned counsel if any additional information is required.

Respectfully submitted,

Dated: September 12, 2022

/ Philip X. Wang /  
Philip X. Wang  
Reg. No. 74,621  
Russ August & Kabat  
12424 Wilshire Blvd., 12<sup>th</sup> Fl.  
Los Angeles, CA 90025  
Phone: (310) 826-7474  
Fax: (310) 826-6991  
pwang@raklaw.com

**CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e)(1))**

The undersigned hereby certifies that the above document was served on September 12, 2022, by filing this document through the Patent Review E2E system as well as delivering a copy via electronic mail upon the following attorneys of record for the Petitioner:

Justin J. Oliver, Reg. No. 44,986  
[joliver@Venable.com](mailto:joliver@Venable.com)  
Stephen K. Yam, Reg. No. 64,927  
[syam@venable.com](mailto:syam@venable.com)

Date: September 12, 2022

/ Philip X. Wang /

Philip X. Wang (Reg. No. 74,621)  
RUSS AUGUST & KABAT  
12424 Wilshire Blvd., 12<sup>th</sup> Floor  
Los Angeles, CA 90025  
(310) 826-7474

Attorney for Patent Owner