

# Venable Client ecobee Wins Smart Thermostat Patent Infringement Lawsuit

Venable LLP is pleased to announce that on April 4, 2022, the firm's client ecobee was the beneficiary of a ruling of Administrative Law Judge Cameron Elliot (of the U.S. International Trade Commission [ITC]) in an investigation brought by EcoFactor, Inc. against ecobee. ecobee is a leader in sustainable smart home solutions, and it pioneered the smart thermostat space in 2007.

The complaint, filed on Feb. 25, 2021, accused ecobee and others of importing Wi-Fi-enabled smart thermostats that infringed four patents. After an investigation that lasted 13 months, ALJ Elliot published an initial determination in favor of ecobee, finding that there was no violation of Section 337 of the Trade Act. In particular, ALJ Elliot concluded that ecobee did not infringe the asserted patents, that the asserted patents were invalid on multiple grounds, and that EcoFactor failed to satisfy the domestic industry requirement.

The Venable trial team was led by partner Timothy Carroll.

"We are pleased to deliver this latest victory for ecobee. This is an important and high-stakes investigation," said Mr. Carroll, a partner in Venable's Patent Litigation Group. Mr. Carroll added that "this is the second time ecobee has been awarded a victory in the ITC against EcoFactor. We are thrilled that ecobee has prevailed through every stage of this and the prior investigation commenced by EcoFactor."

The Venable team representing ecobee and led by Mr. Carroll includes Venable attorneys Manny Caixeiro, Megan Woodworth, Steve Lubezny, Catherine Taylor, Dan Apgar, Leslie Lee, and others. EcoFactor was represented in this and a prior

unsuccessful investigation by Russ, August & Kabat.

ecobee Inc. was founded in 2007 with a mission to improve everyday life while creating a more sustainable world. Today, ecobee continues to innovate with smart home solutions that solve everyday problems with comfort, security, and conservation in mind. With its products, including the SmartThermostat and SmartCamera, both equipped with voice control, ecobee continues to encourage consumers to imagine what home could be.

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