

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

ECOFACOR, INC.,

Plaintiff,

v.

ECOBEE, INC.,

Defendant.

Case No.: 6:21-cv-00428-ADA

LEAD CASE

ECOFACOR, INC.,

Plaintiff,

v.

ECOBEE, INC.,

Defendant.

Case No.: 6:20-cv-00078-ADA

FINAL JUDGMENT

In accordance with the jury verdict and pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, it is hereby ORDERED and ADJUDGED that:

1. Claim 3 of U.S. Patent No. 10,584,890 (“’890 Patent”) is infringed by Defendant ecobee, Inc. (“ecobee”);
2. Claim 10 of the ’890 Patent and claims 1, 2, and 8 of U.S. Patent No. 8,738,327 (“’327 Patent”) are not infringed by ecobee;
3. Claims 3 and 10 of the ’890 Patent and claims 1, 2, and 8 of the ’327 Patent are not invalid;
4. ecobee is not liable for indirect infringement of claim 3 or claim 10 of the ’890 Patent;
5. Judgment is hereby entered in favor of EcoFactor and against ecobee in the lump sum of \$5,400,000.00, together with interest and costs as fixed by the Court;

6. This FINAL JUDGMENT starts the time for filing any post-trial motions or appeal.

SIGNED this 23rd day of August, 2023.


ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE