

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**ECOFACOR, INC.,**  
*Appellant*

v.

**GOOGLE LLC, ECOBEE TECHNOLOGIES ULC,  
DBA ECOBEE,**  
*Appellees*

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2022-1971

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Appeal from the United States Patent and Trademark  
Office, Patent Trial and Appeal Board in No. IPR2021-  
00054.

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**ECOFACOR, INC.,**  
*Plaintiff-Appellant*

v.

**GOOGLE LLC,**  
*Defendant-Cross-Appellant*

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2022-1974

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Appeals from the United States District Court for the Western District of Texas in No. 6:20-cv-00075-ADA, Judge Alan D. Albright.

**ECOFACOR, INC.,**  
*Plaintiff-Appellee*

v.

**GOOGLE LLC,**  
*Defendant-Appellant*

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2023-1101

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Appeal from the United States District Court for the Western District of Texas in No. 6:20-cv-00075-ADA, Judge Alan D. Albright.

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**ON STIPULATION**

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**O R D E R**

On November 28, 2023, Ecofactor, Inc, Google LLC, and Ecobee Technologies ULC stipulated to voluntary dismissal of Appeal Nos. 2022-1971, 2022-1974.

The parties, having so agreed,

IT IS ORDERED THAT:

(1) Appeal No. 2022-1971 is dismissed under Fed. R. App. P. 42(b), with each side to bear their own costs.

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(2) Appeal No. 2022-1974 is dismissed under Fed. R. App. P. 42(b), with each side to bear their own costs.

(3) On or before December 1, 2023, Google LLC and Ecofactor, Inc. shall file responses to the notice of oral argument in Appeal No. 2023-1101.

(4) The official captions as modified, are reflected in this order.

FOR THE COURT



Jarrett B. Perlow  
Clerk of Court

November 30, 2023

Date

**ISSUED AS A MANDATE (as to Appeal Nos. 2022-1971 and 2022-1974 only):** November 30, 2023.