



Ice Air is not happy with our campaign to expose units with fake specs—especially theirs.

[Innovacopycats.com](https://innovacopycats.com)

innovacopycats.com/cheaters/ice-air/8rsxc09-dh/

The responses in this letter are based on a letter received by Innova (Ephoca at the time) from Erica Graves of Blank Rome on Jan 16, 2026, on behalf of Ice Air.

You can view the original letter [here](#)

The black text is from Erica Grave, representing Ice Air the blue is from Innova (Ephoca), setting the record straight.

January 16, 2026

VIA FEDEX

Attn: Legal Department Ephoca Inc.
1111 Superior Ave. E, Suite 610
Cleveland, Ohio 44114

Ephoca Inc.
c/o Harvard Business Services, Inc. 16192 Coastal
Hwy.
Lewes, DE 19958

Ephoca Inc.
c/o Registered Agents
Inc. 6545 Market Ave.
N, Suite 100 North
Canton, OH 4472

Re: Cease and Desist False and Disparaging Statements Re: Ice Air, LLC

Dear Sir or Madam:

Blank Rome LLP represents Ice Air, LLC in connection with this matter.

Using a prestigious firm does not concern us. We are represented by MoFo (Morrison & Foerster). They handled, among other matters, a defamation action against a competitor who was actively slandering us. We had hard evidence. We spent almost \$2M defending our brand, and the case settled. We are familiar with defamation law, the Lanham Act, and related claims.

We vetted this campaign with multiple lawyers. All agreed that litigation risk exists, but also agreed that any plaintiff would have to prove our allegations are false by demonstrating that their performance data is genuine. Your client knows that it cannot be done. Litigation would amplify the underlying issue and further support our position that your client's data is fabricated.

We are willing to spend significant legal fees to protect our brand. Litigation will only highlight the distinction between our verified data and your client's fraudulent claims.

We are aware that Ephoca Inc. has issued false and damaging statements about Ice Air, including that it "lies," "cheats," and makes "fraudulent claims" about its products.

The statements we have issued are factual. Your client is not only lying to every person/company it sells a unit to by providing fake performance data; it is also lying to you and your firm.

The statements are false, as Ephoca well knows, because they are contradicted by publicly-accessible government filings confirming that Ice Air's products are third-party tested and conform to regulatory standards.

Again, you are being misled by your client; it's quite the opposite: our statements are factual, your client's are false. To educate you, the publicly accessible filings are based solely on (fake) information your client illegally uploads to government sites. It is not certified data from an NTRL lab.

Ice Air understands that Ephoca is concerned by its inability to fairly compete in the marketplace.

Quite the opposite. We were first to market and have sold tens of thousands of units in New York, where your client operates. It is your client who cannot compete fairly with us, as they see a growing market and want a piece of the pie. Instead of competing fairly, your client bought a cheap Chinese copycat (which can be purchased from Alibaba for about \$600), and had the manufacturer, Nordica, add some side panels and label it as Ice Air. Your client did not develop the technology on this unit; they simply played with the numbers in an attempt to produce numbers that look better than ours, and failed to realise that achieving a 17 SEER2 on this type of unit at the 7,800 BTU they fabricated is not possible.

Nevertheless, Ephoca's attacks are an unlawful method of competition that has harmed Ice Air.

No, again you are wrong. Our response is to set the record straight so that our customers know they are not comparing apples to apples; our numbers are real, tested, and certified. Your clients' numbers are typed up and fake. We are protecting our territory, which we have worked hard to build legitimately.

By this letter, Ice Air demands that Ephoca cease and desist its unlawful conduct and issue a public apology and retract its false statements.

If our conduct were unlawful, we would, of course, cease and desist. However, it is your clients' conduct that is unlawful, and we ask that you cease and desist from publishing fake data to sell their illegal and inferior units.

Ephoca has publicly made a series of false and defamatory statements about Ice Air and its products. The below is only a sample of Ephoca's outrageous claims:

- "[Ice Air] cheat[s] by publishing performance numbers that are not derived from any laboratory testing. [Its] ratings are fabricated, not measured, and therefore illegal."

It is outrageous for your client to think they can just type fake numbers and sell units. We stand by the statement.

- "[Ice Air lacks] a valid AHRI heating certification, a valid NRTL heating test report, ... or any published numbers that match the OEM's actual performance"

This is not a false statement. Have you tried to locate the Ice Air 8RSSXC09-DH on the AHRI website? I can't find it; could you direct me to

where I can see it?

- "None of [Ice Air's] units appear in DOE's CCMS database"
- "None of [Ice Air's] products has been tested in a real lab"
- Ice Air "fails SEER2 minimums" and "[f]ails HSPF2 minimums because numbers are fake"

- "Ice Air's 8RSSXC09-DH [sic] is illegal to distribute, specify, install, or use because it does not meet the DOE energy efficiency requirements for a heat pump"

The comments above do not apply to all of Ice Air's units as you try to purvey. The comments are specifically about the 8RSSXC09-DH unit and other copycats. They may appear in the DOE CCMS, but with false data. If data in CCMS is placed there in bad faith, contrary to the rules and laws that require testing and showing test methods, etc., failing the minimum SEER2 and HSPF at the published capacity, and not meeting the DOE requirements, does not constitute a valid listing.

- "None of [Ice Air's] units appear in DOE's CCMS database¹

In a brazen attempt to intimidate Ice Air's customers, Ephoca also insists that installing Ice Air's products creates civil and criminal liability for engineers, installers, and building owners.

It is brazen of your client, Ice Air, to publish fictitious data in an attempt to woo our potential clients, and yes, the liability is real for any engineer, installer, or building owner who installs non-compliant heat pumps.

Ephoca's accusations have been escalating, with false statements repeated on its official LinkedIn page and by its General Manager, Mr. Yehuda Fulda.

Ice Air also understands that Ephoca, including its Vice President, Mr. Yohai West are sponsoring multiple smear websites that double down on false claims that Ice Air's "capacity and claimed SEER2 values are fabricated," and again threatens Ice Air's customers that they will be subject to criminal prosecution.

These are not smear sites; they are purveying factual information about your clients' fictitious data.

Ephoca's attacks are false, as it knows. Ice Air's products comply with federal and state law and are backed by third-party testing that verify its published energy efficiency ratings.

Would we be so stupid as to launch such an extensive campaign and offer \$1M if your client's numbers were real? Or even semi-real? Our claims are real; it's your client who is faking it.

¹ See U.S. Department of Energy, *Appliances & Equipment Standards Program*, https://www.regulations.doe.gov/certification-data/CCMS-4-Air_Conditioners_and_Heat_Pumps_-_Central.htm
 l#fq=mode!Number%3A%228RSSXC09%5C-DH%22&fq=Basic_Model_Number_Number_Unique_to_the_Basic_Model_m%3A%228RSSXC09%5C-DH%22&q=Product_Group_s%3A%22Air%20Conditioners%20and%20Heater%20Pumps%20-%20Central

Its iCool XC 8RSXC09-DH (the subject of Ephoca's attacks):

- Is tested and certified by U.S. Nationally Recognized Testing°Laboratory (NRTL)

FALSE. LIE. FAKE.

Let me rewrite your sentence. iCool XC 8RSXC09-DH is NOT tested and certified by A U.S. Nationally Recognized Testing°Laboratory (NRTL)

- Meets federal Department of Energy standards, including those in Appendix M1 to Subpart B of Part 430, Title 10 of the U.S. Code of Federal Regulations, which incorporate the AHRI 210/240 standard

FALSE. LIE. FAKE.

Let me rewrite your sentence. iCool XC 8RSXC09-DH DOES NOT Meet federal Department of Energy standards, including those in Appendix M1 to Subpart B of Part 430, Title 10 of the U.S. Code of Federal Regulations, which incorporate the AHRI 210/240 standard

- Is listed in the U.S. Department of CCMS database'

FALSE. LIE. FAKE.

Let me rewrite your sentence. iCool XC 8RSXC09-DH is listed in the U.S. Department of CCMS database WITH FAKE AND MISLEADING DATA.

- Meets the stringent California Energy Commission requirements under SEER2 and HSPF2, as demonstrated by the publicly available certification information at <https://cacertappliances.energy.ca.gov/Pages/Appliance/ApplianceDetail.aspx>

FALSE. LIE. FAKE.

Let me rewrite your sentence. iCool XC 8RSXC09-DH FAILS to Meet the stringent California Energy Commission requirements under SEER2 and HSPF2, as demonstrated by the publicly available certification information at <https://cacertappliances.energy.ca.gov/Pages/Appliance/ApplianceDetail.aspx>
BEACUSE THE INFORMATION UPLOADED BY ICE AIR IS FAKE

Since much of this information is publicly available, Ephoca knows its statements are false.

Placing false data on a federal or state website is a criminal offence. A listing with falsified data to the extent that, if the real numbers were published, they would not be accepted by the database does not constitute a valid listing.

Ephoca's purpose in publishing this false information can only be to unlawfully harm a successful market rival.

No, the opposite: it is to keep the market fair and balanced and to thwart unfair competition by your client.

Notably, while Ephoca claims "we've tested these units. Their numbers are fake. Ephoca has not published any test results.

We do not need to. It is your client's job to show that their published numbers are real. Not real typed, but instead really tested.

Nor could it. Ephoca's slander is based on nothing more than a naked attempt to try to intimidate customers with threats of criminal liability.

Ephoca is very conscious of slander and defamation. We would not be so bold, stupid, or careless as to make such easily provable false statements. Our statements are as accurate as your claims are false.

Ice Air has already been harmed by these malicious statements.

Once you can prove in court (which we know you can't) that your clients' "test" data is real, then a Judge or Jury can determine whether Ice Air has really been harmed or whether its sales have dropped because of our campaign.

We also understand that Ephoca has privately repeated these falsehoods to Ice Air's actual and potential customers, causing it to lose business.

We speak the truth. It is your client who is lying in an attempt to take our business.

Ephoca, Mr. West, and Mr. Fulda's statements are false, harmful, and expose them to civil liability, including under state law defamation, commercial disparagement, and unfair competition laws, as well as the federal Lanham Act. Ephoca appears aware that its false statements expose it to defamation liability, further confirming that the statements are made knowingly and willfully.

For sure, if our statements were false, but the only problem for your client is that our statements are factual, so your client will not be able to collect any damages; in fact, we will counterclaim and win.

Ice Air hereby demands that Ephoca, including its officers, employees, and agents, including Mr. Fulda and Mr. West:

- Immediately take down the false public statements about Ice Air and its products, including on Ephoca's website, LinkedIn, and all other websites that it or its agents own or control

Absolutely not. In fact, we will be **adding a copy of your letter and our response to the Copycat Website and the Ice Air Copycat Website**. We are working to add a new section on the sites called "Copycats Respond". Here we will file all our correspondence and any legal filings.

- Cease and desist from making further false and defamatory statements about Ice Air and its products.

Absolutely not. Please tell your client to cease and desist from publishing fake data to sell inferior units.

- Issue a public apology to Ice Air, correcting its false statements

Absolutely not. How about your client apologizes for having to spend so much time on this, as they try to compete with us using fake data unfairly.

This letter also requires that you implement a "litigation hold" to ensure that Ephoca and its staff, employees, agents, and affiliates take every reasonable step to preserve and not to lose, or alter any documents or records in your possession or control from January 2023 to the present that may pertain in any way to Ice Air or its products. This applies to paper documents, physical items, electronic documents, all communications, and any data that may be relevant to this matter, including those stored on personal devices.

Of course. This we will readily agree to. We are eager for Ice Air to file a complaint against us. This way, there will be no doubt whatsoever that the numbers are fake, as Ice Air will need to demonstrate they are real. Yes, please do go ahead and file.

Please respond to the undersigned by no later than **January 26, 2026** to confirm that Ephoca has complied with this demand.

We are responding, but not the way you requested, even when you add a 'please'. Sorry.

The foregoing is not a complete recitation of all of Ice Air's rights and remedies, all of which it expressly reserves.

While I have never met you and don't know you, I'd be thrilled to meet you in court. I know you are a good lawyer, and your client is a good liar, because otherwise, you would have threatened to take specific legal action, which, you would be required to take failing our non-compliance with your threat, which would not serve the best interest of your client, as then their fake data, fraudulent filings, etc. would become documented legal records, which could have all kinds of civil and criminal ramifications for your client. I highly doubt I will be able to meet you in person or in court.

Best,

Yehuda Fulda
General Manager