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[Your Name]

[Your Title]

[Your Company]

[Street Address, City, State ZIP]

May 14, 2026

[Opposing Counsel Name]

[Firm Name]

[Address]

**Re: U.S. Patent No. 10134054 — Response to Assertion of Infringement**

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 10134054 (the "10134054 Patent"). After preliminary review, we have substantial concerns about the validity, enforceability, and scope of the asserted claims, summarized below. We reserve all rights and defenses.

## **1. Subject Patent — Summary**

Analysis of U.S. Patent No. 10,134,054

Report Date: April 26, 2026

This report provides a concise summary of United States Patent 10,134,054, including its key bibliographic information and a plain-language overview of its independent claims. A search of the United States Patent and Trademark Office (USPTO) database was conducted for authoritative information. Additionally, the 2026 dockets for the Court of Appeals for the Federal Circuit (CAFC) were checked for any litigation related to this patent.

Bibliographic Information:

- Title: Condition-based, privacy-sensitive media property selection method of directing electronic, profile-based advertisements to other internet media...

## **2. Validity Concerns under 35 U.S.C. § 102 — Prior Art**

We have identified prior-art references that, in our preliminary view, anticipate one or more asserted claims of the 10134054 Patent:

Analysis of Prior Art for U.S. Patent 10,134,054

Report Date: April 29, 2026

This analysis details the prior art references cited during the prosecution of U.S. Patent

10,134,054 ("the '054 patent"). The '054 patent has a priority date of June 16, 2006, derived from provisional application 60/804,937. Therefore, any reference published or filed before this date qualifies as prior art under 35 U.S.C. § 102.

The primary claims of the '054 patent revolve around a first computer system (e.g., a "BT company") that collects user profile information, and a second, separate computer system (e.g., an "ad network") that controls ad space on various websites. A key inventive concept is the first system causing the second system to "tag" a user's device and providing a "condition" for serving an ad, all without transferring the sensitive user profile data to the second system. The ad is only served after the user is redirected back to the first system.

The following references were cited by the USPTO examiner during prosecution and are listed on the face of the patent.

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Cited...

### **3. Obviousness under 35 U.S.C. § 103**

Independent of § 102, we believe the asserted claims are obvious in view of combinations of prior art that a person having ordinary skill in the art would have been motivated to combine:

Obviousness Analysis of U.S. Patent 10,134,054 under 35 U.S.C. § 103

Report Date: April 29, 2026

This analysis evaluates whether the invention claimed in U.S. Patent No. 10,134,054 ("the '054 patent") would have been obvious to a person having ordinary skill in the art (PHOSITA) at the time of the invention, in light of the prior art. The legal standard for obviousness is defined in 35 U.S.C. § 103, which prohibits the patenting of an invention if the differences between the invention and the prior art are such that the invention as a whole would have been obvious to a PHOSITA. This analysis considers combinations of the prior art references cited during the patent's prosecution.

Level of Ordinary Skill in the Art

A person having ordinary skill in the art (PHOSITA) at the time of the invention (priority date June 16, 2006) would be a software engineer or computer scientist with several years of experience in the field of internet technologies, specifically in web application development, server-side programming, and the architecture of online advertising systems. This individual...

### **4. Request**

In light of the foregoing, we request that your client (i) provide a detailed claim chart identifying each accused product or service and mapping every limitation of each asserted claim, (ii) identify any prior art known to your client, including any references cited during prosecution or reexamination, and (iii) substantiate the basis for any damages or licensing demand. We are prepared to discuss the matter further once we have received and reviewed the foregoing.

Sincerely,

**[Your Name]**

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