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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. 10360571 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 10360571 (the "10360571 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

Summary of U.S. Patent 10,360,571

Title: Method for monitoring and analyzing behavior and uses thereof.

Assignee: Alpha Modus Corp.

Inventors: Michael Garel, Jim Wang.

Filing Date: July 18, 2014.

Issue Date: July 23, 2019.

Abstract: Systems for monitoring and analyzing behavior in various applications and uses thereof. Generally, the systems (and uses thereof) are for monitoring and analyzing consumer purchasing behavior in real-time to drive sales via engaging digital customer experiences. In embodiments, the disclosed system can include a retail store system that features and includes MAC address tracking, user eye tracking, object identification of goods on shelves, open API,...

4. Litigation History of the Patent

Public records reflect that the 10360571 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Alpha Modus Corp v. Circle K Stores Inc — 2:26-cv-00335 · Texas Eastern District Court · filed 2026-04-23 · Open

- Alpha Modus, Corp. v. Mood Media, LLC — 1:25-cv-01527 · U.S. District Court for the Western District of Texas · filed 2025-09-18 · Dismissed
- Alpha Modus, Corp. et al. v. Cooler Screens, Inc. — 1:25-cv-10004 · U.S. District Court for the Northern District of Illinois · filed 2025-08-21 · Ongoing
- Alpha Modus, Corp. v. The Kroger Co. — 2:25-cv-00923 · U.S. District Court for the Eastern District of Texas · Active
- Alpha Modus, Corp. v. Wakefern Food Corp. — 2:24-cv-01056 · U.S. District Court for the Eastern District of Texas · filed 2024-12-17 · Dismissed
- Untitled case — 2:24-cv-00022 · U.S. District Court for the Eastern District of Texas
- Alpha Modus Corp. v. Circle K — U.S. District Court for the Eastern District of Texas · Active

3. 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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