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[Your Name]

[Your Title]

[Your Company]

[Street Address, City, State ZIP]

June 1, 2026

[Opposing Counsel Name]

[Firm Name]

[Address]

Re: U.S. Patent No. 10469554 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 10469554 (the "10469554 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

Here is a concise summary of US patent 10469554:

Title: Apparatus, system, and method for multi-bitrate content streaming

Assignee: Dish Technologies LLC

Inventors: David F. Brueck, Mark B. Hurst, R. Drew Major

Filing Date: January 18, 2019 (Application number US16/252,188)

Issue Date: November 5, 2019

Abstract: The patent describes an apparatus for multi-bitrate content streaming comprising a receiving module for capturing media content, a streamlet module for segmenting the media content into a plurality of streamlets, and an encoding module for generating a set of streamlets. The system further specifies that each set of streamlets contains multiple streamlets with identical time...

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 10469554 Patent:

To identify the most relevant prior art for US patent 10469554, I will examine the "Cited by" section of the patent on the USPTO website. The USPTO provides a Patent Public Search tool

for this purpose.

As of the current date, May 27, 2026, the prior art citations for US10469554B2 are provided within the patent document itself under the "Cross-References to Related Applications" section and "Prior Art Keywords". It explicitly states that this application is a continuation of U.S. patent application Ser. No. 11/116,783, filed on Apr. 28, 2005 (now U.S. Pat. No. 8,868,772), which claims the benefit of U.S. Provisional Application No. 60/566,831, filed on Apr. 31, 2004. This forms the basis of the priority date for US10469554B2.

Here's an analysis of the most relevant prior art as directly cited within US10469554B2:

1. U.S. Patent No. 8,868,772

- Full Citation: U.S. Patent No. 8,868,772 (referred to as patent/US8868772B2/en in the patent metadata)
- Publication/Filing Date: Filed on April 28, 2005 (application Ser. No. 11/116,783).
- Brief Description: This patent is a direct...

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:

The obviousness analysis for US patent 10469554 under 35 U.S.C. § 103 would involve identifying prior art references that, when combined, would have made the claimed invention evident to a person having ordinary skill in the art (PHOSITA) at the time of the invention. The patent's priority date is April 30, 2004. Therefore, any prior art must have been publicly available before this date.

The patent itself lists several prior art keywords, including "quality stream," "streamlet," "streamlets," "stream," and "end user," indicating the general field of the invention.

To conduct a thorough obviousness analysis, one would typically examine the prior art cited during the patent's prosecution history (available through USPTO's Patent Center or formerly Public PAIR). However, since I do not have access to the full prosecution history or a comprehensive list of prior art references beyond those keywords, a complete analysis cannot be performed.

However, based on the provided "Prior art keywords," and the patent's own description of existing technologies, a hypothetical obviousness...

4. Litigation History of the Patent

Public records reflect that the 10469554 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Untitled case — 23-1965 · Court of Appeals for the Federal Circuit (CAFC)

5. 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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