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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. 10623095 — Response to Assertion of Infringement**

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 10623095 (the "10623095 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**

A concise summary of US Patent 10,623,095 is as follows:

Title: Signal detection device and signal detection method

Assignee: As of the latest assignment recorded on October 1, 2025, the assignee for US Patent 10,623,095 is RADIANT PATENTS LLC. The original assignee was NEC Corp.

Inventor: Yoshirou Satou

Filing Date: October 30, 2018

Issue Date: April 14, 2020

Abstract:

The patent describes a signal detection device featuring a comparison unit and an alarm generator. The comparison unit acquires data including the central frequencies of optical signals from multiple transmitters, the interval between these frequencies, and power measurement values of a wavelength-division multiplexed...

## **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 10623095 Patent:

Relevant Prior Art for US Patent 10,623,095

Based on a review of the patent's file wrapper and the citations listed on its face, the following prior art references are identified as most relevant. These references were considered by the USPTO examiner during the prosecution of the patent application. The analysis below outlines how each might be viewed in the context of novelty and potential anticipation of the claims of US Patent 10,623,095.

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US20140376909A1 - "Optical Channel Monitor With High Resolution Capability"

- Full Citation: United States Patent Application Publication No. US 2014/0376909 A1.
- Publication Date: December 25, 2014.
- Brief Description: This reference, assigned to Finisar Corporation, discloses an optical channel monitor (OCM) that uses a tunable filter to scan across a range of wavelengths. It measures the power of a Wavelength Division Multiplexed (WDM) signal at different points to determine the power of individual channels. The system is designed to handle various channel spacings, including those found in flexible grid systems, by adjusting its...

### **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:

Based on the provided prior art, an analysis of the obviousness of the claims of US Patent 10,623,095 under 35 U.S.C. § 103 is as follows.

The central concept of US Patent 10,623,095 is an optical signal monitoring apparatus and method that measures the optical power of a multiplexed signal (containing channels with different frequency widths) at a set sampling interval and uses a controller to intelligently identify which measured intensity values correspond to which signal. This allows for accurate power monitoring in a flexible grid environment.

A person having ordinary skill in the art (PHOSITA) in early 2014 would be an engineer or scientist with a degree in optical or electrical engineering and experience in optical communication systems, particularly WDM and flexible grid networks. This individual would be familiar with the function and design of Optical Channel Monitors (OCMs).

The independent claims (1, 6, 12, and 18) of US 10,623,095 would have been obvious to a PHOSITA in light of combinations of the cited prior art.

Obviousness Argument 1: US20140376909A1 (Finisar)...

### **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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