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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. 10924188 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 10924188 (the "10924188 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 10,924,188.

Summary of US Patent 10,924,188

Title: Optical transmitter, optical communication system, and optical communication method

Assignee: Radiant Patents LLC

Inventors: Junichi Abe, Tatsuya Nakamura

Filing Date: May 12, 2020

Issue Date: February 16, 2021

Abstract:

To address the issue of increased power consumption and control complexity when modulation schemes in an optical communication system are switchable based on transmission conditions, this patent proposes an optical transmitter with a unique design. The transmitter includes an encoding unit that encodes digital signals using one of several encoding methods, depending on the...

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 10924188 Patent:

Analysis of Prior Art for US Patent 10,924,188

The following analysis details the most relevant prior art cited against US Patent 10,924,188. This information is based on the patent's file wrapper and the citations listed in the issued patent.

Key Prior Art and Potential Anticipation of Claims

The primary innovation in US Patent 10,924,188 is the ability of an optical transceiver to dynamically select from a plurality of encoding methods based on the current "optical transmission attributes" (e.g., transmission distance, required capacity, error rate). A controller makes this selection to optimize the transmission.

Here are the most relevant prior art references and their potential impact on the claims of the '188 patent:

1. US Patent 9,698,939 B2

- Full Citation: US Patent 9,698,939 B2, "Variable spectral efficiency optical modulation schemes," issued to Ciena Corporation.
- Filing Date: June 13, 2013
- Brief Description: This patent describes a method for adjusting the modulation format of an optical signal to vary its spectral efficiency. It discloses selecting a modulation...

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 US Patent 10,924,188 under 35 U.S.C. § 103

This analysis evaluates whether the claims of US Patent 10,924,188 would have been obvious to a person having ordinary skill in the art (POSITA) at the time of the invention, based on the previously identified prior art. The key inventive concept of the '188 patent is an optical transceiver that adapts to transmission conditions by selecting from a plurality of encoding methods.

Combination 1: US 9,698,939 B2 in view of US 2011/0293266 A1

Argument for Obviousness: The combination of US Patent 9,698,939 B2 ('939 patent) and US Patent Application Publication 2011/0293266 A1 ('266 application) renders the claims of the '188 patent obvious. The '939 patent teaches the broader concept of a flexible, adaptive optical transmitter, while the '266 application provides specific, motivating details about the implementation of such a system.

• What the '939 Patent Discloses:

The '939 patent forms the primary basis for this obviousness argument. It explicitly describes an optical communication system that selects a...

4. Litigation History of the Patent

Public records reflect that the 10924188 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Radiant Patents LLC v. Nokia Corporation et al. — 2:26-cv-00074 · U.S. District Court for the Eastern District of Texas · filed 2026-01-26 · active

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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