

**SAMPLE — NOT LEGAL ADVICE.** This response letter was generated automatically from publicly available analysis. It has NOT been reviewed by a licensed attorney and SHOULD NOT BE SENT to any party without substantial review and customization by qualified patent counsel. Use as a starting point only.

[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. 11021737 — Response to Assertion of Infringement**

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 11021737 (the "11021737 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 11,021,737

Washington, D.C. - A detailed analysis of U.S. Patent No. 11,021,737 reveals a significant invention in the field of molecular biology and diagnostics, focusing on methods for detecting multiple analytes within a sample. This patent, assigned to Harvard University, is at the center of recent litigation, underscoring its perceived commercial importance.

Key Patent Details:

- Title: Compositions and methods for analyte detection
- Assignee: President and Fellows of Harvard College
- Inventors: George M. Church, Je-Hyuk Lee, Daniel Levner, Michael Super
- Filing Date: July 29, 2020
- Issue Date: June 1, 2021
- Abstract: The patent describes compositions...

## **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 11021737 Patent:

Analysis of Cited Prior Art

This analysis focuses on the prior art references cited by the USPTO examiner during the prosecution of U.S. Patent 11,021,737. The patent's priority date is December 22, 2011. The following references were published before this critical date and were considered material to the patentability of the invention.

#### Key Prior Art References and Potential Anticipation

---

##### 1. U.S. Patent Application Publication No. US 2007/0231824 A1 ("Gunderson")

- Full Citation: US 2007/0231824 A1
- Title: Methods for decoding sensor arrays
- Filing Date: March 27, 2007
- Publication Date: October 4, 2007
- Brief Description: Gunderson discloses a method for identifying analytes using a sensor array, such as a fiber optic array with beads in wells. Each bead has a specific probe and is associated with a unique "address" sequence. The method involves sequentially hybridizing and stripping labeled "decoder probes" to these address sequences to identify the location of each bead type. After decoding the array, the sample is introduced, and analyte binding is detected.
- ...

### 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 Under 35 U.S.C. § 103

This analysis evaluates whether the claimed invention in U.S. Patent 11,021,737 would have been obvious to a Person Having Ordinary Skill in the Art (PHOSITA) as of the priority date of December 22, 2011. An invention is considered obvious 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 at the time the invention was made.

#### Definition of a Person Having Ordinary Skill in the Art (PHOSITA)

As of late 2011, a PHOSITA in this field would possess a Ph.D. in molecular biology, biochemistry, or a related discipline, coupled with several years of experience in academic or industrial research. This individual would be well-versed in nucleic acid biochemistry, including hybridization, amplification, and sequencing technologies (both Sanger and next-generation methods). They would have practical knowledge of protein detection methods, such as immunohistochemistry and immunofluorescence, and would be familiar with standard bioconjugation techniques for linking...

### 4. Litigation History of the Patent

Public records reflect that the 11021737 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- 10x Genomics, Inc. et al. v. Element Biosciences, Inc. — U.S. District Court for the District of Delaware · filed 2026-05-08 · pending
- 10x Genomics, Inc. et al. v. Vizgen, Inc. — 1:22-cv-00595 · U.S. District Court for the District of Delaware · filed 2022-05-04 · Settled

## 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]

**DISCLAIMER. This document is a machine-generated sample. The factual assertions, prior-art citations, and legal arguments above are AI-produced and may contain errors, omissions, or outdated information. Do not transmit this letter, in whole or in part, to any party. This is not legal advice; no attorney-client relationship is created by its existence. Consult a licensed patent attorney before responding to any patent-infringement assertion.**