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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. 11349787 — Response to Assertion of Infringement**

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 11349787 (the "11349787 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**

An analysis of U.S. Patent 11,349,787 reveals a system for enabling real-time, anonymous communication between a user on a website and one or more responders who may be using different communication platforms. The patent is assigned to Disintermediation Services Inc., a company that has been involved in litigation related to this patent family.

Patent Details:

- Title: Two-way real time communication system that allows asymmetric participation in conversations across multiple electronic platforms
- Assignee: Disintermediation Services Inc
- Inventors: John Patrick Francis DANDISON, James Allen Johnson, Paul Joseph Lyman Schottland
- Filing Date: January 11, 2022
- Issue Date: May 31, 2022...

## **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 11349787 Patent:

Analysis of Prior Art Cited in U.S. Patent 11,349,787

An examination of the file history of U.S. Patent 11,349,787 reveals the prior art references that were cited by the USPTO patent examiner during the prosecution of this patent and its parent applications. These references are crucial for understanding the landscape of existing technology at the time the invention was evaluated and for assessing the patent's validity. Below is an analysis of the most relevant cited patents, outlining their key features and their potential to anticipate the claims of the '787 patent under 35 U.S.C. § 102.

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U.S. Patent No. 8,364,741 B2

- Full Citation: US 8,364,741 B2, "System and method for providing a communications portal"
- Assignee: Avaya Inc.
- Publication Date: January 29, 2013 (Filed: July 23, 2008)
- Brief Description: This patent discloses a system for managing communications between external users (e.g., customers on a website) and internal users (e.g., agents). It describes establishing a communication session, such as a chat, initiated by an external user. The system can route...

### **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 U.S. Patent 11,349,787 Under 35 U.S.C. § 103

Based on the prior art cited during the prosecution of U.S. Patent 11,349,787 and its parent applications, the independent claims of the '787 patent appear to be obvious under 35 U.S.C. § 103. An invention is considered obvious if the differences between the claimed invention and the prior art are such that the invention as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art (PHOSITA). The following analysis presents combinations of the provided prior art references that would render the claims obvious.

The core elements of independent claims 1 and 17 of the '787 patent are:

1. Receiving a communication request from a web browser of an unauthenticated user.
2. Connecting the user with a responder who may use a different communication protocol.
3. Determining and using a conversation identifier to track and associate all messages in the conversation.
4. Persistently storing the conversation linked to the identifier.
5. Retrieving the stored conversation...

### **4. Litigation History of the Patent**

Public records reflect that the 11349787 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Disintermediation Services, Inc. v. Perq Software, LLC — U.S. District Court for the Southern District of Indiana · filed 2023-03-21 · pending
- Disintermediation Services, Inc. v. LiveAdmins, LLC — 1:2022cv06539 · U.S. District Court for the Northern District of Illinois · ongoing
- Intercom, Inc. v. Disintermediation Services, Inc. — 1:2025cv00619 · U.S. District Court for the

## 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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