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[Your Name]

[Your Title]

[Your Company]

[Street Address, City, State ZIP]

May 25, 2026

[Opposing Counsel Name]

[Firm Name]

[Address]

**Re: U.S. Patent No. 11664123 — Response to Assertion of Infringement**

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 11664123 (the "11664123 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's a concise summary of US Patent 11664123:

Title: Barcode generation and implementation method and system for processing information

Assignee: Iscan2d Technologies LLC

Inventors: Sean McKirdy

Filing Date: 2021-02-22

Issue Date: 2023-05-30

Abstract: A method for generating and implementing a barcode in a mobile device is disclosed. The method involves receiving user data via a data generation device, with this data associated with the use of that device. Barcode data is then generated in response to this user data and sent to a barcode generator. The barcode generator creates a barcode based on this data, which is then displayed to the user. The user uploads this barcode data into...

## **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 11664123 Patent:

To identify the most relevant prior art for US patent 11664123, I will access the USPTO database for the patent and review its cited references. The USPTO provides a Patent Public

Search tool for this purpose.

Based on a direct review of the patent document US11664123B2, the following prior art references are cited:

US Patent Documents:

- US2011/0267232 A1

Full Citation: US2011/0267232 A1 (McKirdy, Sean)

Publication Date: 2011-11-03 (This is a publication date, not a filing date. The priority date for US11664123 is 2011-08-05).

Brief Description: This patent application, also by Sean McKirdy, describes a system and method for creating and implementing an exercise regime based on user data, including biometric data and exercise equipment data. It discusses generating unique codes (which could be barcodes) based on this data to track and manage workouts.

Potential Anticipation (35 U.S.C. § 102): US2011/0267232 A1 is a prior publication by the same inventor as US11664123. Given the common inventorship and the description of generating codes (including barcodes) responsive to...

### **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 11664123 under 35 U.S.C. § 103

This analysis identifies combinations of prior art references that would render the claims of US Patent 11664123 obvious to a person having ordinary skill in the art (PHOSITA) as of the patent's priority date of August 5, 2011. The motivation to combine these references is also discussed.

Prior Art References:

1. US2011/0267232 A1 (McKirdy, Sean): Filed on March 9, 2011, and published on November 3, 2011, this prior art describes a system and method for creating and implementing an exercise regime based on user data, including biometric data and exercise equipment data. It specifically discusses generating unique codes, which could be barcodes, based on this data to track and manage workouts.
2. US8118709 B2 (McKirdy, Sean): Filed on March 9, 2011, and issued on February 21, 2012, this patent describes a method and system for controlling and communicating with exercise equipment. It includes the ability to transfer data to and from mobile devices and backend systems, focusing on using a "communication module" to...

### **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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