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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. 11677798 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 11677798 (the "11677798 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

Patent Summary: US 11,677,798

Title: Apparatus, system, and method for multi-bitrate content streaming

Assignee: DISH Technologies L.L.C.

Inventors: David F. Brueck, Mark B. Hurst, R. Drew Major

Filing Date: October 7, 2022

Issue Date: June 13, 2023

Abstract:

An apparatus for multi-bitrate content streaming includes a receiving module configured to capture media content, a streamlet module configured to segment the media content and generate a plurality of streamlets, and an encoding module configured to generate a set of streamlets. The system includes the apparatus, wherein the set of streamlets comprises a plurality of streamlets having identical time indices and durations, and...

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 11677798 Patent:

As a senior US patent analyst, I have reviewed the prior art cited in the prosecution history of

U.S. Patent No. 11,677,798. The following analysis details the most relevant references and their potential impact on the patent's claims, particularly independent claims 1, 9, and 15, under 35 U.S.C. § 102 (Anticipation).

The core, claimed invention of US 11,677,798 involves three main concepts:

1. Segmenting media content into small portions ("streamlets").
 2. Encoding each portion into a set of files, where each file represents the same portion at a different bitrate.
 3. A distributed encoding system where a "master module" assigns these encoding tasks to multiple "host" computers based on an "encoding job completion bid" from the hosts.
- A prior art reference would need to disclose all of these elements to anticipate the claims.

Analysis of Key Prior Art References

Here are the most relevant prior art references and an assessment of the elements they disclose.

1. U.S. Patent Application Publication No. 2004/0103203 A1 (MeLampy et al.)
 - Full Citation: US 2004/0103203 A1,...

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 No. 11,677,798 under 35 U.S.C. § 103

This analysis assesses whether the invention claimed in U.S. Patent No. 11,677,798 would have been obvious to a Person Having Ordinary Skill in the Art (POSA) at the time the invention was made. A POSA in this context would be a computer scientist or engineer with several years of experience in distributed computing, network protocols, and digital video streaming technologies.

The central inventive concept of the '798 patent, as defined by independent claims 1, 9, and 15, is a system and method for creating multi-bitrate video streams by:

1. Segmenting a media file into "streamlets."
2. Encoding each streamlet into a set of files with identical time indices but different bitrates.
3. Utilizing a distributed master/host architecture for this encoding process.
4. Wherein the master module assigns encoding jobs to host modules based on a "job completion bid" submitted by the hosts.

The first three elements are well-established in the prior art for streaming media systems. The dispositive question for an...

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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