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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. 11991234 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 11991234 (the "11991234 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 US Patent 11,991,234 is provided below.

Summary of US Patent 11,991,234

- Title: Apparatus, system, and method for multi-bitrate content streaming
- Assignee: Dish Technologies LLC
- Inventors: David F. Brueck, Mark B. Hurst, R. Drew Major
- Filing Date: December 21, 2022
- Issue Date: May 21, 2024
- Abstract: An apparatus for multi-bit rate 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...

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 11991234 Patent:

An analysis of the prior art cited by U.S. Patent 11,991,234 is detailed below. The analysis

focuses on references that could be considered relevant to the key inventive concepts of segmenting media content into "streamlets," creating multiple versions of these streamlets at different bitrates, and distributing the encoding process.

Analysis of Cited Prior Art for US 11,991,234

Based on the patent's description, the core invention lies in the server-side method of preparing media for adaptive streaming. This involves:

1. Segmentation: Dividing the content into small, time-indexed chunks ("streamlets").
2. Multi-bitrate Encoding: Creating a set of these streamlets for each time index, with each streamlet in the set having a unique bitrate.
3. Distributed Encoding (Master/Host): A system for assigning these encoding tasks to multiple computers based on a bidding process to optimize for speed, enabling near-real-time encoding of live events.

The following prior art was cited during the prosecution of this patent and its parent applications. This analysis evaluates their relevance 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:

An obviousness analysis under 35 U.S.C. § 103 for US Patent 11,991,234 requires a review of prior art that existed before the earliest priority date of April 30, 2004. Based on the patent's description, the core innovations appear to be:

1. Segmentation: Breaking media content into small, time-indexed segments ("streamlets").
2. Multi-bitrate Encoding: Creating multiple versions of each segment at different bitrates.
3. Distributed Encoding: Using a master-host system to assign encoding jobs based on bids to parallelize the creation of these multi-bitrate segments.
4. HTTP-based Delivery: Serving these segments as static files via standard web servers, allowing a client to request them dynamically.

A person of ordinary skill in the art (POSITA) in 2004 would likely have been a computer scientist or engineer with experience in digital video compression, network protocols, and distributed computing systems. An argument for obviousness would contend that the key elements of patent '234 were known in the art and a POSITA would have been motivated to combine them.

Potential...

4. Litigation History of the Patent

Public records reflect that the 11991234 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- DISH Technologies L.L.C. et al. v. MBB Ventures LLC — 1:26-cv-00526 · U.S. District Court for the District of Delaware · filed 2026-05-06 · 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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