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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. 11991234B2 — Response to Assertion of Infringement**

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 11991234B2 (the "11991234B2 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 11,991,234 B2

Date of Analysis: April 26, 2026

As a senior US patent analyst, I have conducted a thorough review of US Patent 11,991,234 B2. The following is a concise summary based on the provided patent text and a search of publicly available records.

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:

The patent describes an apparatus, system, and method for multi-bitrate content streaming. The system involves a receiving module to capture media content, a "streamlet" module to...

## 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 11991234B2 Patent:

Analysis of Prior Art for U.S. Patent 11,991,234 B2

Date of Analysis: April 26, 2026

As a technical patent analyst, I have conducted a review of the prior art cited in U.S. Patent 11,991,234 B2. The following analysis details the most relevant references and their potential impact on the patent's claims under 35 U.S.C. § 102 for anticipation. An invention is anticipated if every element as set forth in a claim is found, either expressly or inherently, in a single prior art reference.

Based on the patent's own citations, the following references are most relevant:

1. U.S. Patent No. 7,987,294 B2 (Zaslavsky et al.)

- Full Citation: US 7987294B2, "Method and system for adaptive bitrate streaming of content," filed on May 29, 2008, and issued on July 26, 2011.

- Brief Description: This patent discloses a method and system for adaptive bitrate streaming of media content over a network. It describes receiving a request for a media file from a client, where the media file is divided into a plurality of chunks. The system then selects an initial bitrate and sends a first set of chunks...

## 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

Date of Analysis: May 8, 2026

As a technical patent analyst, I have conducted an analysis of the obviousness of the claims of U.S. Patent 11,991,234 B2 (the '234 patent) under 35 U.S.C. § 103. This analysis considers whether the claimed invention would have been obvious at the time the invention was made to a person having ordinary skill in the art (PHOSITA). An invention is obvious if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a PHOSITA. The analysis builds upon the previously generated "Prior Art" section, which concluded that the novel element of the '234 patent is the "muster module" and its "encoding job completion bid" mechanism for distributing encoding tasks. While references like Zaslavsky et al. (US 7,987,294 B2) and Pabla et al. (US 2005/0240659 A1) teach the foundational concepts of adaptive bitrate streaming by segmenting content into "chunks" or "segments" at multiple bitrates,...

## 4. Litigation History of the Patent

Public records reflect that the 11991234B2 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Aylo Freesites Ltd. v. DISH Technologies LLC — IPR2024-00940 · USPTO Patent Trial and Appeal Board · Terminated
- Untitled case — IPR2024-00941 · USPTO Patent Trial and Appeal Board · Not Instituted

• DISH Technologies L.L.C. et al. v. Aylo Freesites Ltd et al. — 2:24-cv-00066 · U.S. District Court for the District of Utah · filed 2024-01-24 · Stayed

## 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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