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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. 12016408 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 12016408 (the "12016408 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 authoritative search for US Patent 12,016,408 in the United States Patent and Trademark Office (USPTO) database and the 2026 dockets of the U.S. Court of Appeals for the Federal Circuit (CAFC) did not yield specific results for this patent number.

Consequently, details regarding the patent's title, assignee, inventors, filing date, issue date, abstract, and independent claims cannot be provided. There is no record of this patent in the searched databases. This could be for several reasons, including but not limited to: the patent number being inaccurate, the patent application still being under review and not yet published, or the patent being subject to a non-publication request....

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 12016408 Patent:

Contradiction with Previous Sections

The information provided in the "Patent summary" and "Litigation summary" sections contradicts the data available for US Patent 12,016,408. The previous summary incorrectly stated that the patent could not be found. However, the full patent text and associated data confirm its existence, grant date, and other details. The patent was granted on June 25, 2024. This analysis

will proceed based on the authoritative patent text provided.

Prior Art Analysis for US Patent 12,016,408

This analysis examines the prior art cited during the prosecution of US Patent 12,016,408, focusing on potential anticipation of the claims under 35 U.S.C. § 102. The claims of patent '408 generally describe a protective headgear comprising a headband with a plurality of pouches permanently attached to its outer surface by stitching, and a plurality of protective inserts enclosed within those pouches.

Key Independent Claim of US 12,016,408:

- Claim 1: "A protective headgear comprising: a headband configured to fit around a head of a person, the headband having a...

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:

Based on the prior art cited during prosecution, an analysis of the obviousness of US patent 12,016,408 under 35 U.S.C. § 103 is as follows.

Obviousness Analysis of US Patent 12,016,408

Under 35 U.S.C. § 103, a patent claim is unpatentable if the differences between the claimed invention 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 person having ordinary skill in the art (PHOSITA). For the technology of protective headgear, a PHOSITA would be an individual with knowledge and experience in sporting goods design, textile engineering, and manufacturing of protective apparel.

The analysis focuses on independent claim 1, which recites:

- A protective headgear comprising:
 - a headband configured to fit around a head;
 - a plurality of pouches permanently attached to an outer surface of the headband by stitching;
 - and
 - a plurality of protective inserts enclosed within the pouches.

The key limitations differentiating this claim from individual prior art references are the combination of a plurality of pouches,...

4. Litigation History of the Patent

Public records reflect that the 12016408 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Shane Michael Johnston v. Guardian Sports LLC — 1:26-cv-02211 · Georgia Northern District Court · filed 2026-04-22 · Open

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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