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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. 12232681 — Response to Assertion of Infringement**

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 12232681 (the "12232681 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 United States Patent 12,232,681 reveals the following details regarding the invention and its legal status.

Summary of U.S. Patent 12,232,681

- Title: Dishwasher with a dish rack.
- Assignee: Whirlpool Corp.
- Inventors: Mark S. Feddema, William J. Snell, Sachie Kakehi.
- Filing Date: December 11, 2023.
- Issue Date: February 25, 2025.
- Abstract: The patent describes an automatic dishwasher with a specially designed dish rack. This rack features a bottom wall with two distinct sections: a substantially flat portion and a depressed or lowered portion.

Plain-Language Overview of Independent Claims

An independent claim represents the broadest definition of the invention.

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## 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 12232681 Patent:

## Analysis of Prior Art for U.S. Patent 12,232,681

Based on a review of the patent file for U.S. Patent 12,232,681, the following references were cited during its prosecution. These patents constitute the most relevant prior art considered by the USPTO examiner. An analysis of each reference and its potential relevance to the claims of patent '681 is detailed below.

A core inventive concept of U.S. Patent 12,232,681, as defined in independent claims 1 and 14, involves a dishwasher rack with a bottom wall constructed of two distinct sections: a "substantially horizontal-planar portion" and a "second portion" that is angled relative to the first, often forming a depression. This dual-geometry bottom is designed to hold different types of items, with the planar section supporting utensil holders and the angled or depressed section creating cup seats or supporting other utensil holders like "spaced pins."

The following prior art references disclose features related to adjustable or multi-level dish racks and various types of utensil and cup holders.

Prior Art and Potential...

### **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 12,232,681

Under 35 U.S.C. § 103, a patent claim is invalid 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 (POSA). This analysis considers whether a POSA would have been motivated to combine the teachings of existing prior art references to arrive at the claimed invention with a reasonable expectation of success. The core concept of U.S. Patent 12,232,681 involves a dish rack with an integrated, multi-level bottom wall, comprising a flat, horizontal portion for some items and an angled, depressed portion for others. This dual-geometry design aims to increase loading versatility within a single, monolithic rack structure.

Obviousness of Independent Claim 14

Claim 14 describes a dish rack with a "substantially horizontal planar portion" supporting utensil holders and a second, "angled" portion "defining a depression" that serves as a "cup seat."

Proposed Combination: US Patent...

### **4. Litigation History of the Patent**

Public records reflect that the 12232681 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Whirlpool Corp. v. Samsung Electronics Co. Ltd. — 2:25-cv-01042 · U.S. District Court for the Eastern District of Texas · 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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