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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. 12395359 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 12395359 (the "12395359 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 12,395,359 reveals the following details. A search of the United States Court of Appeals for the Federal Circuit (CAFC) dockets for 2026 found no public record of this patent.

Summary of U.S. Patent 12,395,359

Title: Method of implementing a physical unclonable function

Assignee: Thales DIS France SA. The assignment history also includes Thales DIS Design Services SAS.

Inventors:

- Benjamin Duval
- Alexandre Berzati
- Olivier Fourquin

Filing Date: September 17, 2021

Issue Date: August 19, 2025

Abstract: The patent describes a method and an electronic device for repairing the output of a Physical Unclonable Function (PUF). A PUF generates a unique...

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 12395359 Patent:

Prior Art Analysis

Based on the citations listed in the patent documentation for US 12,395,359, the following prior art references are most relevant to the claims of the patent. The analysis focuses on the potential for these references to anticipate the independent claims (1, 6, 12, and 14) under 35 U.S.C. § 102. Anticipation requires that a single prior art reference discloses every element of a claim.

US20150092939A1

- Full Citation: US Patent Application Publication No. 2015/0092939 A1, "Dark bits to reduce physically unclonable function error rates," published April 2, 2015. Filed September 27, 2013.
- Brief Description: This reference describes a method for improving the reliability of a PUF by identifying and excluding unstable bits, referred to as "dark bits." During an enrollment phase, the PUF is read multiple times to identify bits that are not repeatable. The locations of these dark bits are stored. In subsequent operations, these dark bits are masked or ignored, and are not used in the final PUF response. The system may also use error correction codes on the...

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 (35 U.S.C. § 103)

An invention is considered obvious if the differences between the claimed invention and the prior art are such that the invention as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art (PHOSITA). This analysis considers combinations of prior art references to determine if they would have collectively suggested the claimed invention.

The independent claims (1, 6, 12, and 14) of US patent 12,395,359 are likely obvious in view of a combination of prior art references, primarily US 2019/0065734 A1 ('734), US 2015/0092939 A1 ('939), and US 2017/0149572 A1 ('572).

Primary Combination of References

- US '734 teaches a method for in-field error detection and correction for a PUF. It uses an Error Correcting Code (ECC) to generate a syndrome that directly identifies the index of a single-bit error in the PUF response. It then corrects the error by flipping the value of the identified bit. This reference establishes the state of the art for detecting an error (Claim 1, step S2) and...

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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