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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. 12423718 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 12423718 (the "12423718 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

As a senior US patent analyst, here is a concise summary of US patent 12,423,718 based on the provided authoritative text.

Patent Summary:

- Title: Methods and systems for providing customer assistance in a retail store
- Assignee: Alpha Modus Corp is listed as both the Original and Current Assignee.
- Inventors: Michael Garel, Jim Wang
- Filing Date: October 3, 2024
- Issue Date: September 23, 2025 (as per the publication date of the B2 patent)
- Abstract: The patent details a system and method for use in a retail store where information monitoring devices identify a customer and track the products they pick up or handle. The system then tracks the customer to the point-of-sale area,...

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 12423718 Patent:

As a senior US patent analyst, I have analyzed the prior art cited during the prosecution of US patent 12,423,718. The following represents the most relevant references and their potential

impact on the patent's claims.

The analysis is based on the claims as summarized in the previously generated sections. The core inventive concept of US patent 12,423,718 is the combination of a demographic intelligence module (determining characteristics like age/gender from sensors) with a tracking module (monitoring a person's path, e.g., via Wi-Fi/MAC address) to link demographic data with physical behavior in a retail setting for analysis and real-time engagement.

Cited Prior Art Analysis

The following patents were cited by the USPTO examiner during the prosecution of the application that led to US patent 12,423,718.

1. US Patent 8,930,241 B2 ("Shopper-aware retail store system")

- Full Citation: US 8,930,241 B2, "Shopper-aware retail store system," assigned to International Business Machines Corporation (IBM).

- Dates: Filed: July 29, 2011; Published: January 6, 2015. This predates...

4. Litigation History of the Patent

Public records reflect that the 12423718 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Alpha Modus Corp v. Circle K Stores Inc — 2:26-cv-00335 · Texas Eastern District Court · filed 2026-04-23 · Open

- Alpha Modus, Corp. v. Lowe's Companies, Inc. et al. — 2:25-cv-01145 · U.S. District Court for the Eastern District of Texas · filed 2025-10-14 · Initial pleading stage

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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