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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. 12543922 — Response to Assertion of Infringement**

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 12543922 (the "12543922 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 12,543,922

Report Date: April 26, 2026

This report provides a concise summary of U.S. Patent 12,543,922, titled "Dishwasher with a dish rack." The information is based on the full patent text available from the United States Patent and Trademark Office (USPTO) and a review of the dockets for the Court of Appeals for the Federal Circuit (CAFC) for 2026.

I. Patent Overview

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|---|---|

| Title | Dishwasher with a dish rack |

| Assignee | Whirlpool Corp |

| Inventors | Mark S. Feddema, William J. Snell, Sachie Kakehi, Steven B. Balinski, David Jason Brightbill, Joseph T. Ferencevich, Sujit S. Naik, Frederick Thomas Roderick, Ryan Kevin Roth |

| Filing Date | ...

## 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 12543922 Patent:

Analysis of Prior Art for U.S. Patent 12,543,922

Report Date: April 30, 2026

This analysis details the most relevant prior art cited in U.S. Patent 12,543,922 (the '922 patent). The focus is on references that potentially anticipate the independent claim of the '922 patent under 35 U.S.C. § 102, which requires a single prior art reference to disclose every element of a claim.

The primary invention protected by the '922 patent, as defined in independent claim 1, is an upper dish rack in a dishwasher. The key features of this rack are:

1. A planar portion with plurality of utensil holders configured to horizontally support utensils.
2. A depression with a first angled wall and a second angled wall, which define a first and second set of cup seats, respectively.
3. A specific spatial relationship where the depression extends entirely below a top of the utensil holders in the planar portion.

The following analysis examines key prior art references and their relevance to these claimed features.

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1. US Patent Application Publication No. US 2003/0226580 A1

• Full Citation: US...

### **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 12,543,922 under 35 U.S.C. § 103

This analysis examines whether the invention claimed in U.S. Patent 12,543,922 (the '922 patent) would have been obvious to a Person Having Ordinary Skill in the Art (PHOSITA) at the time the invention was made. The analysis is based on combinations of the prior art references discussed in the preceding section.

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 claimed invention as a whole would have been obvious to a PHOSITA. This analysis focuses on independent claim 1, which requires the specific combination of a planar portion for horizontal utensils and an adjacent, lower depression with two angled walls for holding cups.

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Primary Obviousness Combination: US 2012/0298598 A1 ('598) in view of US 2003/0226580 A1 ('580)

A strong argument for obviousness can be made by combining the teachings of the Miele patent application ('598) and the Maytag patent application ('580).

1. Base Reference: US 2012/0298598 A1 (Miele)...

### **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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