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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. 5359647 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 5359647 (the "5359647 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

Here is a concise summary of US patent 5359647:

US Patent 5359647: Headset in-use indicator

- Title: Headset in-use indicator
- Assignee: Plantronics Inc.
- Inventors: Paul L. Regen, Anna Marie G. Puentes, Richard Hensolt
- Filing Date: 1993-05-28
- Issue Date: 1994-10-25
- Abstract: A headset telephone is disclosed with an in-use indicator to notify passers-by when the wearer is engaged in a telephone conversation. In one embodiment, a light-emitting diode (LED) indicator is located on the headset's voice boom and illuminates when the headset is active. In another embodiment, headset activation triggers a transmitter to send a signal to a remote in-use indicator that is not physically...

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 5359647 Patent:

An analysis of the prior art cited during the prosecution of US patent 5359647 reveals several

key references that inform the novelty of the claimed invention. This analysis focuses on potential anticipation under 35 U.S.C. § 102, which requires that every element of a claimed invention be disclosed in a single prior art reference.

The examiner cited the following four references, which are considered the most relevant prior art:

1. US5210791A (Krasik)

- Full Citation: US Patent 5,210,791, "Telephone headset on-line indicator"
- Publication Date: May 11, 1993 (filed Dec 13, 1990)
- Brief Description: This patent is highly relevant, as its title suggests. Krasik discloses an on-line indicator for a telephone headset that provides a visual indication (an LED) when the headset is in use. The system works by detecting both an off-hook condition and the presence of an audio signal on the telephone line. The circuitry includes an amplifier, a level detector, and a timer to activate the LED.
- Potential Anticipation of Claim(s): None.
- Analysis: While Krasik teaches the core concept of...

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 US Patent 5359647 Under 35 U.S.C. § 103

This analysis identifies combinations of prior art references that would render the claims of US Patent 5359647 obvious to a person having ordinary skill in the art (POSITA) at the time of the invention (priority date 1993-05-28). The motivation for combining these references is also discussed.

Legal Standard for Obviousness

Under 35 U.S.C. § 103, a patent may not be obtained "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." The Supreme Court's decision in *KSR International Co. v. Teleflex Inc.* emphasized that obviousness can be shown by demonstrating that a POSITA would have been motivated to combine prior art elements in a known way to yield predictable results, or to pursue a finite number of identifiable, predictable solutions.

Prior Art References Considered

The following prior art references, cited by the examiner, are used for this analysis:...

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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