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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. 5841978 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 5841978 (the "5841978 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 5,841,978, focusing on its key details and claims, is provided below.

A search of the United States Court of Appeals for the Federal Circuit (CAFC) dockets for the year 2026 was conducted, and no cases specifically referencing US Patent 5,841,978 were found.

Patent Summary

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| Title | Network linking method using steganographically embedded data objects |

| Assignee | Digimarc Corp |

| Inventor(s) | Geoffrey B. Rhoads |

| Filing Date | July 27, 1995 |

| Issue Date | November 24, 1998 |

| Status | Expired |

| Abstract | A network linking method is provided. According to one embodiment, a computer user indicates a data object, such as...

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 5841978 Patent:

Analysis of Prior Art for U.S. Patent 5,841,978

This analysis examines the prior art cited during the prosecution of U.S. Patent 5,841,978. Each cited reference is evaluated for its potential to anticipate the claims of the '978 patent under 35 U.S.C. § 102. The core invention of the '978 patent revolves around steganographically embedding a network address (like a URL) into a data object (such as an image) to create a machine-readable link to a network location.

Below is a breakdown of the most relevant prior art and its relationship to the claims of the '978 patent.

U.S. Patent 4,807,031: "Method and apparatus for embedding authentication information in a video signal"

- Full Citation: Cluts, et al., U.S. Patent 4,807,031, issued February 21, 1989.
- Filing Date: February 24, 1987.
- Brief Description: This patent describes a method for embedding authentication data into a video signal by modulating the chrominance or luminance of the signal. The embedded data can be used to verify the authenticity of the video signal and to identify the source of unauthorized copies. 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 of US Patent 5,841,978 under 35 U.S.C. § 103

This analysis assesses whether the invention claimed in U.S. Patent 5,841,978 would have been obvious to a person having ordinary skill in the art (POSITA) at the time the invention was made, considering the prior art references cited during prosecution. The central inventive concept of the '978 patent is the specific combination of steganography with network addresses to create automated hyperlinks from media objects.

A POSITA in 1995 would likely have been a computer scientist or electrical engineer with experience in digital signal processing, image processing, and early internet/network protocols. The independent claims of the '978 patent are likely obvious in light of the combination of U.S. Patent 5,245,165 (De Vitry) with either U.S. Patent 4,807,031 (Cluts) or U.S. Patent 5,428,453 (Oomen).

Primary Combination of References

1. De Vitry ('165): Linking from an Object Using an Embedded Address.

De Vitry explicitly teaches the core functional goal of the '978 patent: linking a document (physical or digital)...

4. Litigation History of the Patent

Public records reflect that the 5841978 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Digimarc Corp. v. Verance Corp. — U.S. District Court for the District of Oregon · Settled
- Verance Corp. v. Digimarc Corp. — 1:2010cv00831 · U.S. District Court for the District of Delaware · Dismissed

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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