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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. 5910988 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 5910988 (the "5910988 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

A concise summary of US Patent 5,910,988 is as follows:

Title: Remote image capture with centralized processing and storage

Assignee: The original assignee was CSP Holdings Inc. Subsequent assignments were made to CSP Holdings, L.L.C., and later to DataTreasury Corporation. The most recent assignee of interest noted is SHORE DEARY, L.L.P.

Inventors: Claudio R. Ballard

Filing Date: August 27, 1997

Issue Date: June 8, 1999

Abstract: The patent describes a system, named the "DataTreasury™ System," for acquiring data from remote locations, processing it centrally, and storing it. This system is designed to handle a variety of documents and electronic data from transactions such as sales,...

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 5910988 Patent:

Analysis of Prior Art Cited in US Patent 5,910,988

The following analysis details the prior art references cited by the USPTO examiner during the

prosecution of US Patent 5,910,988. These references were considered in the original examination and are crucial for understanding the patent's scope and novelty at the time of its grant.

1. US Patent 5,220,501 A: Apparatus and method for routing facsimile messages in a store and forward facsimile system

- Full Citation: Lawlor, et al., US Patent 5,220,501 A
- Publication/Filing Date: Filed: Dec 20, 1990; Published: Jun 15, 1993
- Brief Description: This patent discloses a store-and-forward facsimile system where incoming fax messages are stored at a central "hub" computer. The system digitizes the fax, stores the image, and can then route it to various destinations based on routing information. It describes a centralized system for receiving, storing, and forwarding document images.
- Potential Anticipation of Claims: This reference is relevant to the general concept of centralizing document image storage. However, it does not...

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:

Based on my analysis of US Patent 5,910,988, its claims are rendered obvious under 35 U.S.C. § 103 by a combination of prior art references that were well known before the patent's priority date of August 27, 1997. The core invention claimed is a three-tiered system for data processing, which was a conventional architecture for scalable computer networks at the time. Person Having Ordinary Skill in the Art (POSITA)

As of August 1997, a person of ordinary skill in the art (POSITA) would have been a systems architect or software engineer with a degree in computer science or a related field and several years of experience designing distributed data processing systems. This individual would be familiar with:

- Client-server and multi-tier network architectures.
- Document scanning technologies and image compression standards (e.g., TIFF, Group IV Fax).
- Network protocols including dial-up modem communication, TCP/IP, and WAN technologies like Frame Relay.
- Database management systems for centralized data storage.
- The existing infrastructure for electronic financial transactions...

4. Litigation History of the Patent

Public records reflect that the 5910988 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- DataTreasury Corporation v. JPMorgan Chase & Co. et al. — U.S. District Court for the Eastern District of Texas · Settled
- DataTreasury Corporation v. U.S. Bank et al. — U.S. District Court for the Eastern District of Texas · Settled
- DataTreasury Corporation v. Bank of America — U.S. District Court for the Eastern District of

Texas · Settled

- DataTreasury Corporation v. Wells Fargo & Company — 2:2006cv00072 · U.S. District Court for the Eastern District of Texas · filed 2006-02-24 · Settled
- DataTreasury Corporation v. NCR Corp. — U.S. District Court for the Eastern District of Texas · Settled
- DataTreasury Corporation v. Jack Henry & Associates, Inc. — 2:13-cv-00433 · U.S. District Court for the Eastern District of Texas · filed 2013-05-28 · On appeal
- DataTreasury Corporation v. Fidelity National Information Services, Inc. — U.S. District Court for the Eastern District of Texas · filed 2013-05-28 · Active
- DataTreasury Corporation v. Fiserv, Inc. — U.S. District Court for the Eastern District of Texas · filed 2013-05-28 · Active
- ...and 1 additional case(s)

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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