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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. 5987610 — Response to Assertion of Infringement**

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 5987610 (the "5987610 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 5,987,610, including a plain-language overview of its independent claims, is provided below. This analysis is based on the patent text and relevant legal proceedings as of the current date.

Summary of US Patent 5,987,610

- Title: Computer virus screening methods and systems
- Assignee: The patent has been assigned multiple times. The original assignee was Ameritech Corp. According to the patent's legal status information, the current assignee is listed as Intellectual Ventures I LLC.
- Inventors: Edward J. Franczek, John Thomas Bretscher, Raymond Walden Bennett, III
- Filing Date: February 12, 1998
- Issue Date: November 16, 1999
- Abstract: The patent...

## **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 5987610 Patent:

Prior Art Analysis for US 5,987,610

As of May 11, 2026, the following analysis details the most relevant prior art cited against US patent 5,987,610. The filing date for the '610 patent is February 12, 1998, establishing the critical date for prior art.

#### Patents Incorporated by Reference

The '610 patent's specification explicitly incorporates two prior U.S. patents by reference. These are highly relevant as they form a basis for the technology described.

##### 1. U.S. Patent 5,319,776: "Apparatus and method for detecting computer viruses"

- Full Citation: US 5,319,776, Hile, et al.
- Publication/Filing Date: Issued June 7, 1994 / Filed August 26, 1992. This predates the '610 patent.
- Brief Description: This patent describes a method for detecting viruses by creating a "decoy" or "model" environment. An executable file is run in this simulated environment, which includes decoy files and system areas. The system monitors for changes to these decoy components, such as modifications to file contents or system interrupts. If suspicious changes are detected, the system flags the executable...

### 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:

An analysis of the obviousness of US patent 5,987,610 under 35 U.S.C. § 103, based on prior art available before the February 12, 1998, filing date, is provided below. This analysis focuses on the independent claims (1, 12, 23, and 43) as they define the broadest scope of the invention.

#### Defining the Skilled Artisan

A person having ordinary skill in the art (PHOSITA) as of early 1998 would be a computer scientist or software engineer with several years of experience in computer networking, telecommunications systems, and software security. This individual would be familiar with the Public Switched Telephone Network (PSTN), network protocols (like TCP/IP and PPP), the architecture of client-server systems, and the principles of anti-virus software, including signature-based scanning and heuristic analysis.

#### Obviousness Analysis of Claims 1, 12, and 23

Claims 1, 12, and 23 cover the core concept of performing virus screening on computer data within a telephone network, as opposed to on an end-user's computer. The key elements are routing data through a telephone network,...

### 4. Litigation History of the Patent

Public records reflect that the 5987610 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Intellectual Ventures I LLC v. Symantec Corp. — 1:10-cv-01067-LPS · U.S. District Court for the District of Delaware · filed 2010-12-08 · Reversed on appeal
- Intellectual Ventures I LLC v. Trend Micro Incorporated et al. — 1:12-cv-01581-LPS · U.S. District Court for the District of Delaware · filed 2010-12-08 · Claims withdrawn

## 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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