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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. 6164534 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 6164534 (the "6164534 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

Patent Summary: US 6,164,534

This report provides a concise summary of United States Patent 6,164,534, including its key bibliographic information and an overview of its independent claims. The information is based on the patent document and publicly available data from the United-States Patent and Trademark Office (USPTO).

1. Bibliographic Information

- Title: Method and apparatus for accessing electronic data via a familiar printed medium
- Assignee: As of the patent's issue date, the rights were assigned to the inventors. The current assignee of record is MARSHALL ELECTRONICS COMPANY LLC.
- Inventors: Spencer A. Rathus, Jeffrey S. Nevid, Lois Fichner-Rathus
- Filing Date: May 20, 1999...

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 6164534 Patent:

Analysis of Prior Art for U.S. Patent No. 6,164,534

Date of Analysis: April 29, 2026

Patent under Review: US 6,164,534, "Method and apparatus for accessing electronic data via a familiar printed medium"

This analysis identifies and examines the most relevant prior art cited during the prosecution of U.S. Patent No. 6,164,534. The focus is on determining the potential for these references to anticipate the patent's independent claim (Claim 1) under 35 U.S.C. § 102. Anticipation requires that every element of the claimed invention be disclosed in a single prior art reference.

Claim 1 of the '534 patent covers a system comprising:

1. A printed matter (e.g., a book, catalog) with a machine-recognizable feature (e.g., a barcode).
2. A feature recognition unit (a scanner) to recognize the feature and transmit a coded signal.
3. An intelligent controller that receives the signal and accesses programming material.
4. A display unit to present the programming material to the user.
5. The system is arranged such that recognizing the feature causes the controller to access the material for...

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 No. 6,164,534

Date of Analysis: April 29, 2026

Patent under Review: US 6,164,534 ("the '534 patent")

This analysis evaluates the obviousness of the claims of U.S. Patent No. 6,164,534 under 35 U.S.C. § 103, based on the prior art references identified in the preceding section of this report. The standard for obviousness is whether 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 (POSITA). This analysis requires not only identifying the elements of the claim in prior art but also establishing a clear motivation to combine those references.

1. The Scope of Claim 1 and the Person of Ordinary Skill in the Art (POSITA)

Independent Claim 1 of the '534 patent describes a system linking a physical printed document to electronic content. The core elements are a printed item with a machine-readable feature (e.g., barcode), a scanner, a controller to access content based on the scanned...

4. Litigation History of the Patent

Public records reflect that the 6164534 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Marshall Feature Recognition, LLC et al. v. Amazon.com, Inc. — 2:07-cv-00342 · United States District Court for the Eastern District of Texas · Dismissed
- Marshall Feature Recognition, LLC et al. v. Barnes & Noble, Inc. — 2:07-cv-00343 · United States District Court for the Eastern District of Texas · Dismissed
- Marshall Feature Recognition, LLC et al. v. Apple Inc. — 2:08-cv-00211 · United States District Court for the Eastern District of Texas · 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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