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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. 6266674 — Response to Assertion of Infringement**

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 6266674 (the "6266674 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 6,266,674

Date of Analysis: April 26, 2026

This report provides a summary of United States Patent 6,266,674, including its prosecution history, claims, and legal status.

Title: Random access information retrieval utilizing user-defined labels

Assignee: The patent was originally assigned to the inventor, Donald J. Hejna, Jr. Later records indicate an assignment to EDEKKA LLC.

Inventor: Donald J. Hejna, Jr.

Filing Date: March 16, 1992

Issue Date: July 24, 2001

Abstract:

The patent describes a method and apparatus for storing and retrieving information, such as audio, text, or facsimile data. The core of the invention is a system where a user can define labels for...

## **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 6266674 Patent:

## Analysis of Prior Art Cited in US Patent 6,266,674

This section details the prior art references cited during the examination of US Patent 6,266,674. Each reference is analyzed for its potential to anticipate the claims of the '674 patent under 35 U.S.C. § 102. For a reference to anticipate a claim, it must disclose, either expressly or inherently, each and every element of that claim.

U.S. Patent 4,651,289: Electronic Notebook

- Full Citation: US 4,651,289, "Electronic Notebook," issued to Morita, et al.
- Publication Date: March 17, 1987
- Filing Date: April 26, 1984
- Brief Description: This patent describes an "electronic notebook" that can store handwritten information, including characters and graphics, as stroke-sequence data. It allows for the creation of multiple "pages" of notes and the ability to retrieve these pages. A key feature is the ability to associate a representative mark or symbol with a page for easier identification and retrieval, acting as a form of index or "label."
- Potential Anticipation of Claims:  
Independent Claims 1 & 18 (Storing Information): 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:

As a senior US patent analyst, I will now analyze the obviousness of US patent 6,266,674 under 35 U.S.C. § 103. This analysis builds upon the previous summaries of the patent, its litigation history, and its PTAB proceedings. While the patent has been invalidated under 35 U.S.C. § 101 for being directed to an abstract idea, this analysis will focus on the separate grounds of obviousness based on prior art.

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#### Obviousness Analysis under 35 U.S.C. § 103

##### 1. Person Having Ordinary Skill in the Art (POSITA)

At the time of the invention (priority date March 16, 1992), a person having ordinary skill in the art (POSITA) would have been a computer scientist or software engineer with a bachelor's degree in a relevant field and approximately 2-3 years of experience. This individual would have been familiar with common data storage and retrieval methods, database fundamentals, hierarchical data structures (e.g., tree structures), and the user interfaces of prevalent operating systems like MacOS and MS-DOS/Windows, which utilized graphical or command-line-based hierarchical file systems....

### 4. Litigation History of the Patent

Public records reflect that the 6266674 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- eDekka LLC v. 3Balls.com, Inc. — 2:15-cv-00541 · U.S. District Court for the Eastern District of Texas · Judgment (Patent Invalidated)
- eDekka LLC v. Sally Beauty Supply LLC — 2:13-cv-00979 · U.S. District Court for the Eastern District of Texas · filed 2013-11-20 · 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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