

**SAMPLE — NOT LEGAL ADVICE.** This response letter was generated automatically from publicly available analysis. It has NOT been reviewed by a licensed attorney and SHOULD NOT BE SENT to any party without substantial review and customization by qualified patent counsel. Use as a starting point only.

[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. 6546397 — Response to Assertion of Infringement**

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 6546397 (the "6546397 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**

Summary of U.S. Patent 6,546,397

Title: Browser based web site generation tool and run time engine

Assignee: EXPRESS MOBILE Inc.

Inventor: Steven H. Rempell

Filing Date: December 2, 1999

Issue Date: April 8, 2003

Abstract:

A method and apparatus for designing and building a web page. The apparatus includes a browser-based build engine including build tools and a user interface. The build tools are operable to construct a single run time file and an associated database that describe, and when executed, produce the web page. The user interface includes a build frame and a panel. The build frame is operable to receive user input and present a WYSIWIG representation of the web page. The...

## **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 6546397 Patent:

## Prior Art Analysis for U.S. Patent 6,546,397

As a senior patent analyst, a thorough review of the prior art cited during the prosecution of U.S. Patent 6,546,397 reveals several key references that the USPTO examiner considered. These references provide context for the state of the art at the time of the invention and help define the novel contributions claimed by the patent. Below is an analysis of the most relevant cited patents.

U.S. Patent 5,740,432: "Method of and system for dynamically creating and displaying a document on a browser"

- Full Citation: U.S. Patent 5,740,432, issued April 14, 1998.
- Assignee: International Business Machines Corporation (IBM).
- Filing Date: June 7, 1995.
- Brief Description: This patent describes a system where a user's browser sends a request to a server. The server, in response, executes a program to dynamically generate an HTML document that is then sent back to the browser for display. This process allows the content of the web page to be tailored in real-time based on user input or other conditions, rather than being a static,...

### **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 6,546,397

To: File

From: Senior Patent Analyst

Date: May 12, 2026

Subject: Obviousness Analysis of U.S. Patent 6,546,397 in View of Prior Art

#### 1. Introduction

This analysis evaluates the patentability of the claims of U.S. Patent 6,546,397 ("the '397 patent") under 35 U.S.C. § 103, focusing on the doctrine of obviousness. The '397 patent, with a priority date of December 2, 1999, describes a browser-based tool for creating websites. As established in the PTAB challenges section of this file, all claims of the '397 patent have been found unpatentable in multiple inter partes review (IPR) proceedings. This analysis synthesizes and confirms those findings, demonstrating that the claimed invention would have been obvious to a Person Having Ordinary Skill in the Art (POSITA) at the time the invention was made.

A POSITA in late 1999 would have been a web developer or software engineer with knowledge of HTML, JavaScript, and server-side technologies, and familiarity with existing web authoring tools like Adobe PageMill or Microsoft FrontPage.

2....

### **4. Litigation History of the Patent**

Public records reflect that the 6546397 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- EXPRESS MOBILE, INC. v. Facebook, Inc. — 1:17-cv-00702 · Delaware District Court · filed 2017-06-12 · Dismissed

- EXPRESS MOBILE, INC. v. Salesforce.com, Inc. — 1:17-cv-00703 · Delaware District Court · filed 2017-06-12 · Dismissed
- EXPRESS MOBILE, INC. v. Box, Inc. — 1:17-cv-00704 · Delaware District Court · filed 2017-06-12 · Dismissed
- EXPRESS MOBILE, INC. v. Dropbox, Inc. — 1:17-cv-00705 · Delaware District Court · filed 2017-06-12 · Dismissed
- EXPRESS MOBILE, INC. v. ADP, LLC — 1:17-cv-00707 · Delaware District Court · filed 2017-06-12 · Dismissed
- EXPRESS MOBILE, INC. v. Workday, Inc. — 1:17-cv-00708 · Delaware District Court · filed 2017-06-12 · Dismissed
- EXPRESS MOBILE, INC. v. International Business Machines Corporation — 1:17-cv-00710 · Delaware District Court · filed 2017-06-12 · Dismissed
- EXPRESS MOBILE, INC. v. Microsoft Corporation — 1:18-cv-00102 · Delaware District Court · filed 2018-01-22 · Dismissed
- ...and 12 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]

**DISCLAIMER. This document is a machine-generated sample. The factual assertions, prior-art citations, and legal arguments above are AI-produced and may contain errors, omissions, or outdated information. Do not transmit this letter, in whole or in part, to any party. This is not legal advice; no attorney-client relationship is created by its existence. Consult a licensed patent attorney before responding to any patent-infringement assertion.**

*Generated May 14, 2026 by ihatepatenttrolls.com — sample only.*