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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. 6604216 — Response to Assertion of Infringement**

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 6604216 (the "6604216 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 comprehensive analysis of United States Patent 6604216 reveals the following details:  
Title: Telecommunications system and method for supporting an incremental redundancy error handling scheme using available gross rate channels

Assignee: The most recent assignee of record is Optis Wireless Technology LLC. The patent was originally assigned to Telefonaktiebolaget LM Ericsson AB.

Inventors:

- Stefan Jäverbring
- Anders Furuskär
- Stefan Eriksson
- Magnus Frodigh

Filing Date: February 17, 2000

Issue Date: August 5, 2003

Abstract:

The patent describes a wireless communications system, transmitter, receiver, and method designed to support incremental redundancy error handling schemes...

## **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 6604216 Patent:

Prior Art Analysis for US Patent 6,604,216

As of May 12, 2026, the following analysis details the most relevant prior art cited during the prosecution of US Patent 6,604,216. The analysis is based on the references listed in the patent's file wrapper and focuses on the potential for anticipation under 35 U.S.C. § 102. For a claim to be anticipated, every element and limitation must be found in a single prior art reference, arranged as in the claim.

The core inventive concept of patent 6,604,216 is a flexible method for implementing Incremental Redundancy (IR) Hybrid ARQ (HARQ). This method involves encoding a data block into a "mother code word," reordering this codeword according to an "ordering vector," and then transmitting variable-length "subsequences" from this single reordered codeword. The length of each subsequence is specifically chosen to fill the bandwidth of an available, and potentially variable, gross rate channel.

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1. US Patent 5,657,325

• Full Citation: US Patent 5,657,325 A, "Transmitter and method for transmitting information packets with incremental...

### **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 prior art cited in US patent 6,604,216 indicates that the claims would likely be considered obvious under 35 U.S.C. § 103 to a person having ordinary skill in the art (POSITA) at the time of the invention (circa 1999-2000). The core invention—adapting an Incremental Redundancy (IR) scheme to work with variable-rate channels by creating a single reordered sequence of bits from a mother code—represents an obvious combination of known techniques to solve a well-understood problem.

Person Having Ordinary Skill in the Art (POSITA)

A POSITA in the field of wireless communications around 1999 would have a graduate degree in electrical engineering or a related field, with practical experience in the design and implementation of digital communication systems, particularly error control coding and link-level protocols for mobile networks like GSM/GPRS. This individual would be familiar with concepts such as Forward Error Correction (FEC), Automatic Repeat-Request (ARQ), convolutional codes, and techniques like puncturing to achieve different code rates.

Obviousness...

### **4. 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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