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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. 7246351 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 7246351 (the "7246351 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

An analysis of U.S. Patent 7,246,351 reveals the following details:

Title: System and method for deploying and implementing software applications over a distributed network

Assignee: The current assignee of record is Datacloud Technologies LLC. The original assignee was Jargon Software.

Inventors: Timothy J. Bloch, Thomas L. Dietsche, and Richard D. Rubenstein.

Filing Date: February 20, 2002

Issue Date: July 17, 2007

Abstract: A system for deploying applications over a distributed network to web-enabled devices uses a server, with stored text files containing application logic, and an application assembler. The application assembler downloads and installs on each web-enabled device....

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 7246351 Patent:

Prior Art Analysis for U.S. Patent 7,246,351

As of April 30, 2026, the following analysis details the most relevant prior art cited during the

examination of U.S. Patent 7,246,351. This analysis focuses on the potential for these references to anticipate the independent claims of the '351 patent under 35 U.S.C. § 102. The core invention of U.S. Patent 7,246,351 is a two-stage deployment system. First, a generic "assembler" or "virtual machine" is installed on a client device. Second, this assembler dynamically fetches small, logic-defining text files (like XML) from a server to build and run a specific application in the client's temporary memory, without a separate installation for each application.

Cited References and Potential Anticipation

The following references were cited by the USPTO examiner during prosecution.

1. U.S. Patent No. 6,018,746: "Method and apparatus for providing a customized persistent computing environment"

- Full Citation: Tso et al., U.S. Patent No. 6,018,746, issued January 25, 2000.
- Filing Date: June 14, 1996.
- Description: This patent describes a...

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:

Based on my analysis as of April 30, 2026, the independent claims of U.S. Patent No. 7,246,351 appear to be vulnerable to an obviousness challenge under 35 U.S.C. § 103. The core concepts of the invention—a client-side execution environment that downloads application logic from a server to dynamically assemble and run an application—were well-established in the prior art before the patent's priority date of February 20, 2001.

An obviousness analysis considers whether the differences between the claimed invention and the prior art would have been obvious to a Person Having Ordinary Skill in the Art (PHOSITA) at the time the invention was made. A PHOSITA in this field in early 2001 would have been a software developer or system architect with a bachelor's degree in computer science and several years of experience in developing client-server or web-based applications. This individual would be familiar with Java applets, browser plugins (ActiveX, Netscape Plugins), client-side scripting (JavaScript), and the emerging use of XML for data interchange and platform-independent...

4. Litigation History of the Patent

Public records reflect that the 7246351 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Datacloud Technologies LLC v. SAP America, Inc. — 2:26-cv-00200 · U.S. District Court for the Eastern District of Texas · filed 2026-04-19 · Pending
- Datacloud Technologies LLC v. Workday, Inc. — 1:26-cv-00286 · U.S. District Court for the District of Delaware · filed 2026-03-08 · Pending
- Datacloud Technologies LLC v. Atlassian, Inc. — 2:26-cv-00181 · U.S. District Court for the Eastern District of Texas · filed 2026-04-17 · Pending
- Datacloud Technologies LLC v. Dropbox, Inc. — 2:26-cv-00186 · U.S. District Court for the Eastern District of Texas · filed 2026-04-17 · Pending

- Datacloud Technologies LLC v. Intuit Inc. — 2:26-cv-00189 · U.S. District Court for the Eastern District of Texas · filed 2026-04-17 · Pending
- Datacloud Technologies LLC v. Shopify Inc. — 1:25-cv-01069 · U.S. District Court for the District of Delaware · filed 2025-09-15 · Pending
- Datacloud Technologies LLC v. Salesforce, Inc. — 2:25-cv-00684 · U.S. District Court for the Eastern District of Texas · filed 2025-12-19 · Pending
- Datacloud Technologies LLC v. Walmart Inc. — 2:24-cv-00605 · U.S. District Court for the Eastern District of Texas · filed 2024-08-07 · Pending
- ...and 5 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]

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