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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. 7784058 — Response to Assertion of Infringement**

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 7784058 (the "7784058 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 United States Patent 7,784,058 reveals a system for improving the efficiency and stability of software applications by providing them with dedicated, user-mode versions of critical system elements. As of April 26, 2026, a search of the U.S. Court of Appeals for the Federal Circuit (CAFC) dockets for 2026 did not yield any specific results for this patent number.

Summary of U.S. Patent 7,784,058

Title: Computing system having user mode critical system elements as shared libraries

Assignee: Virtamove Corp

Inventors: Donn Rochette, Paul O'Leary, Dean Huffman

Filing Date: September 21, 2004

Issue Date: August 24, 2010

Abstract:

The patent describes a computing system and...

## **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 7784058 Patent:

Prior Art Analysis for US Patent 7,784,058

An analysis of the prior art cited in US Patent 7,784,058, "Computing system having user mode critical system elements as shared libraries," reveals several key patents and publications that are relevant to its claims. This report details the most pertinent prior art and assesses their potential for anticipating the patent's claims under 35 U.S.C. § 102. The analysis is based on the "References Cited" section of the patent and additional prior art identified in related litigation.

#### Overview of US Patent 7,784,058

Issued on August 24, 2010, with a priority date of September 22, 2003, US Patent 7,784,058 describes a computing system architecture where "critical system elements" (CSEs), traditionally part of the operating system kernel, are implemented as shared libraries that run in the user mode, within the context of an application. This approach aims to provide each application with a unique instance of a CSE, avoiding conflicts that can arise from a single, shared system service. The independent claims (1 and its dependents) describe 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:

#### Obviousness Analysis of US Patent 7784058

Date of Analysis: May 14, 2026

Patent under Review: US 7,784,058 B2 ("the '058 patent")

Subject: Computing system having user mode critical system elements as shared libraries.

#### I. Introduction

This analysis examines the obviousness of the claims of US patent 7,784,058 under 35 U.S.C. § 103. The '058 patent, filed on September 21, 2004, and claiming a priority date of September 22, 2003, describes a computing system architecture where "critical system elements" (CSEs), traditionally located in the operating system kernel, are replicated and made available to software applications in user mode through shared libraries. This allows each application to have its own instance of a CSE, avoiding conflicts that can arise from a single, centralized system element.

#### II. Claim Analysis

The independent claims of the '058 patent are central to this analysis. Claim 1, for instance, outlines a computing system with:

- An operating system kernel with its own critical system elements (OSCSEs) running in kernel mode.
- A shared library containing...

### 4. Litigation History of the Patent

Public records reflect that the 7784058 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- VirtaMove Corp. v. Google LLC — U.S. District Court for the Northern District of California · filed 2024-01-31 · Partially dismissed
- VirtaMove, Corp. v. Amazon.com, Inc. et al. — 7:24-cv-00030 · U.S. District Court for the Western District of Texas · filed 2024-05-03 · Ongoing
- Red Hat, Inc. v. VirtaMove, Corp. — 5:24-cv-04740-PCP · U.S. District Court for the Northern

District of California · Dismissed

- VirtaMove Corp. v. International Business Machines Corporation — Texas
- VirtaMove Corp. v. Hewlett Packard Enterprise — Texas
- VirtaMove Corp. v. Microsoft Corporation — Texas
- VirtaMove Corp. v. Oracle Corporation — Texas

## 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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