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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. 7822639 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 7822639 (the "7822639 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 concise summary of US Patent 7,822,639 is as follows:

Title: Added-revenue off-site targeted internet advertising

Assignee: Almondnet Inc.

Inventor: Roy Shkedi

Filing Date: November 24, 2004

Issue Date: October 26, 2010

Abstract:

A super-saturation method for information-media substantially relates to a three-body cooperation to direct information to an electronic media consumer (reader, surfer, viewer, listener, etc.). Embodiments of the present invention facilitate a first media body substantially offering out of context information placement using a second cooperating media body. A facilitator body preferably guarantees that a consumer of the second media is a known consumer of...

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 7822639 Patent:

Analysis of Prior Art Cited in US Patent 7,822,639

As of April 28, 2026, this analysis details the most relevant prior art cited during the prosecution of U.S. Patent 7,822,639. The focus is on references that potentially anticipate the patent's claims under 35 U.S.C. § 102, which requires that a single prior art reference disclose every element of a claimed invention.

The core of patent '639 lies in a three-party system: a first website ("first broadcaster") tags a user, a second website ("second broadcaster") recognizes the tag, and an "agency" facilitates the delivery of an advertisement from the first broadcaster's advertiser to the user on the second broadcaster's site. This creates a market for "off-site" advertising, allowing a popular, "sold-out" website to monetize its audience even after they navigate to other web properties.

Key Cited Prior Art and Potential Anticipation

Below are the most pertinent references cited by the USPTO examiner or the applicant and an analysis of their impact on the patentability of the '639 claims.

1. U.S. Patent 5,948,061 A ("061...

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 the provided analysis of prior art, here is an analysis of the obviousness of US patent 7,822,639 under 35 U.S.C. § 103.

Obviousness Analysis of US Patent 7,822,639

Legal Standard for Obviousness

Under 35 U.S.C. § 103, a patent claim is invalid as obvious if the differences between the claimed invention and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art (PHOSITA). An obviousness analysis requires considering the scope of the prior art, the differences between the art and the claims, and whether a PHOSITA would have been motivated to combine existing art to arrive at the claimed invention with a reasonable expectation of success.

Person Having Ordinary Skill in the Art (PHOSITA)

At the time of the invention (priority date November 28, 2000), a PHOSITA in the field of internet advertising would be a software engineer or computer scientist with a bachelor's degree in the field and 2-3 years of experience working on web-based systems, particularly in the...

4. Litigation History of the Patent

Public records reflect that the 7822639 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Almondnet, Inc. v. Amazon.com, Inc. — 6:21-cv-00898 · U.S. District Court for the Western District of Texas · filed 2021-08-27 · 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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