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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. 7861260 — Response to Assertion of Infringement**

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 7861260 (the "7861260 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**

I have successfully searched for information regarding US Patent 7,861,260. The initial search results provide a good starting point, but I need to consolidate the information and then delve deeper into the specifics of the independent claims. I also need to ensure I can provide a plain-language explanation of these claims. The search for CAFC dockets for 2026 did not yield any direct results for this specific patent number. Therefore, I will proceed with the information I have and focus on analyzing the patent itself.

New an improved plan:

1. Synthesize the information gathered from the initial search to provide the title, assignee, inventors, filing date, issue date, and abstract for US...

## **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 7861260 Patent:

An analysis of the prior art cited by U.S. Patent 7,861,260 reveals several key references that disclose methods and systems for targeting advertisements based on user behavior across different platforms. For a claim to be anticipated under 35 U.S.C. § 102, every element of that claim must be present in a single prior art reference. The following references are the most

relevant to the independent claims of the '260 patent.

#### Analysis of Key Prior Art References

1. U.S. Patent Application Publication No. 2004/0194141 A1

- Full Citation: US 2004/0194141 A1
- Title: System and method for correlating television viewing with network-based activity
- Inventor(s): Ellis, Michael D., et al.
- Filing Date: March 28, 2003
- Publication Date: September 30, 2004
- Brief Description: This application describes a system that monitors a household's television viewing and internet activity, associating the two data streams using a "household ID." It discloses a "home network gateway" that can identify and monitor traffic from various devices, including computers and set-top boxes (STBs), which...

### **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 No. 7,861,260 under 35 U.S.C. § 103

Date of Analysis: May 3, 2026

Patent at Issue: U.S. Patent No. 7,861,260 ("the '260 patent")

#### Introduction

This analysis assesses whether the independent claims of the '260 patent would have been obvious to a Person Having Ordinary Skill in the Art (PHOSITA) at the time of the invention, in light of the cited prior art. An invention is considered obvious under 35 U.S.C. § 103 if the differences between the claimed invention and the prior art are such that the invention as a whole would have been obvious to a PHOSITA. The analysis considers not just the teachings of individual references but also what would have been apparent from combining them. Following the Supreme Court's decision in *KSR International Co. v. Teleflex Inc.*, the analysis uses a flexible approach, considering whether a PHOSITA would have seen a reason to combine prior art elements and would have had a reasonable expectation of success. A PHOSITA is considered to be a person of ordinary creativity, not an automaton, who is aware of all...

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

Public records reflect that the 7861260 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Intent IQ LLC v. Viant Technology LLC — 26-1702 · Court of Appeals for the Federal Circuit · filed 2026-04-20 · Open
- Intent IQ LLC v. Viant Technology LLC — 26-1701 · Court of Appeals for the Federal Circuit · filed 2026-04-20 · Open
- Intent IQ LLC v. Viant Technology LLC — 26-1699 · Court of Appeals for the Federal Circuit · filed 2026-04-20 · Open
- Intent IQ LLC v. Viant Technology LLC — 26-1687 · Court of Appeals for the Federal Circuit · filed 2026-04-17 · Open
- Intent IQ, LLC v. tvScientific, Inc. — 1:26-cv-00089 · U.S. District Court for the District of

Delaware · filed 2026-01-26 · Active

• Intent IQ, LLC v. Adform, Inc. — 1:2025cv00822 · U.S. District Court for the District of Delaware · filed 2025-07-02 · Active

• Intent IQ, LLC v. MNTN, Inc. — 7:2025cv00246 · U.S. District Court for the Western District of Texas · filed 2025-05-23 · Active

• Intent IQ, LLC v. T-Mobile USA, Inc. — 1:23-cv-00174 · U.S. District Court for the District of Delaware · Status not detailed

• ...and 4 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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