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[Your Name]

[Your Title]

[Your Company]

[Street Address, City, State ZIP]

June 1, 2026

[Opposing Counsel Name]

[Firm Name]

[Address]

**Re: U.S. Patent No. 7949068 — Response to Assertion of Infringement**

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 7949068 (the "7949068 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**

US Patent 7949068 (US7949068B2) details "Systems and methods for transmitter diversity."  
Summary of US Patent 7949068:

- Title: Systems and methods for transmitter diversity
- Assignee: The current assignee is Integral Wireless Technologies LLC. The original assignee was Xocyst Transfer AG LLC.
- Inventors: Mark A Webster, Deniz Rende, Jim E. Petranovich
- Filing Date: February 1, 2010 (for application number US12/698,090)
- Issue Date: May 24, 2011
- Abstract: The patent describes methods and systems for expanding transmitter diversity. These involve taking a number of input data streams (K) and applying them to a larger number of antennas (N). This is achieved by sending each of the K...

## **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 7949068 Patent:

To identify the most relevant prior art for US patent 7949068, I have reviewed the patent citations listed within the document itself. For each reference, I will provide the full citation,

publication/priority date, a brief description, and an assessment of which claim(s) it potentially anticipates under 35 U.S.C. § 102.

The independent claims of US7949068 are:

- Claim 1 (System): A transmit processor generates extension data streams from base data streams via matrix multiplication with a unitary matrix. This processor is coupled to base antennas for base streams and expansion antennas for extension streams.
- Claim 9 (System - Means-Plus-Function): Uses "means for" language similar to Claim 1.
- Claim 17 (Method): A method of generating extension data streams from base data streams via matrix multiplication with a unitary matrix, and transmitting all streams from separate corresponding antennas.

A critical consideration for anticipation under 35 U.S.C. § 102 is the priority date of the cited art relative to the patent being analyzed. US7949068 has a priority date of April 26,...

### **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 7949068 under 35 U.S.C. § 103

This analysis identifies combinations of prior art references that would render the independent claims of US Patent 7949068 (US7949068B2) obvious to a person having ordinary skill in the art (PHOSITA) as of the patent's priority date of April 26, 2005. The PHOSITA in the field of this patent would possess knowledge of wireless communication systems, including MIMO (Multiple-Input Multiple-Output) technology, OFDM (Orthogonal Frequency Division Multiplexing), antenna diversity techniques (such as cyclic delay diversity), and various linear algebra operations (e.g., matrix multiplication, unitary matrices) applied in signal processing for communication.

The core of US7949068 involves a system and method for transmitter diversity expansion where K base data streams are used to generate N-K extension data streams, which are then transmitted along with the K base data streams from a total of N antennas. The generation of these N-K extension streams involves cyclic shifting and combining the original K data streams using a...

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

Public records reflect that the 7949068 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Untitled case — 7:26-cv-00121 · Texas Western District Court · Critical, filed

### **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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