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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. 8018880 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 8018880 (the "8018880 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 8,018,880: Layer 2 Virtual Private Network over PBB-TE/PBT and Seamless Interworking with VPLS

Title: Layer 2 virtual private network over PBB-TE/PBT and seamless interworking with VPLS

Assignee: The current assignee is K.MIZRA LLC, as of January 13, 2020. The original assignee was Brixham Solutions Ltd.

Inventors: Norival R. Figueira and Richard D. Gitlin.

Filing Date: March 25, 2008 (Application number US12/079,413).

Issue Date: September 13, 2011.

Abstract: The patent describes a Layer 2 Virtual Private Network (L2VPN) system utilizing a Provider Backbone Bridge (PBB) network. This network connects multiple sites via provider backbone trunks, specifically Provider...

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 8018880 Patent:

To identify the most relevant prior art for US patent 8,018,880, I will review the "Citations" section of the patent itself, as this lists the prior art that the patent examiner and applicants

considered during prosecution. "Prior art" refers to existing knowledge or inventions that predate the patent application and are used to determine if an invention is new and non-obvious. Below are the patent citations listed in US8018880B2, along with their publication/filing dates and a brief description. I will then analyze which claims they potentially anticipate under 35 U.S.C. § 102.

Most Relevant Prior Art for US Patent 8,018,880:

The patent 8,018,880 cites the following U.S. patents as prior art:

- US20040037279A1 to David Zelig

Publication Date: February 26, 2004

Description: This patent application describes a Virtual Private LAN Service using a multicast protocol. It relates to creating virtual private networks and handling multicast traffic within them.

Potential Anticipation (35 U.S.C. § 102): Claims 1, 14, 26, and 39 generally describe the creation of L2VPNs and the use of...

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 8,018,880 under 35 U.S.C. § 103

This analysis assesses the obviousness of US patent 8,018,880 based on the provided prior art, from the perspective of a Person Having Ordinary Skill in the Art (PHOSITA) at the time of the invention (priority date March 26, 2007). A PHOSITA in this field would likely possess a Bachelor's or Master's degree in Electrical Engineering, Computer Science, or a related field, along with several years of experience (e.g., 3-5+ years) in designing, implementing, or operating carrier-grade Ethernet networks, MPLS networks, or enterprise networking solutions. Such a person would be familiar with relevant IEEE standards (e.g., 802.1ah for PBB, 802.1Qay for PBB-TE/PBT) and IETF RFCs (e.g., RFC 4761, 4762 for VPLS), network management protocols (e.g., SNMP, CLI), and fundamental bridging concepts including MAC address learning and loop prevention mechanisms like Spanning Tree Protocol (STP) and split horizon. The patent US8018880B2 introduces methods, systems, and computer program products for creating Layer 2 Virtual Private...

4. Litigation History of the Patent

Public records reflect that the 8018880 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 — 2:24-cv-00974 · Texas Eastern District Court · Case 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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