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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. 8131597 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 8131597 (the "8131597 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 technical analysis of U.S. Patent 8,131,597 reveals a system for linking physical objects to online resources, a foundational concept in the landscape of the Internet of Things and QR code functionality. The patent, which has been the subject of extensive litigation, outlines a method for accessing a remote computer by using a product's existing identification code.

Patent Details:

- Title: System and method for using an ordinary article of commerce to access a remote computer
- Assignee: The most recent assignee on record is NM LLC. The original assignee was Neomedia Technologies Inc.
- Inventors: Frank C. Hudetz, Peter R. Hudetz
- Filing Date: June 30, 2010
- Issue Date: March 6, 2012...

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 8131597 Patent:

Prior Art Analysis for U.S. Patent 8,131,597

Below is an analysis of the most relevant prior art references cited by the USPTO examiner during the prosecution of U.S. Patent 8,131,597. The analysis focuses on anticipation under 35 U.S.C. § 102, which requires that a single prior art reference disclose every element of a claimed invention. The earliest priority date for the '597 patent is June 20, 1995.

1. U.S. Patent 5,905,248: "Method and apparatus for using a universal product code to obtain information about a product from a computer network"

- Full Citation: U.S. Patent 5,905,248, filed by Russell et al., issued May 18, 1999.
- Filing Date: June 7, 1995.
- Brief Description: This patent describes a system where a user can scan the UPC barcode on a product using a barcode reader connected to a computer. The UPC is then used to query a remote database over a network (like the internet). The database contains information related to the product, such as nutritional facts, recipes, or coupons, which is then returned to the user's computer for display.
- Potential Anticipation...

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:

As a senior US patent analyst, I am providing an analysis of the obviousness of US patent 8,131,597 under 35 U.S.C. § 103, based on the state of the art at the time of the invention.

Analysis of Obviousness under 35 U.S.C. § 103

Under 35 U.S.C. § 103, a patent claim is unpatentable if the differences between the subject matter sought to be patented 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 rejection typically involves combining two or more prior art references to show that all elements of the claimed invention were known, and that a PHOSITA would have been motivated to combine them to achieve 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: June 20, 1995), a PHOSITA would have been a computer scientist or software engineer with a bachelor's degree in a relevant field and a few years of experience in client-server...

4. 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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