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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. 8191091 — Response to Assertion of Infringement**

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 8191091 (the "8191091 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**

Analysis of U.S. Patent No. 8,191,091

Date of Analysis: April 26, 2026

Patent Number: 8,191,091

Title: Signal processing apparatus and methods

Assignee: The current assignee of record is Contentnexus LLC. The original assignee was Personalized Media Communications LLC.

Inventors: John Christopher Harvey, James William Cuddihy

Filing Date: June 7, 1995

Issue Date: May 29, 2012

Abstract:

The invention relates to an integrated system for communication that combines computer processing, television, radio, and other electronic communication methods. It focuses on automating the handling, recording, and retransmitting of various types of programming. The system is designed to regulate,...

## **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 8191091 Patent:

Based on my analysis of U.S. Patent No. 8,191,091, here is an examination of the most relevant prior art cited during its prosecution. This analysis outlines each cited reference and its potential relevance to the patent's claims under 35 U.S.C. § 102.

Analysis of Prior Art for U.S. Patent No. 8,191,091

The following documents were cited by the USPTO examiner during the prosecution of this patent and are considered prior art.

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1. U.S. Patent No. 4,025,851: "Broadcast Signal Identification System"

- Full Citation: Haselwood, et al., U.S. Patent No. 4,025,851
- Publication Date: May 24, 1977
- Filing Date: Nov. 26, 1974
- Description: This patent describes a system for automatically monitoring television and radio broadcasts to identify the specific program material being transmitted. It discloses a method of embedding an identification code into the audio or video signal of a broadcast. This code is imperceptible to the audience but can be decoded by specialized monitoring equipment. The system is designed to provide data for audience measurement services (like Nielsen...

### **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. 8,191,091

To: File

From: Senior Patent Analyst

Date: May 10, 2026

Re: Obviousness Analysis of U.S. Patent No. 8,191,091 ("the '091 patent") under 35 U.S.C. § 103

This analysis assesses the patentability of the claims of U.S. Patent No. 8,191,091 in light of the prior art of record, with a focus on obviousness under 35 U.S.C. § 103. The effective filing date is based on a priority date of November 3, 1981. Therefore, the state of the art and the perspective of a person of ordinary skill in the art (POSITA) must be considered as of that time.

A POSITA in 1981 would have had knowledge of television and radio broadcasting systems, including network-affiliate models, emerging cable television technologies like addressable converters, and the advent of the personal computer (such as the Apple II and the recently-released IBM PC). They would be familiar with basic digital data transmission and processing techniques.

The claims of the '091 patent can be grouped into several core inventive concepts. This analysis will address the obviousness of...

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

Public records reflect that the 8191091 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- ContentNexus LLC v. Rakuten Group Inc — 2:26-cv-00322 · Texas Eastern District Court · filed 2026-04-22 · Open

- Personalized Media Communications, LLC v. Apple Inc. — 2:15-cv-01366 · U.S. District Court for the Eastern District of Texas · filed 2015-07 · Judgment of unenforceability affirmed on appeal
- Personalized Media Communications, LLC v. Google LLC — 2:19-cv-00090 · U.S. District Court for the Eastern District of Texas · filed 2019-03-21 · Closed
- Personalized Media Communications, LLC v. Netflix, Inc. — 1:20-cv-03708 · U.S. District Court for the Southern District of New York · filed 2020-05-13 · Terminated
- Unified Patents, LLC v. Personalized Media Communications, LLC — IPR2016-00755 · U.S. Patent and Trademark Office, Patent Trial and Appeal Board (PTAB) · PTAB invalidation reversed on appeal
- Google LLC v. Personalized Media Communications, LLC — 23-230 · U.S. Supreme Court · Remanded

## 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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