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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. 8374358 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 8374358 (the "8374358 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

Here is a concise summary of US Patent 8,374,358.
Title: Method for determining a noise reference signal for noise compensation and/or noise reduction
Assignee: The current assignee of record is Cerence Operating Co. The original assignee was Nuance Communications Inc.
Inventors: Markus Buck, Tobias Wolff, Toby Christian Lawin-Ore, Samuel Ngouoko Mboungueng, Gerhard Schmidt
Filing Date: March 29, 2010
Issue Date: February 12, 2013
Abstract: The invention provides a method for determining a noise reference signal for noise compensation and/or noise reduction. A first audio signal on a first signal path and a second audio signal on a second signal path are received. The first audio…

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 8374358 Patent:

Prior Art Analysis for US Patent 8,374,358

This analysis details the prior art references cited by the USPTO examiner during the prosecution of US patent 8,374,358. Each reference is examined for its potential to anticipate the claims of the '358 patent under 35 U.S.C. § 102.
A prior art reference anticipates a patent claim if it discloses, either explicitly or inherently, each and every element of that claim. The '358 patent's independent claims (1, 16, and 20) center on a method and system for generating a noise reference signal by using two adaptive filters on two separate audio signals and adapting the filters to minimize a "wanted" signal component in the combined output.

U.S. Patent Citations
1. US Patent 7,248,701 B2
• Full Citation: US Patent 7,248,701 B2, "System and method for adaptively generating a noise reference in a multi-microphone environment," filed by Chen et al. on February 15, 2005, and issued on July 24, 2007. Assigned to Sony Corporation.
• Brief Description: This patent describes a system for generating a noise reference signal for noise cancellation…

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:

Here is an analysis of the obviousness of US patent 8,374,358 under 35 U.S.C. § 103.
Person Having Ordinary Skill in the Art (PHOSITA)
A person having ordinary skill in the art (PHOSITA) for this patent would have a Master's degree in Electrical Engineering or a related field, with a focus on digital signal processing. This individual would have 2-3 years of practical experience in audio processing, particularly in the areas of adaptive filtering, noise cancellation, and microphone array processing (beamforming). A PHOSITA would be familiar with standard algorithms like the Normalized Least Mean Square (NLMS) algorithm and architectures like the Generalized Sidelobe Canceller (GSC).
Analysis of Independent Claim 1
Claim 1: A method for determining a noise reference signal for noise compensation and/or noise reduction...
This claim would have been obvious over the teachings of Gannot et al. ("Beamforming methods for multi-channel speech enhancement") in view of the knowledge of a PHOSITA regarding common techniques for improving numerical stability in adaptive filters.
1.…

4. Litigation History of the Patent

Public records reflect that the 8374358 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

• Cerence Operating Company v. Amazon.com, Inc. et al. — 2:2026cv00373 · U.S. District Court for the Eastern District of Texas · filed 2026-05-04 · Recently 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]