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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. 8593358 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 8593358 (the "8593358 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

Summary of U.S. Patent 8,593,358

Title: Active antennas for multiple bands in wireless portable devices

Assignee: As of a reassignment on December 31, 2024, the current assignee is Massively Broadband LLC. The original assignee was the inventor, Theodore S. Rappaport.

Inventor: Theodore S. Rappaport

Filing Date: December 13, 2012

Issue Date: November 26, 2013

Abstract:

Wireless devices, particularly mobile devices like cellphones, PDAs, and computers, that transmit or receive signals across multiple frequency bands are discussed. These devices utilize at least one antenna for a plurality of different bands (e.g., GSM cellular, Bluetooth, ultrawideband). The invention enables these...

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 8593358 Patent:

Based on the patent documentation and the list of cited prior art for US patent 8,593,358, here

is an analysis of the most relevant references and their potential impact on the patent's claims under 35 U.S.C. § 102.

The core inventive concept of US patent 8,593,358 is the use of a single, tunable antenna structure within an antenna array for simultaneous operation by a plurality of transceivers in different frequency bands. An analysis for anticipation requires finding a single prior art reference that discloses all elements of a claim.

Analysis of Cited Prior Art

The following analysis examines the patent citations listed in US patent 8,593,358.

1. US Patent 7,132,989 B1 (Kyocera Wireless Corp.)

- Full Citation: US Patent 7,132,989 B1, "Apparatus, system, and method for adjusting antenna characteristics using tunable parasitic elements."

- Publication/Priority Dates: Publication Date: Nov 7, 2006; Filing Date: May 4, 2005.

- Brief Description: This patent describes an antenna with tunable parasitic elements. The tuning is achieved by adjusting variable reactive components...

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:

Based on my analysis of the prior art cited during the prosecution of U.S. Patent 8,593,358, a strong case for obviousness under 35 U.S.C. § 103 can be made by combining existing technologies that were well-known before the patent's priority date of August 14, 2008.

A person having ordinary skill in the art (PHOSITA) at the time of the invention would have been an electrical engineer with experience in radio frequency (RF) circuit design and antenna design for portable wireless devices, possessing knowledge of impedance matching, antenna tuning techniques, and the integration of multiple radio systems (like Cellular, Wi-Fi, Bluetooth, GPS) into a single device.

Obviousness Combination: Motorola '723 and Kyocera '989

A combination of U.S. Patent 6,762,723 (Motorola '723) and U.S. Patent 7,132,989 (Kyocera '989) would render the independent claims of the '358 patent obvious.

- Primary Reference: US 6,762,723 (Motorola '723), titled "Wireless communication device having multiband antenna," filed November 8, 2002.

What it Teaches: Motorola '723 discloses a compact multiband antenna...

4. Litigation History of the Patent

Public records reflect that the 8593358 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Massively Broadband LLC v. Samsung Electronics Co., Ltd. et al. — 2:25-cv-00608 · U.S. District Court for the Eastern District of Texas · filed 2025-06-06 · active

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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