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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. 8667571 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 8667571 (the "8667571 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

Patent Information:

Patent Number: 8,667,571

Summary

- Title: Automated device provisioning and activation.
- Assignee: Headwater Research LLC.
- Inventor: Gregory G. Raleigh.
- Filing Date: December 4, 2012.
- Issue Date: March 4, 2014.
- Abstract: A system and method for automated device provisioning and activation are disclosed. This includes a service controller and a service processor on a wireless device. The service controller sends a service activation request to the device, which in turn provides a secure element identifier. This identifier is used to determine and send a service profile to the device, which includes service policy information. The service processor on...

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 8667571 Patent:

Analysis of Prior Art for U.S. Patent No. 8,667,571

To: File

From: Senior Patent Analyst

Date: May 12, 2026

Subject: Analysis of Prior Art Cited in U.S. Patent No. 8,667,571

This memorandum provides an analysis of the most relevant prior art cited on the face of U.S. Patent No. 8,667,571, titled "Automated device provisioning and activation." The analysis focuses on the potential for these references to anticipate one or more of the independent claims of the '571 patent under 35 U.S.C. § 102.

The core invention of the '571 patent, as understood from its independent claims, relates to a system and method for managing a wireless device's access to network services. This is achieved through a "service processor" on the device that enforces policies defined in a "service profile" received from a network-based "service controller." This architecture allows for dynamic, verifiable, and granular control over service usage, activation, and billing directly on the end-user device.

The following references, cited by the patent examiner, are considered particularly relevant to the patent's...

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:

Technical Analysis of US Patent 8,667,571: Obviousness

To: File

From: Senior Patent Analyst

Date: 2026-05-12

Subject: Obviousness Analysis of U.S. Patent No. 8,667,571

1. Introduction

This report provides an analysis of the potential obviousness of key claims of U.S. Patent No. 8,667,571 ("the '571 patent") under 35 U.S.C. § 103. The analysis is based on the state of the art at the time of the invention, as suggested by the patent's own classification codes and a general understanding of the technology landscape preceding its priority date of January 28, 2009.

A person of ordinary skill in the art (POSITA) at the time of the invention would be a software or network engineer with several years of experience in mobile telecommunications, including familiarity with cellular network architectures (e.g., 3GPP standards), device-side application development, and network management and billing systems.

The core concept of the '571 patent appears to be a system and method for managing a wireless device's access to network services through a combination of a device-side component (a...

4. Litigation History of the Patent

Public records reflect that the 8667571 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Headwater Research LLC v. Verizon Communications Inc. et al. — 2:23-cv-00352 · U.S. District

Court for the Eastern District of Texas · Verdict overturned

- Headwater Research LLC v. T-Mobile USA, Inc. et al. — 2:23-cv-00377 · U.S. District Court for the Eastern District of Texas · Settled
- Headwater Research LLC v. AT&T Inc. et al. — 2:25-cv-00428 · U.S. District Court for the Eastern District of Texas · Settled
- Headwater Research LLC v. Apple Inc. — Western District of Texas · Settled

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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