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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. 8730833 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 8730833 (the "8730833 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 review of US Patent 8,730,833 reveals the following details:

Title: Coordination of co-spectrum users with wireless broadband networks

Assignee: The patent was originally assigned to Empire Technology Development LLC. The provided information indicates a security interest was assigned to Crestline Direct Finance, L.P. in 2019 and a release of this interest in 2023, with the current assignee listed as Empire Technology Development LLC. However, the information also notes that the listed assignees may be inaccurate.

Inventors: Elliot H. Drucker

Filing Date: May 9, 2012

Issue Date: May 20, 2014

Abstract: The patent describes a technology that enables a low-power, limited-range...

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 8730833 Patent:

Prior Art Analysis

The following prior art references were cited by the USPTO examiner during the prosecution of

US patent 8,730,833. This analysis focuses on the potential for these references to anticipate the independent claims of the patent under 35 U.S.C. § 102.

US Patent 7,778,644 B2 (Chandra et al.)

- Full Citation: US Patent 7,778,644 B2, "Agile Spectrum Access," filed Aug 1, 2006, issued Aug 17, 2010. Assignee: Microsoft Corporation.

- Brief Description: The '644 patent describes a system for dynamic spectrum access where wireless devices can operate in licensed spectrum bands on a secondary basis. It discloses a "spectrum access manager" (SAM) that receives requests from client devices for spectrum access. The SAM consults a database of incumbent (primary) users and policies to determine available channels. It then grants a lease for a specific channel to the client device for a set duration. The system is designed to allow secondary use of spectrum without interfering with primary license holders.

- Potential Anticipation of Claims:

Claim 1 (Method): This...

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 (35 U.S.C. § 103)

An analysis of the independent claims of US patent 8,730,833 in light of the prior art cited during prosecution suggests strong arguments for obviousness under 35 U.S.C. § 103. The core of the invention is the use of a primary wireless network's own control plane—the Radio Resource Controller (RRC)—to actively negotiate with and create spectrum space for a secondary, non-network device. While no single reference appears to disclose this exact architecture, the combination of existing technologies would have made this solution obvious to a Person Having Ordinary Skill in the Art (POSITA) at the time of the invention.

For the purpose of this analysis, a POSITA is defined as an individual with a bachelor's degree in Electrical Engineering or a related field and several years of experience in the design and implementation of wireless communication systems, including knowledge of cellular network architecture (e.g., RRC functions) and dynamic spectrum management techniques.

Primary Obviousness Combination: Chandra ('644) in view of Wentink...

4. Litigation History of the Patent

Public records reflect that the 8730833 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Advanced Broadband LLC v. T Mobile USA Inc — 2:26-cv-00315 · Texas Eastern District Court · filed 2026-04-20 · Open

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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