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[Your Name]

[Your Title]

[Your Company]

[Street Address, City, State ZIP]

June 1, 2026

[Opposing Counsel Name]

[Firm Name]

[Address]

Re: U.S. Patent No. 9054728 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 9054728 (the "9054728 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 concise summary of US patent 9054728 is as follows:

Patent Number: US9054728B2

Title: Data compression systems and methods

Assignee: Realtime Data LLC

Inventor: James J. Fallon

Filing Date: 2014-09-24

Issue Date: 2015-06-09

Abstract:

The patent describes data compression systems and methods that utilize both content-independent and content-dependent data compression. An input data stream is divided into blocks. For content-independent compression, a data block is encoded by multiple encoders, their compression ratios are determined and compared against a threshold. The most effectively compressed block (or the original if no compression meets the threshold) is selected and tagged with a...

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 9054728 Patent:

To identify the most relevant prior art for US patent 9054728 and analyze potential anticipation under 35 U.S.C. § 102, I will retrieve the patent's full text and examine its cited references. The USPTO's Patent Public Search tool can be used for this purpose.

Here's how we'll proceed:

1. Retrieve Patent 9054728 and its citations: I'll access the full patent text to get the "References Cited" section.

2. Analyze Each Citation: For each cited patent, I will extract:

Full citation (patent number, inventor, title, issue/publication date).

Filing/priority date (if readily available within the patent itself).

A brief description of the reference's subject matter.

An assessment of which claims in US 9054728 it potentially anticipates under 35 U.S.C. § 102.

Anticipation means that every element of the claimed invention is found, either explicitly or inherently, in a single prior art reference.

(Self-correction: The previous section mentions US 6195024 B1 as a priority claim. While it's important to consider as related art, for this task, I will focus on the references explicitly...

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:

To analyze the obviousness of US patent 9054728, we need to consider the prior art references and determine if a person having ordinary skill in the art (POSA) would have been motivated to combine them to arrive at the claimed invention. The patent itself lists US 6195024 B1 as a prior art keyword and a priority claim. Therefore, this patent will be a primary focus for our obviousness analysis.

Prior Art References:

From the patent information, US 6195024 B1 is listed as a priority claim from 1998-12-11. We will assume this patent is relevant prior art for the obviousness analysis.

The patent US9054728B2 describes several well-known lossless encoding techniques in its detailed description, including:

- Run length encoding [cite: US9054728B2]
- Huffman coding [cite: US9054728B2]
- Lempel-Ziv Dictionary Compression [cite: US9054728B2]
- Arithmetic coding [cite: US9054728B2]
- Data compaction [cite: US9054728B2]
- Data null suppression [cite: US9054728B2]

These techniques are explicitly mentioned as "currently well known within the art" in the description of the encoder module 30....

4. Litigation History of the Patent

Public records reflect that the 9054728 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Realtime Data LLC v. Array Networks Inc. et al. — 21-2251 · District of Delaware, U.S. Court of Appeals for the Federal Circuit (CAFC) · Dismissal affirmed on appeal

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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