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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. 9054728B2 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 9054728B2 (the "9054728B2 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

US Patent 9054728B2, titled "Data compression systems and methods," was issued to Realtime Data LLC. The inventor is James J. Fallon. The filing date for this patent was September 24, 2014, and it was issued on June 9, 2015. [cite: The patent text itself provides this information under "Filing date" and "Publication date" for US9054728B2, which for a granted patent is the issue date]

The abstract of the patent states that it describes systems and methods for data compression and decompression using both content-independent and content-dependent data compression.

[cite: The patent text itself provides this information under "Abstract"]

Here is a plain-language overview of each independent...

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 9054728B2 Patent:

The most relevant prior art for US patent 9054728B2, as indicated by the patent itself, is US6195024B1. This is derived from the "Priority claimed from US09/210,491" entry on the Google Patents page for US9054728B2, which links to US6195024B1.

Here is an analysis of US6195024B1 as potential prior art:

1. Full Citation:

US6195024B1, "Content dependent data compression and decompression system and method"

2. Publication/Filing Date:

- Filing Date: May 19, 1999
- Publication Date: February 27, 2001

3. Brief Description:

US6195024B1 describes a data compression and decompression system that identifies the data type of an input stream and selects a compression method from a preselected set of methods to achieve the best available compression ratio for that particular data type. This system is characterized as a "content dependent high-speed lossless data compression and decompression system/method" in the context of the prior art section of US9054728B2.

4. Potentially Anticipated Claim(s) under 35 U.S.C. § 102:

The US9054728B2 patent (the present invention) distinguishes itself by...

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:

A patent for a claimed invention cannot be obtained if the differences between the claimed invention and the prior art would have been obvious to a person having ordinary skill in the art at the time the invention was made. This "non-obviousness" standard is outlined in 35 U.S.C. § 103. When evaluating obviousness, an examiner may combine multiple prior art references to demonstrate that the claimed invention would have been obvious. The motivation to combine references can come from various factors, including combining elements according to known methods to yield predictable results, or simply substituting one known equivalent for another to obtain predictable results.

US patent 9054728B2, titled "Data compression systems and methods," claims systems and methods for data compression using both content-independent and content-dependent data compression and decompression. The patent lists one prior art document: US09/210,491, which is identified as patent/US6195024B1/en in the Google Patents information. This appears to be a misidentification in the source data, as US09/210,491 is...

4. Litigation History of the Patent

Public records reflect that the 9054728B2 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. Acronis — 1:17-cv-11279 · District of Massachusetts · filed 2017-07-12 · Dismissed with prejudice

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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