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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. 9112934 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 9112934 (the "9112934 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 9,112,934

A concise summary of U.S. Patent 9,112,934 is provided below, based on a review of the patent records as of April 26, 2026.

Title: Apparatus and method for configuring on-demand content delivering overlay network

Assignee: Electronics and Telecommunications Research Institute (ETRI)

Inventors: Tai-won Um, Chang-Woo YOON, Kang-Woon HONG, Nam-Kyung Lee, Hyun-woo Lee, Won Ryu

Filing Date: August 20, 2012

Issue Date: August 18, 2015

Abstract:

Provided are a method and apparatus for content delivery networking. There is provided a method of managing a content delivery network to transfer media content to a user, including: receiving a network configuration...

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 9112934 Patent:

Based on a technical analysis of the patent file for U.S. Patent 9,112,934, the following prior art references cited by the applicant and the examiner are considered the most relevant. The analysis below focuses on the potential for these references to anticipate the independent claims (1 and 7) under 35 U.S.C. § 102.

For a reference to anticipate a claim, it must disclose every element of that claim. The core elements of the independent claims of the '934 patent are:

1. Receiving a network configuration request and detailed configuration information from a service provider.
2. Managing resource information about available network nodes.
3. Configuring a specific transfer path for content delivery by setting a plurality of network nodes to create a content delivery overlay network, based on the provider's request and the available resources.

Analysis of Key Prior Art References

Here are the most relevant prior art citations and an analysis of their potential impact on the claims of US 9,112,934.

1. U.S. Patent 7,926,079 B2

- Full Citation: U.S. Patent 7,926,079 B2, "Hybrid...

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 of record for U.S. Patent 9,112,934, the following is an assessment of the obviousness of the patent's independent claims (1 and 7) under 35 U.S.C. § 103.

Obviousness Analysis under 35 U.S.C. § 103

Under 35 U.S.C. § 103, a patent claim is obvious if the differences between the claimed invention and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art (PHOSITA). An obviousness rejection typically involves combining two or more prior art references or supplementing a single reference with the general knowledge of a PHOSITA.

Person Having Ordinary Skill in the Art (PHOSITA):

At the time of the invention (priority date of April 5, 2012), a PHOSITA would possess a Bachelor's degree in Computer Science or Electrical Engineering, coupled with several years of professional experience in network engineering, particularly in the design, implementation, and management of content delivery networks (CDNs) and large-scale distributed systems. This...

4. Litigation History of the Patent

Public records reflect that the 9112934 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Electronics and Telecommunications Research Institute (ETRI) v. Charter Communications Operating, LLC — 7:25-cv-00532 · U.S. District Court for the Western District of Texas · 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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