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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. 9235259 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 9235259 (the "9235259 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 9,235,259 is as follows:
Title: Method for detecting audio ticks in a noisy environment
Assignee: The current assignee of record is K Mizra LLC. The original assignee was Nederlandse Organisatie voor Toegepast Natuurwetenschappelijk Onderzoek TNO.
Inventors: Mark van Staalduinen, Victor Bastiaan Klos, and Peter Jan Otto Doets.
Filing Date: November 26, 2010.
Issue Date: January 12, 2016.
Abstract: The patent describes a method for detecting short "tick" sounds in a noisy audio environment. The process involves a two-step approach. First, a "coarse" detection processor analyzes the audio signal to identify potential ticks. If a likely tick is found, 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 9235259 Patent:

Prior Art Analysis for US Patent 9,235,259
This analysis examines the prior art cited during the prosecution of US Patent 9,235,259. The following references were considered by the USPTO examiner and are listed in the patent's file

wrapper. Each entry details the reference, its relevance, and a preliminary analysis of which claims it might anticipate.
The primary innovation claimed in US 9,235,259 is the two-step, coarse-to-fine method for detecting a specific audio "tick." This method conserves computational resources by only engaging the more intensive "fine" processing after a "coarse" analysis flags a potential event. The fine detection is further distinguished by its use of a device-specific, pre-trained set of reference properties or "fingerprint" to confirm the tick.

Cited Prior Art References
Based on the patent's "Citations" list, the following prior art was considered.
1. US20030132950A1 - Detecting, classifying, and interpreting input events based on stimuli in multiple sensory domains
• Publication Date: July 17, 2003
• Filing Date: November 27, 2001
•…

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 of US Patent 9,235,259 under 35 U.S.C. § 103
This analysis evaluates whether the claims of US Patent 9,235,259 would have been obvious to a Person Having Ordinary Skill in the Art (PHOSITA) at the time of the invention. Under 35 U.S.C. § 103, an invention is unpatentable if the differences between the subject matter sought to be patented 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 to which said subject matter pertains.
A PHOSITA in this context would be an engineer or computer scientist with experience in digital signal processing for embedded or mobile systems, particularly with knowledge of audio processing techniques and power management for resource-constrained devices.
The central claims of US 9,235,259 revolve around a two-step "coarse-to-fine" method for detecting an audio "tick." A computationally inexpensive coarse processor identifies a potential tick, which then triggers a more resource-intensive fine processor to confirm the…

4. Litigation History of the Patent

Public records reflect that the 9235259 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

• DataServe Technologies LLC et al. v. General Motors LLC — 1:21-cv-00316 · U.S. District Court for the Western District of Texas · filed 2021-04-05 · ongoing

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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