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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. 9289688 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 9289688 (the "9289688 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 9,289,688, including its key details and a plain-language explanation of its independent claims, is provided below.

Summary of US Patent 9,289,688

Title: Games controller

Assignee: Ironburg Inventions Ltd.

Inventors: Simon Burgess, Duncan Ironmonger

Filing Date: August 21, 2015

Issue Date: March 22, 2016

Abstract:

An improved controller (10) for a games console that is intended to be held by a user in both hands in the same manner as a conventional controller (1). Additionally, the controller (10) may include the same controls (2, 3, 4, 5, 6, 7, 8, 9) as a conventional controller (1). The controller (10) is advantageous as it additionally comprises...

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 9289688 Patent:

Based on the prosecution history of US patent 9,289,688, the following prior art references are identified as most relevant. The analysis focuses on the potential for each reference to anticipate claims of the '688 patent under 35 U.S.C. § 102, which requires a single prior art reference to disclose every element of a claim.

Analysis of Cited Prior Art

GB2481633A

- Full Citation: GB2481633A, "Games console controller with buttons on underside," published January 4, 2012, assigned to Simon David Burgess (one of the inventors of the '688 patent).
- Brief Description: This British patent application describes a game controller modified to include additional buttons on its underside, specifically on the inner faces of the grip portions. These buttons are positioned to be operated by the user's middle fingers. The application's goal is to allow users to perform actions without removing their thumbs from the analog sticks, a core problem also addressed by the '688 patent. The actuators are described as "paddles" which are elongate and can be retrofitted to an existing controller.

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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 9,289,688

An analysis of the prior art cited in US Patent 9,289,688 ("the '688 patent") suggests that its claims would have been obvious to a Person Having Ordinary Skill in the Art (PHOSITA) at the time of the invention. The primary inventive concept of the '688 patent is a game controller featuring at least one additional, elongate control on its back, positioned for operation by the user's middle, ring, or little finger, where the control's inner surface is non-parallel to the controller body. This concept appears to be a combination of previously known elements to solve a recognized problem in the art.

The following combinations of prior art render the independent claims of the '688 patent obvious under 35 U.S.C. § 103.

Combination 1: GB2481633A (Burgess) in view of Ergonomic Design Principles

A strong argument for obviousness can be made using a single primary reference, GB2481633A to Simon David Burgess ("Burgess"), which was published on January 4, 2012. This reference is particularly relevant as Mr. Burgess is also a named inventor on...

4. Litigation History of the Patent

Public records reflect that the 9289688 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Ironburg Inventions Ltd. v. Valve Corporation — 1:15-cv-04219 · U.S. District Court for the Northern District of Georgia · filed 2015-12-03 · Transferred
- Ironburg Inventions Ltd. v. Collective Minds Gaming Co. Ltd. — 1:2016cv04110 · U.S. District Court for the Northern District of Georgia · Settled

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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