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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. 9729693 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 9729693 (the "9729693 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

Patent Summary: US 9,729,693

Title: Determining measurement confidence for data collected from sensors of a wearable device

Assignee: Zepp Inc.

Inventors: Joseph Munaretto

Filing Date: November 8, 2016

Issue Date: August 8, 2017

Abstract:

Systems and methods for determining measurement confidence for data collected from sensors of a wearable device are disclosed. In one implementation, a confidence measurement that a wearable device is worn by a user can be determined by checking if the device is in motion, comparing sample voltages from a light emitter to thresholds to determine the surface it is reflecting on, calculating a signal quality metric from a pulse oximeter, and comparing...

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 9729693 Patent:

Prior Art Analysis for US Patent 9,729,693

The following is an analysis of prior art cited during the prosecution of US patent 9,729,693. The priority date for the '693 patent is June 7, 2016. All references listed were published or filed before this date and thus constitute valid prior art. The analysis focuses on potential anticipation of the independent claims (1, 11, and 16) which describe a multi-stage method for determining if a wearable device is being worn by a user.

1. US 2015/0265217 A1 (Cited by Examiner)

- Full Citation: US Patent Application Publication No. 2015/0265217 A1. "Confidence indicator for physiological measurements using a wearable sensor platform."
- Assignee: Samsung Electronics Co., Ltd.
- Dates: Filed March 24, 2014; Published September 24, 2015.
- Description: This application describes a wearable device that measures physiological signals like photoplethysmogram (PPG) and provides a "confidence indicator" for the measurement. The confidence level is determined by analyzing the quality of the signal, which can be affected by factors like user...

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 the prior art cited in US patent 9,729,693, the claims appear to be obvious under 35 U.S.C. § 103. The patent combines known techniques for determining sensor data confidence with known methods for detecting if a wearable device is being worn, in a way that would have been predictable to a person having ordinary skill in the art (POSITA) at the time of the invention.

The analysis below focuses on independent claim 1, as claims 11 (apparatus) and 16 (system) are substantially similar in scope, simply restating the same method in the context of the device and a broader system.

Deconstruction of Independent Claim 1

The core of the method claimed is a multi-step process to confirm a wearable is worn before trusting its biometric data:

1. Check for Bright Light (Ambient Light Check): Determine if a first sample voltage is less than a threshold. As described in the patent's specification and claim 2, this is done with the device's light emitter off, effectively checking for overwhelming ambient light like direct sun. If the voltage is high, the device assumes it's not on a...

4. Litigation History of the Patent

Public records reflect that the 9729693 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Zepp North America Inc et al. v. Oura Health Oy — 2:26-cv-00316 · Texas Eastern District Court · filed 2026-04-21 · Open
- Zepp Inc. et al. v. Oura Health Oy — 2:2026cv00316 · U.S. District Court for the Eastern District of Texas · filed 2026-04-21 · 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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