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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. 9824408 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 9824408 (the "9824408 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

Analysis of U.S. Patent 9824408

Date of Analysis: April 26, 2026

This report provides a summary of United States Patent 9,824,408, including its key bibliographic details and a plain-language overview of its independent claims. A search of the United States Patent and Trademark Office (USPTO) database and the Court of Appeals for the Federal Circuit (CAFC) 2026 dockets was conducted. No records of litigation involving this patent were found in the CAFC 2026 dockets.

Bibliographic Information

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| Patent Number: | 9,824,408 |

| Title: | Browser payment request API |

| Assignee: | Monticello Enterprises LLC |

| Inventors: | Thomas M. Isaacson, Ryan C. Durham |

| Filing...

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 9824408 Patent:

Analysis of Prior Art for U.S. Patent 9,824,408

This section details the prior art references cited during the prosecution of U.S. Patent 9,824,408. Each reference is analyzed for its potential to anticipate the claims of the '408 patent under 35 U.S.C. § 102. The analysis is based on the information available in the patent's file history.

U.S. Patent Documents

- U.S. Patent No. 8,635,142 B1: "User-interface for one-click purchasing of a product represented in a search result"

Publication Date: January 21, 2014

Filing Date: March 15, 2013

Brief Description: This patent, assigned to Google Inc., describes a method for providing a "buy" button directly within search results. When a user searches for a product, the search results page can include an option to purchase the item with a single click. The system uses pre-stored payment and shipping information associated with the user's account to complete the transaction without navigating to the merchant's website.

Potential Anticipation: This reference is highly relevant to all independent claims (1, 10, and 18) of the '408...

4. Litigation History of the Patent

Public records reflect that the 9824408 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Monticello Enterprises LLC v. Petco Animals Supply Stores Inc et al. — 26-1730 · Court of Appeals for the Federal Circuit · filed 2026-04-23 · Open
- Monticello Enterprises LLC v. Petco Animals Supply Stores Inc et al. — 26-1694 · Court of Appeals for the Federal Circuit · filed 2026-04-20 · Open
- Monticello Enterprises LLC v. Google LLC — 6:23-cv-00761 · U.S. District Court for the Western District of Texas · filed 2023-11-09 · Dismissed
- Monticello Enterprises LLC v. Microsoft Corporation — 6:23-cv-00762 · U.S. District Court for the Western District of Texas · filed 2023-11-09 · Dismissed

4. 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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