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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. 9859202 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 9859202 (the "9859202 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 9,859,202: Spacer Connector

Date of Analysis: April 30, 2026

This report provides a summary of United States Patent 9,859,202, including its key bibliographic data and a plain-language interpretation of its independent claims.

Bibliographic Information:

- Title: Spacer connector
- Assignee: TOPWIRE LLC
- Inventor: Dyi-chung Hu
- Filing Date: June 23, 2016
- Issue Date: January 2, 2018
- Abstract: A fabricating process for a spacer connector is disclosed. A core substrate with a plurality of through holes is prepared. A conductive carrier with a dielectric adhesive configured on a top surface is prepared. The core substrate is then pasted on a top surface of the...

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 9859202 Patent:

Analysis of Prior Art for U.S. Patent 9,859,202

As a senior patent analyst, this report details the most relevant prior art cited against U.S. Patent 9,859,202, titled "Spacer connector." The analysis is based on the citations listed in the patent's file wrapper as of today's date, May 1, 2026. This examination is critical for understanding the landscape of existing technology at the time of the invention and is particularly relevant given the ongoing litigation and Inter Partes Review (IPR) proceedings involving this patent.

Under 35 U.S.C. § 102, a claim is anticipated if a single prior art reference discloses, either expressly or inherently, each and every element of that claim. The following analysis considers the potential for anticipation of the claims of the '202 patent, with a focus on independent claim 1.

Key Elements of Independent Claim 1 of US 9,859,202:

- A structure with a bottom and a top package substrate.
- At least one spacer connector creating a space between the substrates.
- The spacer connector comprises a core substrate with metal pillars passing through...

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 U.S. Patent 9,859,202 under 35 U.S.C. § 103

This analysis examines whether the invention described in U.S. Patent 9,859,202 ('202 patent) would have been obvious to a Person Having Ordinary Skill in the Art (PHOSITA) at the time the invention was made. The analysis is based on the prior art references cited during the patent's prosecution and is conducted under the framework of 35 U.S.C. § 103, considering the factors established in *Graham v. John Deere Co.*

A 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 PHOSITA. A PHOSITA in the field of semiconductor packaging in June 2015 would likely have a bachelor's degree in electrical or mechanical engineering and several years of experience in designing and manufacturing integrated circuit packages, including package-on-package (PoP) and 3D stacking technologies.

Primary Obviousness Combination: US 2014/0167263 A1 ('263) in view of Known Engineering Principles

A strong...

4. Litigation History of the Patent

Public records reflect that the 9859202 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- Topwire LLC v. SAMSUNG ELECTRONICS CO., LTD. et al. — 2:25-cv-01183 · U.S. District Court for the Eastern District of Texas · filed 2025-12-01 · active
- Topwire LLC v. Apple, Inc. — 7:25-cv-00551 · U.S. District Court for the Western District of Texas · filed 2025-12-01 · active
- Apple Inc. v. Topwire LLC — IPR2026-00303 · Patent Trial and Appeal Board (PTAB) · filed 2026-03-16 · Pending

• Samsung Electronics America Inc. et al. v. Topwire LLC — IPR2026-00324 · Patent Trial and Appeal Board (PTAB) · filed 2026-03-31 · Pending

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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