

PRIVILEGED AND CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION

Date: [Insert Date]

To: [Client Name/Company Name]

Attention: [Contact Person/Title]

Address: [Client Address]

Re: Freedom to Operate (FTO) Opinion Regarding [Name of Software Product/Technology]

Dear [Name],

1. Introduction

You have requested our legal opinion regarding the "Freedom to Operate" (FTO) for the software technology known as [Project Name] (the "Software"). The purpose of this letter is to assess whether the deployment and commercialization of the Software infringes upon any valid and enforceable third-party patents within the jurisdiction of [Insert Jurisdiction, e.g., United States].

2. Description of Technology

Our analysis is based on the technical documentation provided by [Client Name] on [Date], which describes the Software as [Briefly describe core functionality, algorithms, and architecture].

3. Scope of Search

We conducted a search of patent databases, including [List Databases, e.g., USPTO, EPO, WIPO], using keywords and classifications related to [List Keywords]. The search was limited to patents and published applications active as of [Search Cut-off Date].

4. Analysis of Identified Patents

During our search, we identified the following relevant references:

- **Patent No. [Number]:** [Brief Title]. Our analysis indicates that the Software does not infringe this patent because [Reason, e.g., lack of specific element in independent claims].
- **Patent No. [Number]:** [Brief Title]. We have determined that [Reason why it is not a barrier].

5. Open Source Software (OSS) Compliance

We have also reviewed the third-party libraries utilized in the Software. Based on the "Software Bill of Materials" (SBOM) provided, the licenses for [Library Names] are [List Licenses, e.g., MIT, Apache 2.0], which permit commercial use under the current implementation.

6. Conclusion and Opinion

Based on the information provided and the searches conducted, it is our professional opinion that

there is a [Low/Moderate] risk that the Software, as currently described, infringes upon the claims of any active third-party patents identified in our search. Consequently, [Client Name] currently has freedom to operate with respect to the commercialization of the Software in [Jurisdiction].

7. Limitations

This opinion is based on the state of the patent landscape as of the date of this letter. It does not account for unpublished patent applications or future patent filings. This letter is provided solely for the benefit of [Client Name] and may not be relied upon by any other party.

Sincerely,

[Attorney Name/Signature]
[Law Firm Name]