

PRIVILEGED AND CONFIDENTIAL
ATTORNEY-CLIENT PRIVILEGE / ATTORNEY WORK PRODUCT

Date: [Date]

To: [Client Name]
[Client Address]
[City, State, Zip]

Re: Invalidity Opinion Regarding U.S. Patent No. [Patent Number]

Dear [Client Contact Name],

I. Introduction

You have requested our legal opinion regarding the validity of U.S. Patent No. [Patent Number] (the "Subject Patent"). This letter provides our comprehensive analysis based on the prior art located and the current legal standards for patentability.

II. Executive Summary

Based on our review, it is our professional opinion that one or more claims of the Subject Patent are likely invalid under [35 U.S.C. § 102 (Anticipation) / 35 U.S.C. § 103 (Obviousness)]. Specifically, we believe that [Claim Numbers] would be held invalid if challenged in a court of law or before the Patent Trial and Appeal Board (PTAB).

III. The Subject Patent

The Subject Patent, titled "[Patent Title]," was issued on [Issue Date] and lists [Inventor Names] as inventors. The patent generally relates to [Brief Description of Technology].

IV. Claim Construction

For the purposes of this opinion, we have construed the claim terms according to their plain and ordinary meaning as understood by a Person of Ordinary Skill in the Art (POSITA) at the time of filing, in view of the intrinsic record.

- **Term A:** [Proposed Construction]
- **Term B:** [Proposed Construction]

V. Prior Art Identified

Our analysis focuses on the following primary references:

- **Reference 1:** [Name/Number of Prior Art], published [Date].
- **Reference 2:** [Name/Number of Prior Art], published [Date].

VI. Invalidity Analysis

A. Anticipation (35 U.S.C. § 102)

[Reference 1] discloses every element of Claim [Number]. Specifically, [Detail element-by-element comparison].

B. Obviousness (35 U.S.C. § 103)

Even if [Reference 1] is found to lack [Specific Element], it would have been obvious to a POSITA to combine [Reference 1] with [Reference 2] because [Provide rationale for combination/motivation to combine].

C. Other Grounds (35 U.S.C. § 101/112)

[Optional: Discuss Indefiniteness, Lack of Enablement, or Ineligible Subject Matter].

VII. Conclusion

In light of the prior art and analysis provided above, there is a high probability that the challenged claims of the Subject Patent would be declared invalid. This opinion is based on the information currently available to us and represents our best legal judgment.

Sincerely,

[Attorney Name]

[Law Firm Name]