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March 10, 1983

VIA FEDERAL EXPRESS

James T. Williams, Esq.
Neuman, Williams, Anderson & Olson
77 West Washington Street
Chicago, Illinois 60602

Re: Magnavox and Sanders
v. Activision
Civil Action C82 5270 TEH
Our File L-37324

RECEIVED

MAR 11 1983

NEUMAN, WILLIAMS,
ANDERSON & OLSON
JAMES T. WILLIAMS

Dear Jim:

Pursuant to our telephone conversation today I have revised the Stipulated Protective Order which you previously forwarded and am enclosing a copy.

Specifically the Order is changed in Paragraphs 2 (second and third sentences), 3(B), 3(C) and 4(C), all as we discussed.


In order to move the possibility of settlement discussions off dead center we would appreciate it if you would bring along with you on Monday those license agreements with manufacturers of cartridges. As I understand it this includes only Mattel, Milton Bradley and Coleco, as well, of course, as Atari whose two licenses we already have.

As I have mentioned to Ted it would also be very beneficial in discussing settlement if we were to know what you consider infringing games, as well as the criteria you are using to determine infringement. In response to our interrogatories you have identified the games "Fishing Derby", "Boxing", "Tennis" and "Ice Hockey". It would be well to know if these are the only games which you consider to infringe and also why these games are considered to be infringements and others are not.

I am looking forward to seeing you on Monday.

Very truly yours,

FLEHR, HOHBACH, TEST,
ALBRITTON & HERBERT


Thomas O. Herbert

TOH:nad
Enclosure

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10

11 IN THE UNITED STATES DISTRICT COURT
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13	THE MAGNAVOX COMPANY,)	
	a Corporation, and)	
14	SANDERS ASSOCIATES, INC.,)	Civil Action
	a Corporation,)	C 82 5270 TEH
15)	
	Plaintiffs,)	
16)	
	v.)	DEFENDANT'S SECOND SET
17)	OF INTERROGATORIES TO
18	ACTIVISION, INC.,)	PLAINTIFFS (NOS. 126-182)
	a Corporation,)	
19)	
	Defendant.)	

20

21 Defendant Activision, Inc. (hereinafter Activision)
 22 propounds the following interrogatories to plaintiffs, The Magnavox
 23 Company (hereinafter Magnavox) and Sanders Associates, Inc.
 24 (hereinafter Sanders), to be answered by each of said plaintiffs in
 25 writing and under oath in accordance with the provisions of Rule 33
 26 of the Federal Rules of Civil Procedure. These interrogatories are
 27 ///
 28 ///

1 intended to be continuing in their effect and to require supplement-
2 tary answers with respect to any and all facts or documents within
3 their scope which may come into the possession of plaintiffs
4 or their attorneys subsequent to the answering of these
5 interrogatories.

6
7 DEFINITIONS

8 1. "Magnavox" shall mean plaintiff The Magnavox Company,
9 its subsidiaries and/or related companies, officers, employees,
10 managers, representatives, agents, attorneys and any other persons
11 acting on behalf of The Magnavox Company.

12 2. "Sanders" shall mean plaintiff Sanders Associates,
13 Inc., its subsidiaries and/or related companies, officers,
14 employees, managers, representatives, agents, attorneys and any
15 other persons acting on behalf of Sanders Associates, Inc.

16 3. "Activision" shall mean defendant Activision, Inc.

17 4. "Document" shall mean written, recorded or graphic
18 matter, however produced or reproduced, including, but not limited
19 to letters, correspondence, memoranda, notes, work papers, tapes,
20 data storage media of any type, charts, books, accounting records,
21 drawings, sketches, photographs, bulletins, circulars, advertising,
22 or copies of such documents where originals are not available.
23 Documents should be identified whether or not they are deemed
24 privileged or confidential and whether or not they are in
25 plaintiffs' possession, custody or control.

26 5. "Identify", when used in reference to a document,
27 means to state the type of document (e.g., letter, memorandum,
28 report, etc.), the date, the title or heading of the document, the

1 identity of the addressee(s), the identity of all persons to whom
2 copies of the document were sent, and the present location of the
3 original document (or, if the original is unavailable, of the most
4 legible copy).

5 6. "Identify", when used in reference to a natural
6 person, means to state the full name of the person, the present or
7 last known address and telephone number of the person, and the
8 relationship of the person to plaintiffs, if any.

9 7. "Identify", when used in reference to an entity other
10 than a natural person, means to state the full name of the entity,
11 the nature of the entity (e.g., corporation, partnership, etc.),
12 the present or last known address of the entity, and the full names
13 of the principals of the entity (e.g., officers, partners, etc.).

14 8. "Identify", when used in reference to a communication,
15 means to state the nature (e.g., conversation, written correspon-
16 dence, etc.) of the communication, the date of the communication,
17 the person or persons present, and the subject matter of the
18 communication.

19 9. "Licensee" shall include sublicenses and all other
20 types of licenses.

21

22

INTERROGATORIES

23 INTERROGATORY NO. 126

24 For each combination of the games identified in response
25 to INTERROGATORY NO. 38 of DEFENDANT'S FIRST SET OF INTERROGATORIES
26 TO PLAINTIFFS (namely, "Fishing Derby", "Boxing", "Tennis" and "Ice
27 Hockey") and the consoles identified in response to INTERROGATORY

28 ///

1 NO. 50 of DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFFS
2 (namely, the Atari VCS Model 2600, the Sears Tele-Game Video Arcade,
3 and the combination of the Colecovision game console and the
4 Expansion Module 1) which plaintiffs contend constitutes an
5 infringement of Claim 25 of United States Patent Re. 28,507,
6 identify the elements which plaintiffs contend correspond to the
7 following elements of the claim:

- 8 A. A hitting symbol;
- 9 B. Means for generating a hitting symbol;
- 10 C. A hit symbol;
- 11 D. Means for generating a hit symbol;
- 12 E. Coincidence between said hitting symbol and said hit
13 symbol;
- 14 F. Means for ascertaining coincidence between said
15 hitting symbol and said hit symbol;
- 16 G. A distinct motion imparted to said hit symbol upon
17 coincidence; and
- 18 H. Means for imparting a distinct motion to said hit
19 symbol upon coincidence.

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21 INTERROGATORY NO. 127

22 For each combination of the games identified in response
23 to INTERROGATORY NO. 38 of DEFENDANT'S FIRST SET OF INTERROGATORIES
24 TO PLAINTIFFS (namely, "Fishing Derby", "Boxing", "Tennis" and "Ice
25 Hockey") and the consoles identified in response to INTERROGATORY
26 NO. 50 of DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFFS
27 (namely, the Atari VCS Model 2600, the Sears Tele-Game Video Arcade,
28 ///

1 and the combination of the Colecovision game console and the
2 Expansion Module 1) which plaintiffs contend constitutes an
3 infringement of Claim 26 of United States Patent Re. 28,507,
4 identify the elements which plaintiffs contend correspond to the
5 following elements of the claim:

- 6 A. A variation in the horizontal position of the hitting
7 symbol;
- 8 B. A variation in the vertical position of the hitting
9 symbol; and
- 10 C. Means for providing horizontal and vertical control
11 signals for varying the horizontal and vertical
12 positions of said hitting symbol.

13
14 INTERROGATORY NO. 128

15 For each combination of the games identified in response
16 to INTERROGATORY NO. 38 of DEFENDANT'S FIRST SET OF INTERROGATORIES
17 TO PLAINTIFFS (namely, "Fishing Derby", "Boxing", "Tennis" and "Ice
18 Hockey") and the consoles identified in response to INTERROGATORY
19 NO. 50 of DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFFS
20 (namely, the Atari VCS Model 2600, the Sears Tele-Game Video Arcade,
21 and the combination of the Colecovision game console and the
22 Expansion Module 1) which plaintiffs contend constitutes an
23 infringement of Claim 44 of United States Patent Re. 28,507,
24 identify the elements which plaintiffs contend correspond to the
25 following elements of the claim:

- 26 A. A baseball type game;
- 27 B. Apparatus for playing a baseball type game;
- 28 C. A hit spot;

- 1 D. Means for displaying a hit spot;
2 E. A hitting spot;
3 F. Means for displaying a hitting spot;
4 G. An adjustment in the vertical position of said
5 hitting spot;
6 H. Means for adjusting the vertical position of said
7 hitting spot;
8 I. A serving of the hit spot;
9 J. Means for serving said hit spot;
10 K. A variation in the vertical position of the hit
11 spot;
12 L. Means for varying the vertical position of said hit
13 spot;
14 M. Coincidence between said hit and said hitting spot;
15 N. A reversal of directions by the hit spot; and
16 O. Means for denoting coincidence between said hit and
17 said hitting spots whereby said hit spot will reverse
18 directions.
19

20 INTERROGATORY NO. 129

21 For each combination of the games identified in response
22 to INTERROGATORY NO. 38 of DEFENDANT'S FIRST SET OF INTERROGATORIES
23 TO PLAINTIFFS (namely, "Fishing Derby", "Boxing", "Tennis" and "Ice
24 Hockey") and the consoles identified in response to INTERROGATORY
25 NO. 50 of DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFFS
26 (namely, the Atari VCS Model 2600, the Sears Tele-Game Video Arcade,
27 and the combination of the Colecovision game console and the
28 Expansion Module 1) which plaintiffs contend constitutes an

1 infringement of Claim 45 of United States Patent Re. 28,507,
2 identify the elements which plaintiffs contend correspond to the
3 following elements of the claim:

- 4 A. A hockey type game;
- 5 B. Apparatus for playing a hockey type game;
- 6 C. A first hitting spot;
- 7 D. Means for displaying a first hitting spot;
- 8 E. A second hitting spot;
- 9 F. Means for displaying a second hitting spot;
- 10 H. A hit spot;
- 11 I. Means for displaying a hit spot;
- 12 J. Control of the position of the first hitting spot;
- 13 K. Control of the position of the second hitting spot;
- 14 L. Means for controlling the position of said first and
15 second hitting spots;
- 16 M. Controlling of the position of the hit spot;
- 17 N. Means for controlling the position of said hit spot;
- 18 O. Coincidence between the first hitting spot and the
19 hit spot;
- 20 P. Coincidence between the second hitting spot and the
21 hit spot;
- 22 Q. Means for ascertaining coincidence between either of
23 said hitting spots and said hit spot;
- 24 R. A distinct motion imparted to said hit spot upon
25 coincidence; and
- 26 S. Means for imparting a distinct motion to said hit
27 spot upon coincidence.

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1 INTERROGATORY NO. 130

2 For each combination of the games identified in response
3 to INTERROGATORY NO. 38 of DEFENDANT'S FIRST SET OF INTERROGATORIES
4 TO PLAINTIFFS (namely, "Fishing Derby", "Boxing", "Tennis" and "Ice
5 Hockey") and the consoles identified in response to INTERROGATORY
6 NO. 50 of DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFFS
7 (namely, the Atari VCS Model 2600, the Sears Tele-Game Video Arcade,
8 and the combination of the Colecovision game console and the
9 Expansion Module 1) which plaintiffs contend constitutes an
10 infringement of Claim 51 of United States Patent Re. 28,507,
11 identify the elements which plaintiffs contend correspond to the
12 following elements of the claim:

- 13 A. A hitting symbol;
14 B. Means for generating a hitting symbol;
15 C. A hit symbol;
16 D. Means for generating a hit symbol;
17 E. Coincidence between said hitting symbol and said hit
18 symbol;
19 F. Means for ascertaining coincidence between said
20 hitting symbol and said hit symbol;
21 G. A distinct motion imparted to the hit symbol upon
22 coincidence; and
23 H. Means for imparting a distinct motion to said hit
24 symbol upon coincidence.

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26 INTERROGATORY NO. 131

27 For each combination of the games identified in response
28 to INTERROGATORY NO. 38 of DEFENDANT'S FIRST SET OF INTERROGATORIES

1 TO PLAINTIFFS (namely, "Fishing Derby", "Boxing", "Tennis" and "Ice
2 Hockey") and the consoles identified in response to INTERROGATORY
3 NO. 50 of DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFFS
4 (namely, the Atari VCS Model 2600, the Sears Tele-Game Video Arcade,
5 and the combination of the Colecovision game console and the
6 Expansion Module 1) which plaintiffs contend constitutes an
7 infringement of Claim 52 of United States Patent Re. 28,507,
8 identify the elements which plaintiffs contend correspond to the
9 following elements of the claim:

- 10 A. A variation in the horizontal position of the hitting
11 symbol;
- 12 B. A variation in the vertical position of the hitting
13 symbol; and
- 14 C. Means for providing horizontal and vertical control
15 signals for varying the horizontal and vertical
16 positions of said hitting symbol.

17

18 INTERROGATORY NO. 132

19 For each combination of the games identified in response
20 to INTERROGATORY NO. 38 of DEFENDANT'S FIRST SET OF INTERROGATORIES
21 TO PLAINTIFFS (namely, "Fishing Derby", "Boxing", "Tennis" and "Ice
22 Hockey") and the consoles identified in response to INTERROGATORY
23 NO. 50 of DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFFS
24 (namely, the Atari VCS Model 2600, the Sears Tele-Game Video Arcade,
25 and the combination of the Colecovision game console and the
26 Expansion Module 1) which plaintiffs contend constitutes an
27 infringement of Claim 60 of United States Patent Re. 28,507,

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1 identify the elements which plaintiffs contend correspond to the
2 following elements of the claim:

- 3 A. A vertical synchronization signal;
- 4 B. A horizontal synchronization signal;
- 5 C. Means for generating vertical and horizontal
6 synchronization signals;
- 7 D. Means responsive to said synchronization signals for
8 deflecting the beam of a cathode ray tube to generate
9 a raster on the screen of the tube;
- 10 E. A first symbol on said screen;
- 11 F. A position for the first symbol which is directly .
12 controlled by a player;
- 13 G. Means coupled to said synchronization signal
14 generating means and said cathode ray tube for
15 generating a first symbol on said screen at a
16 position which is directly controlled by a player;
- 17 H. A second symbol on the screen which is movable;
- 18 I. Means coupled to said synchronization signals
19 generating means and said cathode ray tube for
20 generating a second symbol on said screen which is
21 movable;
- 22 J. A first coincidence between said first symbol and
23 said second symbol;
- 24 K. Means coupled to said first symbol generating means
25 and said second symbol generating means for deter-
26 mining a first coincidence between said first symbol
27 and said second symbol;

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- 1 L. A distinct motion imparted to said second symbol in
2 response to said coincidence; and
- 3 M. Means coupled to said coincidence determining means
4 and said second symbol generating means for imparting
5 a distinct motion to said second symbol in response
6 to said coincidence.
- 7

8 INTERROGATORY NO. 133

9 For each combination of the games identified in response
10 to INTERROGATORY NO. 38 of DEFENDANT'S FIRST SET OF INTERROGATORIES
11 TO PLAINTIFFS (namely, "Fishing Derby", "Boxing", "Tennis" and "Ice
12 Hockey") and the consoles identified in response to INTERROGATORY
13 NO. 50 of DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFFS
14 (namely, the Atari VCS Model 2600, the Sears Tele-Game Video Arcade,
15 and the combination of the Colecovision game console and the
16 Expansion Module 1) which plaintiffs contend constitutes an
17 infringement of Claim 61 of United States Patent Re. 28,507,
18 identify the elements which plaintiffs contend correspond to the
19 following elements of the claim:

- 20 A. A third symbol on the screen of the cathode ray
21 tube;
- 22 B. Player control of the position of the third symbol;
- 23 C. Means coupled to said synchronization signal
24 generating means and said cathode ray tube for
25 generating a third symbol on said screen at a
26 position which is controlled by a player;
- 27 D. A second coincidence between said third symbol and
28 said second symbol;

- 1 E. Means coupled to said third symbol generating means
2 and second symbol generating means for determining a
3 second coincidence between said third symbol and
4 said second symbol;
- 5 F. A first coincidence between said third symbol and
6 said second symbol;
- 7 G. A distinct motion imparted to said second symbol in
8 response to the second coincidence; and
- 9 H. Means coupled to said second and third symbol
10 coincidence determining means and said second symbol
11 generating means for imparting a distinct motion to
12 said second symbol in response to said second
13 coincidence.

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15 INTERROGATORY NO. 134

16 For each combination of the games identified in response
17 to INTERROGATORY NO. 38 of DEFENDANT'S FIRST SET OF INTERROGATORIES
18 TO PLAINTIFFS (namely, "Fishing Derby", "Boxing", "Tennis" and "Ice
19 Hockey") and the consoles identified in response to INTERROGATORY
20 NO. 50 of DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFFS
21 (namely, the Atari VCS Model 2600, the Sears Tele-Game Video Arcade,
22 and the combination of the Colecovision game console and the
23 Expansion Module 1) which plaintiffs contend constitutes an
24 infringement of Claim 62 of United States Patent Re. 28,507,
25 identify the elements which plaintiffs contend correspond to the
26 following elements of the claim:

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- 1 A. A traveling of the second symbol across the screen
2 from one side of the raster to another in the
3 absence of an occurrence of coincidence between said
4 second symbol and said first or third symbol after
5 coincidence of said second symbol with said third or
6 first symbol;
7 B. A first coincidence of said second symbol with said
8 third or first symbol;
9 C. A second coincidence between said second symbol and
10 said first or third symbol; and
11 D. Means for causing said second symbol to travel
12 across said screen from one side of said raster to
13 another side of said raster in the absence of an
14 occurrence of coincidence between said second symbol
15 and said first or third symbol after coincidence of
16 said second symbol with said third or first symbol.

17
18 INTERROGATORY NO. 135

19 Set forth in detail the nature of any additional informa-
20 tion which plaintiffs deem necessary in order to respond fully to
21 INTERROGATORIES NOS. 38 and 39 of DEFENDANT'S FIRST SET OF
22 INTERROGATORIES TO PLAINTIFFS.

23
24 INTERROGATORY NO. 136

25 State whether each of the following television game
26 consoles identified in response to INTERROGATORY NO. 50 of
27 DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFFS is licensed
28 or granted immunity from suit under any of the patents identified

1 in response to INTERROGATORIES NOS. 1 and 3 of DEFENDANT'S FIRST
2 SET OF INTERROGATORIES TO PLAINTIFFS:

- 3 A. Atari VCS Model 2600;
- 4 B. Sears Tele-Game Video Arcade;
- 5 C. Colecovision television game console; and
- 6 D. Coleco Expansion Module 1.

7

8 INTERROGATORY NO. 137

9 For each television game console identified as being
10 licensed or granted immunity from suit in response to INTERROGATORY
11 NO. 136:

- 12 A. Identify the patent(s) under which the console is
- 13 licensed or granted immunity from suit;
- 14 B. Identify the license or other agreement in which the
- 15 console is licensed or granted immunity from suit;
- 16 C. Identify all persons having knowledge of the license
- 17 or immunity from suit;
- 18 D. Identify all communications relating to the license
- 19 or immunity from suit; and
- 20 E. Identify all documents which refer or relate in any
- 21 way to the license or immunity from suit.

22

23 INTERROGATORY NO. 138

24 Identify all portions of the subject matter described in
25 U.S. Patent 3,728,480 which Magnavox and Sanders contend are not
26 prior art with regard to United States Patent Re. 28,507.

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1 INTERROGATORY NO. 139

2 For each portion of the subject matter of U.S. Patent
3 3,728,480 identified in response to INTERROGATORY NO. 138:

- 4 A. Set forth in detail the basis of the contention that
5 the portion of the subject matter is not prior art;
6 B. Identify all persons having knowledge of the
7 respective dates of invention of that portion of the
8 subject matter and the subject matter of United
9 States Letters Patent Re. 28,507; and
10 C. Identify all documents which refer or relate in any
11 way to the subject matter of this interrogatory,
12 including all documents which support the contention
13 that the portion of the subject matter is not prior
14 art with regard to United States Letters Patent
15 Re. 28,507.

16
17 INTERROGATORY NO. 140

18 With regard to the invention of means for denoting
19 coincidence when a dot generated by one dot generator is located in
20 the same position on a television screen as a dot generated by
21 another dot generator, as claimed in Claim 13 of U. S. Patent
22 3,728,480:

- 23 A. What is the earliest date for each of the following:
24 (1) Conception;
25 (2) Actual reduction to practice; and
26 (3) Diligence toward reduction to practice;

27 ///

28 ///

- 1 B. Describe in detail the events which constitute the
2 conception, reduction to practice and diligence on
3 which the dates set forth in response to Parts A(1)-
4 A(3) of this interrogatory are based;
- 5 C. Identify all persons who participated in each of the
6 events described in response to Part B of this
7 interrogatory, including the role of each such
8 person;
- 9 D. Identify the first person(s) to suggest the invention,
10 state the date the invention was first suggested,
11 and identify the person(s) to whom the invention was
12 suggested;
- 13 E. Identify all persons to whom the invention was
14 disclosed prior to May 27, 1969 and the date and
15 place of each such disclosure;
- 16 F. Identify all persons who had knowledge of the
17 invention prior to May 27, 1969 and the date each
18 such person learned of the invention;
- 19 G. Identify all prototypes, laboratory models, bread-
20 board circuits and other physical embodiments of the
21 invention made prior to May 27, 1969, including the
22 following:
- 23 (1) A concise description of each;
- 24 (2) The date(s) each was made;
- 25 (3) The person(s) who constructed each;
- 26 (4) All persons having access to each prior to
27 May 27, 1969; and
- 28 (5) The present location and condition of each.

- 1 H. Identify all persons not otherwise identified in
2 response to this interrogatory who have knowledge of
3 the subject matter of any of Parts A through G of
4 this interrogatory, and indicate the subject matter
5 of which each such person has knowledge; and
6 I. Identify all documents which refer or relate in any
7 way to the subject matter of this interrogatory.
8

9 INTERROGATORY NO. 141

10 With regard to the invention of means for ascertaining
11 coincidence between a hitting symbol and a hit symbol as claimed in
12 Claim 25 of United States Letters Patent Re. 28,507:

- 13 A. What is the earliest date for each of the following:
14 (1) Conception;
15 (2) Actual reduction to practice; and
16 (3) Diligence toward reduction to practice;
17 B. Describe in detail the events which constitute the
18 conception, reduction to practice and diligence on
19 which the dates set forth in response to Parts A(1)-
20 A(3) of this interrogatory are based;
21 C. Identify all persons who participated in each of the
22 events described in response to Part B of this
23 interrogatory, including the role of each such
24 person;
25 D. Identify the first person(s) to suggest the invention,
26 state the date the invention was first suggested,
27 and identify the person(s) to whom the invention was
28 suggested;

- 1 E. Identify all persons to whom the invention was
2 disclosed prior to May 27, 1969 and the date and
3 place of each such disclosure;
- 4 F. Identify all persons who had knowledge of the
5 invention prior to May 27, 1969 and the date each
6 such person learned of the invention;
- 7 G. Identify all prototypes, laboratory models, bread-
8 board circuits and other physical embodiments of the
9 invention made prior to May 27, 1969, including the
10 following:
- 11 (1) A concise description of each;
 - 12 (2) The date(s) each was made;
 - 13 (3) The person(s) who constructed each;
 - 14 (4) All persons having access to each prior to
15 May 27, 1969; and
 - 16 (5) The present location and condition of each.
- 17 H. Identify all persons not otherwise identified in
18 response to this interrogatory who have knowledge of
19 the subject matter of any of Parts A through G of
20 this interrogatory, and indicate the subject matter
21 of which each such person has knowledge; and
- 22 I. Identify all documents which refer or relate in any
23 way to the subject matter of this interrogatory.
- 24

25 INTERROGATORY NO. 142

26 With regard to the invention of means for imparting a
27 distinct motion to the hit symbol upon coincidence, as claimed in
28 Claim 25 of United States Letters Patent Re. 28,507:

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- A. What is the earliest date for each of the following:
 - (1) Conception;
 - (2) Actual reduction to practice; and
 - (3) Diligence toward reduction to practice;
- B. Describe in detail the events which constitute the conception, reduction to practice and diligence on which the dates set forth in response to Parts A(1)-A(3) of this interrogatory are based;
- C. Identify all persons who participated in each of the events described in response to Part B of this interrogatory, including the role of each such person;
- D. Identify the first person(s) to suggest the invention, state the date the invention was first suggested, and identify the person(s) to whom the invention was suggested;
- E. Identify all persons to whom the invention was disclosed prior to May 27, 1969 and the date and place of each such disclosure;
- F. Identify all persons who had knowledge of the invention prior to May 27, 1969 and the date each such person learned of the invention;
- G. Identify all prototypes, laboratory models, bread-board circuits and other physical embodiments of the invention made prior to May 27, 1969, including the following:

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- (1) A concise description of each;
- (2) The date(s) each was made;
- (3) The person(s) who constructed each;
- (4) All persons having access to each prior to May 27, 1969; and
- (5) The present location and condition of each.

- H. Identify all persons not otherwise identified in response to this interrogatory who have knowledge of the subject matter of any of Parts A through G of this interrogatory, and indicate the subject matter of which each such person has knowledge; and
- I. Identify all documents which refer or relate in any way to the subject matter of this interrogatory.

INTERROGATORY NO. 143

With regard to the invention of means for denoting coincidence between hit and hitting spots, as claimed in Claim 44 of United States Letters Patent Re. 28,507:

- A. What is the earliest date for each of the following:
 - (1) Conception;
 - (2) Actual reduction to practice; and
 - (3) Diligence toward reduction to practice;
- B. Describe in detail the events which constitute the conception, reduction to practice and diligence on which the dates set forth in response to Parts A(1)-A(3) of this interrogatory are based;

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- C. Identify all persons who participated in each of the events described in response to Part B of this interrogatory, including the role of each such person;
- D. Identify the first person(s) to suggest the invention, state the date the invention was first suggested, and identify the person(s) to whom the invention was suggested;
- E. Identify all persons to whom the invention was disclosed prior to May 27, 1969 and the date and place of each such disclosure;
- F. Identify all persons who had knowledge of the invention prior to May 27, 1969 and the date each such person learned of the invention;
- G. Identify all prototypes, laboratory models, bread-board circuits and other physical embodiments of the invention made prior to May 27, 1969, including the following:
 - (1) A concise description of each;
 - (2) The date(s) each was made;
 - (3) The person(s) who constructed each;
 - (4) All persons having access to each prior to May 27, 1969; and
 - (5) The present location and condition of each.

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- 1 H. Identify all persons not otherwise identified in
2 response to this interrogatory who have knowledge of
3 the subject matter of any of Parts A through G of
4 this interrogatory, and indicate the subject matter
5 of which each such person has knowledge; and
6 I. Identify all documents which refer or relate in any
7 way to the subject matter of this interrogatory.
8

9 INTERROGATORY NO. 144

10 With regard to the invention of the concept of the hit
11 spot reversing direction, as claimed in Claim 44 of United States
12 Letters Patent Re. 28,507:

13 A. What is the earliest date for each of the following:

14 (1) Conception;

15 (2) Actual reduction to practice; and

16 (3) Diligence toward reduction to practice;

17 B. Describe in detail the events which constitute the
18 conception, reduction to practice and diligence on
19 which the dates set forth in response to Parts A(1)-
20 A(3) of this interrogatory are based;

21 C. Identify all persons who participated in each of the
22 events described in response to Part B of this
23 interrogatory, including the role of each such
24 person;

25 D. Identify the first person(s) to suggest the invention,
26 state the date the invention was first suggested,
27 and identify the person(s) to whom the invention was
28 suggested;

- 1 E. Identify all persons to whom the invention was
2 disclosed prior to May 27, 1969 and the date and
3 place of each such disclosure;
- 4 F. Identify all persons who had knowledge of the
5 invention prior to May 27, 1969 and the date each
6 such person learned of the invention;
- 7 G. Identify all prototypes, laboratory models, bread-
8 board circuits and other physical embodiments of the
9 invention made prior to May 27, 1969, including the
10 following:
- 11 (1) A concise description of each;
 - 12 (2) The date(s) each was made;
 - 13 (3) The person(s) who constructed each;
 - 14 (4) All persons having access to each prior to
15 May 27, 1969; and
 - 16 (5) The present location and condition of each.
- 17 H. Identify all persons not otherwise identified in
18 response to this interrogatory who have knowledge of
19 the subject matter of any of Parts A through G of
20 this interrogatory, and indicate the subject matter
21 of which each such person has knowledge; and
- 22 I. Identify all documents which refer or relate in any
23 way to the subject matter of this interrogatory.
- 24

25 INTERROGATORY NO. 145

26 With regard to the invention of means for ascertaining
27 coincidence between either of two hitting spots and a hit spot, as
28 claimed in Claim 45 of United States Letters Patent Re. 28,507:

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- A. What is the earliest date for each of the following:
 - (1) Conception;
 - (2) Actual reduction to practice; and
 - (3) Diligence toward reduction to practice;
- B. Describe in detail the events which constitute the conception, reduction to practice and diligence on which the dates set forth in response to Parts A(1)-A(3) of this interrogatory are based;
- C. Identify all persons who participated in each of the events described in response to Part B of this interrogatory, including the role of each such person;
- D. Identify the first person(s) to suggest the invention, state the date the invention was first suggested, and identify the person(s) to whom the invention was suggested;
- E. Identify all persons to whom the invention was disclosed prior to May 27, 1969 and the date and place of each such disclosure;
- F. Identify all persons who had knowledge of the invention prior to May 27, 1969 and the date each such person learned of the invention;
- G. Identify all prototypes, laboratory models, bread-board circuits and other physical embodiments of the invention made prior to May 27, 1969, including the following:

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- (1) A concise description of each;
- (2) The date(s) each was made;
- (3) The person(s) who constructed each;
- (4) All persons having access to each prior to May 27, 1969; and
- (5) The present location and condition of each.

H. Identify all persons not otherwise identified in response to this interrogatory who have knowledge of the subject matter of any of Parts A through G of this interrogatory, and indicate the subject matter of which each such person has knowledge; and

I. Identify all documents which refer or relate in any way to the subject matter of this interrogatory.

INTERROGATORY NO. 146

With regard to the invention of means for imparting a distinct motion to a hit spot upon coincidence with one of two hitting spots, as claimed in Claim 45 of United States Letters Patent Re. 28,507:

- A. What is the earliest date for each of the following:
 - (1) Conception;
 - (2) Actual reduction to practice; and
 - (3) Diligence toward reduction to practice;
- B. Describe in detail the events which constitute the conception, reduction to practice and diligence on which the dates set forth in response to Parts A(1)-A(3) of this interrogatory are based;

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- C. Identify all persons who participated in each of the events described in response to Part B of this interrogatory, including the role of each such person;
- D. Identify the first person(s) to suggest the invention, state the date the invention was first suggested, and identify the person(s) to whom the invention was suggested;
- E. Identify all persons to whom the invention was disclosed prior to May 27, 1969 and the date and place of each such disclosure;
- F. Identify all persons who had knowledge of the invention prior to May 27, 1969 and the date each such person learned of the invention;
- G. Identify all prototypes, laboratory models, bread-board circuits and other physical embodiments of the invention made prior to May 27, 1969, including the following:
 - (1) A concise description of each;
 - (2) The date(s) each was made;
 - (3) The person(s) who constructed each;
 - (4) All persons having access to each prior to May 27, 1969; and
 - (5) The present location and condition of each.

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- 1 H. Identify all persons not otherwise identified in
2 response to this interrogatory who have knowledge of
3 the subject matter of any of Parts A through G of
4 this interrogatory, and indicate the subject matter
5 of which each such person has knowledge; and
6 I. Identify all documents which refer or relate in any
7 way to the subject matter of this interrogatory.
8

9 INTERROGATORY NO. 147

10 With regard to the invention of means for ascertaining
11 coincidence between a hitting symbol and a hit symbol, as claimed
12 in Claim 51 of United States Letters Patent Re. 28,507:

- 13 A. What is the earliest date for each of the following:
14 (1) Conception;
15 (2) Actual reduction to practice; and
16 (3) Diligence toward reduction to practice;
17 B. Describe in detail the events which constitute the
18 conception, reduction to practice and diligence on
19 which the dates set forth in response to Parts A(1)-
20 A(3) of this interrogatory are based;
21 C. Identify all persons who participated in each of the
22 events described in response to Part B of this
23 interrogatory, including the role of each such
24 person;
25 D. Identify the first person(s) to suggest the invention,
26 state the date the invention was first suggested,
27 and identify the person(s) to whom the invention was
28 suggested;

- 1 E. Identify all persons to whom the invention was
2 disclosed prior to May 27, 1969 and the date and
3 place of each such disclosure;
- 4 F. Identify all persons who had knowledge of the
5 invention prior to May 27, 1969 and the date each
6 such person learned of the invention;
- 7 G. Identify all prototypes, laboratory models, bread-
8 board circuits and other physical embodiments of the
9 invention made prior to May 27, 1969, including the
10 following:
- 11 (1) A concise description of each;
 - 12 (2) The date(s) each was made;
 - 13 (3) The person(s) who constructed each;
 - 14 (4) All persons having access to each prior to
15 May 27, 1969; and
 - 16 (5) The present location and condition of each.
- 17 H. Identify all persons not otherwise identified in
18 response to this interrogatory who have knowledge of
19 the subject matter of any of Parts A through G of
20 this interrogatory, and indicate the subject matter
21 of which each such person has knowledge; and
- 22 I. Identify all documents which refer or relate in any
23 way to the subject matter of this interrogatory.
- 24

25 INTERROGATORY NO. 148

26 With regard to the invention of means for imparting a
27 distinct motion to the hit symbol upon coincidence with a hitting

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1 symbol, as claimed in Claim 51 of United States Letters Patent
2 Re. 28,507:

- 3 A. What is the earliest date for each of the following:
4 (1) Conception;
5 (2) Actual reduction to practice; and
6 (3) Diligence toward reduction to practice;
- 7 B. Describe in detail the events which constitute the
8 conception, reduction to practice and diligence on
9 which the dates set forth in response to Parts A(1)-
10 A(3) of this interrogatory are based;
- 11 C. Identify all persons who participated in each of the
12 events described in response to Part B of this
13 interrogatory, including the role of each such
14 person;
- 15 D. Identify the first person(s) to suggest the invention,
16 state the date the invention was first suggested,
17 and identify the person(s) to whom the invention was
18 suggested;
- 19 E. Identify all persons to whom the invention was
20 disclosed prior to May 27, 1969 and the date and
21 place of each such disclosure;
- 22 F. Identify all persons who had knowledge of the
23 invention prior to May 27, 1969 and the date each
24 such person learned of the invention;
- 25 G. Identify all prototypes, laboratory models, bread-
26 board circuits and other physical embodiments of the
27 invention made prior to May 27, 1969, including the
28 following:

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- (1) A concise description of each;
- (2) The date(s) each was made;
- (3) The person(s) who constructed each;
- (4) All persons having access to each prior to May 27, 1969; and
- (5) The present location and condition of each.

H. Identify all persons not otherwise identified in response to this interrogatory who have knowledge of the subject matter of any of Parts A through G of this interrogatory, and indicate the subject matter of which each such person has knowledge; and

I. Identify all documents which refer or relate in any way to the subject matter of this interrogatory.

INTERROGATORY NO. 149

With regard to the invention of means for determining a first coincidence between first and second symbols, as claimed in Claim 60 of United States Letters Patent Re. 28,507:

- A. What is the earliest date for each of the following:
 - (1) Conception;
 - (2) Actual reduction to practice; and
 - (3) Diligence toward reduction to practice;
- B. Describe in detail the events which constitute the conception, reduction to practice and diligence on which the dates set forth in response to Parts A(1)-A(3) of this interrogatory are based;

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- C. Identify all persons who participated in each of the events described in response to Part B of this interrogatory, including the role of each such person;
- D. Identify the first person(s) to suggest the invention, state the date the invention was first suggested, and identify the person(s) to whom the invention was suggested;
- E. Identify all persons to whom the invention was disclosed prior to May 27, 1969 and the date and place of each such disclosure;
- F. Identify all persons who had knowledge of the invention prior to May 27, 1969 and the date each such person learned of the invention;
- G. Identify all prototypes, laboratory models, bread-board circuits and other physical embodiments of the invention made prior to May 27, 1969, including the following:
 - (1) A concise description of each;
 - (2) The date(s) each was made;
 - (3) The person(s) who constructed each;
 - (4) All persons having access to each prior to May 27, 1969; and
 - (5) The present location and condition of each.

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- 1 H. Identify all persons not otherwise identified in
2 response to this interrogatory who have knowledge of
3 the subject matter of any of Parts A through G of
4 this interrogatory, and indicate the subject matter
5 of which each such person has knowledge; and
6 I. Identify all documents which refer or relate in any
7 way to the subject matter of this interrogatory.
8

9 INTERROGATORY NO. 150

10 With regard to the invention of means for imparting a
11 distinct motion to the second symbol, as claimed in Claim 60 of
12 United States Letters Patent Re. 28,507:

- 13 A. What is the earliest date for each of the following:
14 (1) Conception;
15 (2) Actual reduction to practice; and
16 (3) Diligence toward reduction to practice;
17 B. Describe in detail the events which constitute the
18 conception, reduction to practice and diligence on
19 which the dates set forth in response to Parts A(1)-
20 A(3) of this interrogatory are based;
21 C. Identify all persons who participated in each of the
22 events described in response to Part B of this
23 interrogatory, including the role of each such
24 person;
25 D. Identify the first person(s) to suggest the invention,
26 state the date the invention was first suggested,
27 and identify the person(s) to whom the invention was
28 suggested;

- 1 E. Identify all persons to whom the invention was
2 disclosed prior to May 27, 1969 and the date and
3 place of each such disclosure;
- 4 F. Identify all persons who had knowledge of the
5 invention prior to May 27, 1969 and the date each
6 such person learned of the invention;
- 7 G. Identify all prototypes, laboratory models, bread-
8 board circuits and other physical embodiments of the
9 invention made prior to May 27, 1969, including the
10 following:
- 11 (1) A concise description of each;
 - 12 (2) The date(s) each was made;
 - 13 (3) The person(s) who constructed each;
 - 14 (4) All persons having access to each prior to
15 May 27, 1969; and
 - 16 (5) The present location and condition of each.
- 17 H. Identify all persons not otherwise identified in
18 response to this interrogatory who have knowledge of
19 the subject matter of any of Parts A through G of
20 this interrogatory, and indicate the subject matter
21 of which each such person has knowledge; and
- 22 I. Identify all documents which refer or relate in any
23 way to the subject matter of this interrogatory.
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25 INTERROGATORY NO. 151

26 With regard to the invention of means for determining a
27 second coincidence between a third symbol and the second symbol, as
28 claimed in Claim 61 of United States Letters Patent Re. 28,507:

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- A. What is the earliest date for each of the following:
 - (1) Conception;
 - (2) Actual reduction to practice; and
 - (3) Diligence toward reduction to practice;
- B. Describe in detail the events which constitute the conception, reduction to practice and diligence on which the dates set forth in response to Parts A(1)-A(3) of this interrogatory are based;
- C. Identify all persons who participated in each of the events described in response to Part B of this interrogatory, including the role of each such person;
- D. Identify the first person(s) to suggest the invention, state the date the invention was first suggested, and identify the person(s) to whom the invention was suggested;
- E. Identify all persons to whom the invention was disclosed prior to May 27, 1969 and the date and place of each such disclosure;
- F. Identify all persons who had knowledge of the invention prior to May 27, 1969 and the date each such person learned of the invention;
- G. Identify all prototypes, laboratory models, bread-board circuits and other physical embodiments of the invention made prior to May 27, 1969, including the following:

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- (1) A concise description of each;
- (2) The date(s) each was made;
- (3) The person(s) who constructed each;
- (4) All persons having access to each prior to May 27, 1969; and
- (5) The present location and condition of each.

H. Identify all persons not otherwise identified in response to this interrogatory who have knowledge of the subject matter of any of Parts A through G of this interrogatory, and indicate the subject matter of which each such person has knowledge; and

I. Identify all documents which refer or relate in any way to the subject matter of this interrogatory.

INTERROGATORY NO. 152

With regard to the invention of means for imparting a distinct motion to the second symbol in response to the second coincidence, as claimed in Claim 61 of United States Letters Patent Re. 28,507:

- A. What is the earliest date for each of the following:
 - (1) Conception;
 - (2) Actual reduction to practice; and
 - (3) Diligence toward reduction to practice;
- B. Describe in detail the events which constitute the conception, reduction to practice and diligence on which the dates set forth in response to Parts A(1)-A(3) of this interrogatory are based;

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- C. Identify all persons who participated in each of the events described in response to Part B of this interrogatory, including the role of each such person;
- D. Identify the first person(s) to suggest the invention, state the date the invention was first suggested, and identify the person(s) to whom the invention was suggested;
- E. Identify all persons to whom the invention was disclosed prior to May 27, 1969 and the date and place of each such disclosure;
- F. Identify all persons who had knowledge of the invention prior to May 27, 1969 and the date each such person learned of the invention;
- G. Identify all prototypes, laboratory models, bread-board circuits and other physical embodiments of the invention made prior to May 27, 1969, including the following:
 - (1) A concise description of each;
 - (2) The date(s) each was made;
 - (3) The person(s) who constructed each;
 - (4) All persons having access to each prior to May 27, 1969; and
 - (5) The present location and condition of each.

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- 1 H. Identify all persons not otherwise identified in
2 response to this interrogatory who have knowledge of
3 the subject matter of any of Parts A through G of
4 this interrogatory, and indicate the subject matter
5 of which each such person has knowledge; and
6 I. Identify all documents which refer or relate in any
7 way to the subject matter of this interrogatory.
8

9 INTERROGATORY NO. 153

10 With reference to plaintiffs' response to Part B of
11 INTERROGATORY NO. 75 of DEFENDANT'S FIRST SET OF INTERROGATORIES TO
12 PLAINTIFFS, identify the subject matter which plaintiffs contend is
13 inadequately disclosed in the Decus publication, and indicate what
14 additional disclosure, if any, plaintiffs contend would be necessary
15 to constitute prior art.
16

17 INTERROGATORY NO. 154

18 Identify each of the certain games known as "Spacewar"
19 which plaintiffs have acknowledged at Massachusetts Institute of
20 Technology in the early 1960's in response to Part C of INTERROGATORY
21 NO. 75 of DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFFS,
22 including the following:

- 23 A. A description of the game;
24 B. The date(s) when each such game was played;
25 C. State when and under what circumstances Magnavox
26 and/or Sanders first became aware of each such game;

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- 1 D. Identify all personnel of Magnavox and/or Sanders
2 having knowledge of each such game and the date(s)
3 each such person acquired such knowledge; and
4 E. Identify all documents in the possession, custody or
5 control of Magnavox and/or Sanders which refer or
6 relate in any way to each such game.
7

8 INTERROGATORY NO. 155

9 Identify all information, including documents, in the
10 possession, custody or control of Magnavox and/or Sanders regarding
11 the battling spaceship game which James T. Williams observed being
12 played on a PDP-1 computer at Stanford University in the 1960's.
13

14 INTERROGATORY NO. 156

15 Referring to plaintiffs' response to Part D of
16 INTERROGATORY NO. 75 of DEFENDANT'S FIRST SET OF INTERROGATORIES TO
17 PLAINTIFFS, what information in addition to that set forth in
18 response to INTERROGATORY NO. 155 do plaintiffs deem necessary in
19 order to determine whether the battling spaceship game which James
20 T. Williams observed at Stanford University constitutes prior art.
21

22 INTERROGATORY NO. 157

23 Referring to plaintiffs' response to Part D of
24 INTERROGATORY NO. 75 of DEFENDANT'S FIRST SET OF INTERROGATORIES TO
25 PLAINTIFFS, what information in addition to that set forth in
26 response to INTERROGATORY NO. 155 do plaintiffs deem necessary in
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1 order to determine whether the battling spaceship game which James
2 T. Williams observed at Stanford University should be considered as
3 prior art.

4
5 INTERROGATORY NO. 158

6 Referring to plaintiffs' response to INTERROGATORY NO. 76
7 of DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFFS, identify
8 any additional information which plaintiffs hope to obtain by way
9 of discovery in order to enable them to respond to INTERROGATORY
10 NO. 76.

11
12 INTERROGATORY NO. 159

13 What do plaintiffs contend constitutes a "hitting symbol"
14 in the context of Claims 25, 26, 51 and 52 of United States Letters
15 Patent Re. 28,507?

16
17 INTERROGATORY NO. 160

18 What do plaintiffs contend constitutes a "hit symbol" in
19 the context of Claims 25, 26, 51 and 52 of United States Letters
20 Patent Re. 28,507?

21
22 INTERROGATORY NO. 161

23 What do plaintiffs contend constitutes a "hitting spot"
24 in the context of Claims 44 and 45 of United States Letters Patent
25 Re. 28,507?

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1 INTERROGATORY NO. 162

2 What do plaintiffs contend constitutes a "hit spot" in
3 the context of Claims 44 and 45 of United States Letters Patent
4 Re. 28,507?

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6 INTERROGATORY NO. 163

7 Identify all foreign patents and patent applications
8 corresponding to U.S. Patent 3,728,480.

9

10 INTERROGATORY NO. 164

11 For each of the foreign patents and patent applications
12 identified in response to INTERROGATORY NO. 163:

- 13 A. Identify all persons who have participated in any
14 way in the preparation, filing, examination, or
15 prosecution of each application, including the role
16 of such person in connection with the application;
- 17 B. Identify all references or other prior art cited in
18 connection with each application;
- 19 C. Identify all communications relating to the
20 application; and
- 21 D. Identify all documents which refer or relate in any
22 way to the application.

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24 INTERROGATORY NO. 165

25 Do Magnavox and Sanders contend that there is any
26 difference between the apparatus defined by Claim 60 of United
27 States Letters Patent Re. 28,507 and the apparatus disclosed in the
28 Decus publication identified in INTERROGATORY NO. 74 of DEFENDANT'S

1 FIRST SET OF INTERROGATORIES TO PLAINTIFFS other than the substitu-
2 tion of a television receiver for another type of cathode ray tube
3 display?

4
5 INTERROGATORY NO. 166

6 If the answer to INTERROGATORY NO. 165 is other than an
7 unqualified negative, set forth in detail any additional differences
8 believed to exist.

9
10 INTERROGATORY NO. 167

11 Do Magnavox and Sanders contend that there is any
12 difference between the apparatus defined by Claim 61 of United
13 States Letters Patent Re. 28,507 and the apparatus disclosed in the
14 Decus publication identified in INTERROGATORY NO. 74 of DEFENDANT'S
15 FIRST SET OF INTERROGATORIES TO PLAINTIFFS other than the substitu-
16 tion of a television receiver for another type of cathode ray tube
17 display?

18
19 INTERROGATORY NO. 168

20 If the answer to INTERROGATORY NO. 167 is other than an
21 unqualified negative, set forth in detail any additional differences
22 believed to exist.

23
24 INTERROGATORY NO. 169

25 Referring to plaintiffs' response to Parts C(3) and C(4)
26 of INTERROGATORY NO. 100 of DEFENDANT'S FIRST SET OF INTERROGATORIES
27 TO PLAINTIFFS, set forth in detail the background to the reissue

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1 application about which the conversation with the Examiner centered,
2 including a complete narrative of what was said about the background
3 by each party to the conversation.

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5 INTERROGATORY NO. 170

6 Referring to plaintiffs' response to Parts C(3) and C(4)
7 of INTERROGATORY NO. 100 of DEFENDANT'S FIRST SET OF INTERROGATORIES
8 TO PLAINTIFFS, state the objects to be achieved by the reissue
9 application, and state what was said by each party to the
10 conversation with regard to each of these objects.

11

12 INTERROGATORY NO. 171

13 Was any written record ever made of the discussion which
14 Richard I. Seligman and James T. Williams had with Examiner David
15 L. Trafton about April 23, 1974 and referenced in plaintiffs'
16 response to Parts B and C of INTERROGATORY NO. 100 of DEFENDANT'S
17 FIRST SET OF INTERROGATORIES TO PLAINTIFFS?

18

19 INTERROGATORY NO. 172

20 If the response to INTERROGATORY NO. 171 is other than an
21 unqualified negative, identify the written record and the person(s)
22 making the same.

23

24 INTERROGATORY NO. 173

25 Identify any prior art other than the references cited on
26 the face of United States Letters Patent Re. 28,507 which was
27 considered by Magnagox and/or Sanders during the prosecution of the

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1 application leading to that patent and which was determined not to
2 be material to the examination of the application.

3
4 INTERROGATORY NO. 174

5 For each item of prior art identified in response to
6 INTERROGATORY NO. 173, identify the following:

- 7 A. All persons who considered such prior art;
8 B. The person(s) who determined that the prior art was
9 not material to the examination of the application;
10 C. State in detail the basis upon which the prior art
11 was determined not to be material; and
12 D. Identify all documents which refer or relate in any
13 way to the consideration of the prior art and/or the
14 determination that it was not material.

15
16 INTERROGATORY NO. 175

17 Referring to plaintiffs' response to INTERROGATORY NO. 101
18 of DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFFS, identify
19 the nine times plaintiffs contend the applications for United
20 States Patent 3,728,480 were cited in the application for United
21 States Letters Patent Re. 28,507.

22
23 INTERROGATORY NO. 176

24 Which, if any, of the games described in the Activision
25 catalog attached as Exhibit A to DEFENDANT'S FIRST SET OF
26 INTERROGATORIES TO PLAINTIFFS were examined by plaintiffs prior to
27 the filing of the present suit?

28 ///

1 INTERROGATORY NO. 177

2 Which, if any, of the games described in the Activision
3 catalog attached as Exhibit A to DEFENDANT'S FIRST SET OF
4 INTERROGATORIES TO PLAINTIFFS have been examined by plaintiffs
5 since the present suit was filed?

6

7 INTERROGATORY NO. 178

8 Which, if any, of the games described in the Activision
9 catalog attached as Exhibit A to DEFENDANT'S FIRST SET OF
10 INTERROGATORIES TO PLAINTIFFS have never been examined by plaintiffs?

11

12 INTERROGATORY NO. 179

13 Identify all persons who participated in the
14 examination(s) of each of the games identified in response to
15 INTERROGATORIES NOS. 176 and 177.

16

17 INTERROGATORY NO. 180

18 Identify all documents which refer or relate in any way
19 to the examination(s) of each of the games identified in response
20 to INTERROGATORIES NOS. 176 and 177.

21

22 INTERROGATORY NO. 181

23 Identify each person who supplied any information for the
24 responses to the foregoing interrogatories, and as to each such
25 person, identify by number those interrogatories for which he/she
26 supplied information.

27 ///

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1 INTERROGATORY NO. 182

2 Identify each document not otherwise identified in the
3 response to the foregoing interrogatories which was relied upon in
4 the preparation of said responses.

5

6

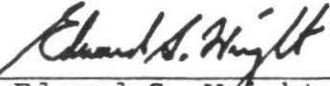
FLEHR, HOHBACH, TEST,
ALBRITTON & HERBERT

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Date: March 16, 1983

By


Edward S. Wright
Attorneys for Defendant

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