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United States District Court for the
Northern District of California

THE MAGNAVOX COMPANY, a Corpora-
tion, and SANDERS ASSOCIATES,
INC., a Corporation,

Plaintiffs,

vs.

ACTIVISION, INC., a Corporation,

Defendant.

No. C 82 5270 TEH
AFFIDAVIT OF
RICHARD I. SELIGMAN


STATE OF NEW HAMPSHIRE)
) SS:
COUNTY OF HILLSBORO)

I, RICHARD I. SELIGMAN, do depose and say as
follows:

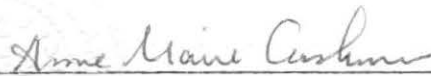
1. I am an attorney licensed to practice in the
State of Massachusetts. I am employed as Assistant Patent

AFFIDAVIT OF RICHARD I. SELIGMAN

supplied with copies of such protest papers. Two parties have already filed such protests in the application to reissue the 3,728,480 patent. Activision, Inc. has filed no protest in that application.


RICHARD I. SELIGMAN

Subscribed and sworn to
before me this 15th day
of November, 1982



Notary Public

NEUMAN, WILLIAMS, ANDERSON & OLSON
77 West Washington Street
Chicago, Illinois 60602

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25 **Defendant.**

26 **No. C 82 5270 TRH**
27 **AFFIDAVIT OF**
28 **RICHARD I. SELIGMAN**

29 **STATE OF NEW HAMPSHIRE)**
30 **COUNTY OF HILLSBORO) SS:**

31 **I, RICHARD I. SELIGMAN, do depose and say as**
32 **follows:**

33 **1. I am an attorney licensed to practice in the**
34 **State of Massachusetts. I am employed as Assistant Patent**

1 Counsel of Sanders Associates, Inc. in Nashua, New Hampshire
2 (hereinafter "Sanders"). Sanders is the owner of a number
3 of patents, both United States and foreign, relating to
4 television games. Those patents include U.S. patents 3,497,829;
5 3,599,221; 3,728,480; 3,737,566; 3,778,058; 3,829,095;
6 3,921,161; Re. 28,507 and its original patent 3,659,284; and
7 Re. 28,598 and its original patent 3,659,285 and their
8 counterparts in approximately twenty ~~(19)~~ other countries.
9 Ragnarox is the exclusive licensee of Sanders under those
10 patents.

11 2. In 1977, Sanders became aware of a prior art
12 reference which it was felt might have an effect on the
13 validity of its U.S. patent 3,728,480, but not on the Re.
14 28,507 patent. It subsequently decided to file an application
15 in the United States Patent and Trademark Office to reissue
16 U.S. patent 3,728,480 so that the Office could consider the
17 effect of the reference on the 3,728,480 patent. That
18 application was filed on June 27, 1977 and is still pending.
19 I am familiar with the contents of both that application and
20 the 3,728,480 patent itself. None of the claims which are
21 presently in the reissue application is the same as any
22 claim in the original patent.

23 3. According to the rules of the Patent and
24 Trademark Office under which the application to reissue the
25 3,728,480 patent was filed, 37 C.F.R., members of the public
26 may have access to reissue applications and file protests to
27 the grant of such applications. The reissue applicant is
28

1 supplied with copies of such protest papers. Two parties
2 have already filed such protests in the application to
3 reissue the 3,728,480 patent. Activision, Inc. has filed no
4 protest in that application.
5
6

7 RICHARD I. SELIGMAN

8 Subscribed and sworn to

9 before me this ____ day

10 of _____, 1982
11

12 Notary Public
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