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HAND DELIVERY

Ms. Sally Bowcock
Clerk's Office
United States District Court
450 Golden Gate Avenue
San Francisco, CA 94102

Re: Magnavox v. Activision
No.: C-82-5270 CAL

Dear Ms. Bowcock:

Pursuant to our telephone conversation today, I have enclosed for your reference a copy of the Order we received today from the United States Court of Appeals for the Federal Circuit dismissing as premature the first Notice of Appeal filed by Activision on January 8, 1986.

Enclosed is a new Notice of Appeal and filing fee of \$70.00. Please file the enclosed Notice of Appeal, and begin the appeal process again.

Thank you for your help.

Sincerely yours,



MARLA J. MILLER
Attorneys for ACTIVISION, INC.

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*ADMITTED IN NEW YORK STATE

March 24, 1986

MJM:cal
Encl.

cc: Theodore W. Anderson, Esq.
Robert L. Ebe, Esq.

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9 Attorneys for Defendant and
10 Counterclaimant Activision, Inc.

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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

14 THE MAGNAVOX COMPANY, a corpora-)
15 tion, and SANDERS ASSOCIATES,)
16 INC., a corporation,)

16 Plaintiffs,)

17 vs.)

18 ACTIVISION, INC., a corporation,)

19 Defendant.)

20 AND RELATED CROSS-ACTION.)
21

No. C 82 5270 CAL

NOTICE OF APPEAL

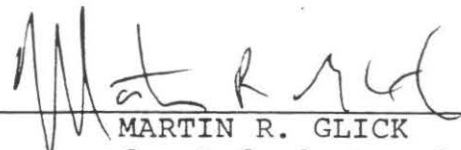
23 Notice is hereby given that Defendant and Counterclaimant
24 Activision, Inc. hereby appeals to the United States Court of
25 Appeals for the Federal Circuit, pursuant to 28 U.S.C. Section
26 1292(c) (2) from the District Court's Judgment dated and entered

1 March 13, 1986, finding Plaintiffs and Counterdefendants' United
2 States Patent Re. 28,507 valid and infringed, which Judgment is
3 final except for an accounting.

4 DATED: March 24, 1986.

5 MARTIN R. GLICK
6 H. JOSEPH ESCHER III
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8 HOWARD, RICE, NEMEROVSKI, CANADY,
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11 OF COUNSEL:
12 SCOTT HOVER-SMOOT

13 BY 
14 MARTIN R. GLICK
15 Attorneys for Defendant and
16 Counterclaimant Activision, Inc.

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& FALK

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Accordingly, having reviewed the submission of the parties
IT IS ORDERED:

Magnavox's motion to dismiss is granted. The request for
sanctions is denied.

FOR THE COURT

MAR 18 1986

Date


Howard T. Markey

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DECLARATION OF SERVICE

I declare that I am employed in the County of San Francisco, California. I am over the age of eighteen (18) years and not a party to the within cause. My business address is Three Embarcadero Center, Seventh Floor, San Francisco, California 94111.

On March 24, 1986, I served

NOTICE OF APPEAL


by causing to have a true copy hand-delivered to:

Robert L. Ebe, Esq.
McCutchen, Doyle, Brown & Enersen
3 Embarcadero Center,, 27th Fl.
San Francisco, CA 94111

and by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Post Office mail box at San Francisco, California, addressed as follows:

Theodore W. Anderson, Esq.
Neuman, Williams, Anderson & Olson
77 W. Washington Street
Chicago, IL 60602

I, Cheryl Leger, declare under penalty of perjury that the foregoing is true and correct and was executed at San Francisco, California on March 24, 1986.



CHERYL LEGER

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