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JUN 14 1984

BY WJH
RESPONSE DUE

8 Attorneys for Plaintiffs
9 The Magnavox Company and
Sanders Associates, Inc.

10
11 United States District Court For The
12 Northern District Of California

13 THE MAGNAVOX COMPANY, a corporation,)
and SANDERS ASSOCIATES, INC.,)
14 a corporation,)
15 Plaintiffs,)
16 v.)
17 ACTIVISION, INC., a corporation,)
18 Defendant.)

No. C 82 5270 JPV

PLAINTIFFS' SECOND
SUPPLEMENTAL RESPONSE TO
TO DEFENDANT'S
INTERROGATORIES

19
20 Plaintiffs herewith supplement their responses to
21 defendant's interrogatories 33, 35, 37, 77, 78, 104, 109-112, 128,
22 129, 138-152 and 154.

23
24 INTERROGATORY NO. 33

25 If the answer to INTERROGATORY NO. 32 is other than an
26 unqualified negative, identify each such study, including:
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1 INTERROGATORY NO. 140

2 With regard to the invention of means for denoting
3 coincidence when a dot generated by one dot generator is located
4 in the same position on a television screen as a dot generated by
5 another dot generator, as claimed in Claim 13 of U.S. Patent
6 3,728,480:

7 A. What is the earliest date for each of the follow-
8 ing:

9 (1) Conception;

10 (2) Actual reduction to practice; and

11 (3) Diligence toward reduction to practice;

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

16 C. Identify all persons who participated in each of
17 the events described in response to Part B of this
18 interrogatory, including the role of each such
19 person;

20 D. Identify the first person(s) to suggest the inven-
21 tion, state the date the invention was first
22 suggested, and identify the person(s) to whom the
23 invention was suggested;

24 E. Identify all persons to whom the invention was
25 disclosed prior to May 27, 1969 and the date and
26 place of each such disclosure;

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

22 RESPONSE:

23 The earliest written record relating to the work done on
24 television games by employees of plaintiff Sanders Associates of
25 which plaintiffs are presently aware that shows or refers to any
26 means for denoting coincidence between a dot generated by one dot

1 generator is located in the same position on a television screen
2 as a dot generated by another dot generator are a page of
3 handwritten notes dated May 23, 1967 (Sanders Deposition Exhibit
4 23, page 23) and prepared by William Harrison under the direction
5 and at the suggestion of Ralph H. Baer, and laboratory notebook
6 entries dated May 24, 1967 (Sanders Deposition Exhibit 16, pages
7 44 and 45) made by William Harrison under the direction and at the
8 suggestion of Ralph H. Baer. Additional drawings showing such
9 circuitry and references to such circuitry are dated June 14, 1967
10 (Sanders Deposition Exhibit 23, page 81) July 18, 1967, (Sanders
11 Deposition Exhibit 16, page 78) September 12, 1967 (Sanders
12 Deposition Exhibit 16, page 89, Sanders Deposition Exhibit 9,
13 pages 89 and 90), each of which was prepared by William Harrison
14 under the direction and at the suggestion of Ralph H. Baer. The
15 suggestion for such circuitry was made by Ralph H. Baer in
16 approximately May 1967. Apparatus including such circuitry
17 (Sanders Deposition Exhibit 28) was first constructed during the
18 period May - June 1967.

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20 INTERROGATORY NO. 141

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

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

26 (1) Conception;

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- (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:
 - (1) A concise description of each;
 - (2) The date(s) each was made;

- 1 (3) The person(s) who constructed each;
- 2 (4) All persons having access to each prior to May
- 3 27, 1969; and
- 4 (5) The present location and condition of each.
- 5 H. Identify all persons not otherwise identified in
- 6 response to this interrogatory who have knowledge
- 7 of the subject matter of any of Parts A through G
- 8 of this interrogatory, and indicate the subject
- 9 matter of which each such person has knowledge; and
- 10 I. Identify all documents which refer or relate in any
- 11 way to the subject matter of this interrogatory.
- 12

13 RESPONSE:

14 The earliest written record relating to the work done on
15 television games by employees of plaintiff Sanders Associates of
16 which plaintiffs are presently aware that shows or refers to any
17 means for ascertaining coincidence between a hitting symbol and a
18 hit symbol are a memorandum dated May 10, 1967 to R. Baer from W.
19 Rusch (Sanders Deposition Exhibit 9, pages 44-50), laboratory
20 notebook entries dated September 25, 1967 through January, 1968
21 (Sanders Deposition Exhibits 17-19) made by William T. Rusch, and
22 pages of handwritten notes and drawings dated in October, 1967
23 through January, 1968 and prepared by William Harrison at the
24 suggestion of William T. Rusch. Additional drawings showing such
25 circuitry are dated December 22, 1967 (Sanders Deposition Exhibit
26 23, pages 160-163) and were prepared by William Harrison at the

1 suggestion of William T. Rusch. The suggestion for such circuitry
2 was made by William T. Rusch in approximately May, 1967.
3 Apparatus including such circuitry (Sanders Deposition Exhibit 30)
4 was first constructed during the period October - December 1967;
5 other apparatus, including such circuitry was constructed
6 subsequently.

7 INTERROGATORY NO. 142

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

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

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

4 RESPONSE:

5 The earliest written record relating to the work done on
6 television games by employees of plaintiff Sanders Associates of
7 which plaintiffs are presently aware that shows or refers to any
8 means for imparting a distinct motion to the hit symbol upon
9 coincidence are a memorandum dated May 10, 1967 to R. Baer from W.
10 Rusch (Sanders Deposition Exhibit 9, pages 44-50), laboratory
11 methods entries dated September 25, 1967 through January, 1968
12 (Sanders Deposition Exhibits 17-19) made by William T. Rusch, and
13 pages of handwritten notes and drawings dated in October, 1967
14 through January, 1968 and prepared by William Harrison at the
15 suggestion of William T. Rusch. Additional drawings showing such
16 circuitry are dated December 22, 1967 (Sanders Deposition Exhibit
17 23, pages 160-163) and were prepared by William Harrison at the
18 suggestion of William T. Rusch. The suggestion for such circuitry
19 was made by William T. Rusch in approximately May, 1967.
20 Apparatus including such circuitry (Sanders Deposition Exhibit 30)
21 was first constructed during the period October - December 1967;
22 other apparatus, including such circuitry was constructed
23 subsequently.

24 INTERROGATORY NO. 143
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1 With regard to the invention of means for denoting
2 coincidence between hit and hitting spots, as claimed in Claim 44
3 of United States Letters Patent Re. 28,507:

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

6 (1) Conception;

7 (2) Actual reduction to practice; and

8 (3) Diligence toward reduction to practice;

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

13 C. Identify all persons who participated in each of
14 the events described in response to Part B of this
15 interrogatory, including the role of each such
16 person;

17 D. Identify the first person(s) to suggest the inven-
18 tion, state the date the invention was first
19 suggested, and identify the person(s) to whom the
20 invention was suggested;

21 E. Identify all persons to whom the invention was
22 disclosed prior to May 27, 1969 and the date and
23 place of each such disclosure;

24 F. Identify all persons who had knowledge of the
25 invention prior to May 27, 1969 and the date each
26 such person learned of the invention;

1 G. Identify all prototypes, laboratory models, bread-
2 board circuits and other physical embodiments of
3 the invention made prior to May 27, 1969, including
4 the following:

5 (1) A concise description of each;

6 (2) The date(s) each was made;

7 (3) The person(s) who constructed each;

8 (4) All persons having access to each prior to May
9 27, 1969; and

10 (5) The present location and condition of each.

11 H. Identify all persons not otherwise identified in
12 response to this interrogatory who have knowledge
13 of the subject matter of any of Parts A through G
14 of this interrogatory, and indicate the subject
15 matter of which each such person has knowledge; and
16 I. Identify all documents which refer or relate in any
17 way to the subject matter of this interrogatory.
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19 RESPONSE:

20 The earliest written record relating to the work done on
21 television games by employees of plaintiff Sanders Associates of
22 which plaintiffs are presently aware that shows or refers to any
23 means for denoting coincidence between hit and hitting spots are a
24 memorandum dated May 10, 1967 to R. Baer from W. Rusch (Sanders
25 Deposition Exhibit 9, pages 44-50), laboratory methods entries
26 dated September 25, 1967 through January, 1968 (Sanders Deposition

1 Exhibits 17-19) made by William T. Rusch, and pages of handwritten
2 notes and drawings dated in October, 1967 through January, 1968
3 and prepared by William Harrison at the suggestion of William T.
4 Rusch. Additional drawings showing such circuitry are dated
5 December 22, 1967 (Sanders Deposition Exhibit 23, pages 160-163)
6 and were prepared by William Harrison at the suggestion of William
7 T. Rusch. The suggestion for such circuitry was made by William
8 T. Rusch in approximately May, 1967. Apparatus including such
9 circuitry (Sanders Deposition Exhibit 30) was first constructed
10 during the period October - December 1967; other apparatus,
11 including such circuitry was constructed subsequently.

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13 INTERROGATORY NO. 144

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With regard to the invention of the concept of the hit
spot reversing direction, as claimed in Claim 44 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;

- 1 C. Identify all persons who participated in each of
2 the events described in response to Part B of this
3 interrogatory, including the role of each such
4 person;
- 5 D. Identify the first person(s) to suggest the inven-
6 tion, state the date the invention was first
7 suggested, and identify the person(s) to whom the
8 invention was suggested;
- 9 E. Identify all persons to whom the invention was
10 disclosed prior to may 27, 1969 and the date and
11 place of each such disclosure;
- 12 F. Identify all persons who had knowledge of the
13 invention prior to May 27, 1969 and the date each
14 such person learned of the invention;
- 15 G. Identify all prototypes, laboratory models, bread-
16 board circuits and other physical embodiments of
17 the invention made prior to May 27, 1969, including
18 the following:
- 19 (1) A concise description of each;
20 (2) The date(s) each was made;
21 (3) The person(s) who constructed each;
22 (4) All persons having access to each prior to May
23 27, 1969; and
24 (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
3 of the subject matter of any of Parts A through G
4 of this interrogatory, and indicate the subject
5 matter 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 RESPONSE:

10 The earliest written record relating to the work done on
11 television games by employees of plaintiff Sanders Associates of
12 which plaintiffs are presently aware that shows or refers to any
13 means for reversing the direction of a hit spot are a memorandum
14 dated May 10, 1967 to R. Baer from W. Rusch (Sanders Deposition
15 Exhibit 9, pages 44-50), laboratory methods entries dated
16 September 25, 1967 through January, 1968 (Sanders Deposition
17 Exhibits 17-19) made by William T. Rusch, and pages of handwritten
18 notes and drawings dated in October, 1967 through January, 1968
19 and prepared by William Harrison at the suggestion of William T.
20 Rusch. Additional drawings showing such circuitry are dated
21 December 22, 1967 (Sanders Deposition Exhibit 23, pages 160-163)
22 and were prepared by William Harrison at the suggestion of William
23 T. Rusch. The suggestion for such circuitry was made by William
24 T. Rusch in approximately May, 1967. Apparatus including such
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1 circuitry (Sanders Deposition Exhibit 30) was first constructed
2 during the period October - December 1967; other apparatus,
3 including such circuitry was constructed subsequently.

4 INTERROGATORY NO. 145

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

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

10 (1) Conception;

11 (2) Actual reduction to practice; and

12 (3) Diligence toward reduction to practice;

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

17 C. Identify all persons who participated in each of
18 the events described in response to Part B of this
19 interrogatory, including the role of each such
20 person;

21 D. Identify the first person(s) to suggest the inven-
22 tion, state the date the invention was first
23 suggested, and identify the person(s) to whom the
24 invention was 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
9 the invention made prior to May 27, 1969, including
10 the 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 May
15 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
19 of the subject matter of any of Parts A through G
20 of this interrogatory, and indicate the subject
21 matter 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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1 RESPONSE:

2 The earliest written record relating to the work done on
3 television games by employees of plaintiff Sanders Associates of
4 which plaintiffs are presently aware that shows or refers to any
5 means for ascertaining coincidence between either of two hitting
6 spots and a hit spot are a memorandum dated May 10, 1967 to R.
7 Baer from W. Rusch (Sanders Deposition Exhibit 9, pages 44-50),
8 laboratory methods entries dated September 25, 1967 through
9 January, 1968 (Sanders Deposition Exhibits 17-19) made by William
10 T. Rusch, and pages of handwritten notes and drawings dated in
11 October, 1967 through January, 1968 and prepared by William
12 Harrison at the suggestion of William T. Rusch. Additional
13 drawings showing such circuitry are dated December 22, 1967
14 (Sanders Deposition Exhibit 23, pages 160-163) and were prepared
15 by William Harrison at the suggestion of William T. Rusch. The
16 suggestion for such circuitry was made by William T. Rusch in
17 approximately May, 1967. Apparatus including such circuitry
18 (Sanders Deposition Exhibit 30) was first constructed during the
19 period October - December 1967; other apparatus, including such
20 circuitry was constructed subsequently.

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22 INTERROGATORY NO. 146

23 With regard to the invention of means for imparting a
24 distinct motion to a hit spot upon coincidence with one of two
25 hitting spots, as claimed in Claim 45 of United States Letters
26 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;

1 G. Identify all prototypes, laboratory models, bread-
2 board circuits and other physical embodiments of
3 the invention made prior to May 27, 1969, including
4 the following:

- 5 (1) A concise description of each;
6 (2) The date(s) each was made;
7 (3) The person(s) who constructed each;
8 (4) All persons having access to each prior to May
9 27, 1969; and
10 (5) The present location and condition of each.

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

16 I. Identify all documents which refer or relate in any
17 way to the subject matter of this interrogatory.
18

19 RESPONSE:

20 The earliest written record relating to the work done on
21 television games by employees of plaintiff Sanders Associates of
22 which plaintiffs are presently aware that shows or refers to any
23 means for imparting a distinct motion to a hit spot upon
24 coincidence with one of two hitting spots are a memorandum dated
25 May 10, 1967 to R. Baer from W. Rusch (Sanders Deposition Exhibit
26 9, pages 44-50), laboratory methods entries dated September 25,
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1 1967 through January, 1968 (Sanders Deposition Exhibits 17-19)
2 made by William T. Rusch, and pages of handwritten notes and
3 drawings dated in October, 1967 through January, 1968 and prepared
4 by William Harrison at the suggestion of William T. Rusch.
5 Additional drawings showing such circuitry are dated December 22,
6 1967 (Sanders Deposition Exhibit 23, pages 160-163) and were
7 prepared by William Harrison at the suggestion of William T.
8 Rusch. The suggestion for such circuitry was made by William T.
9 Rusch in approximately May, 1967. Apparatus including such
10 circuitry (Sanders Deposition Exhibit 30) was first constructed
11 during the period October - December 1967; other apparatus,
12 including such circuitry was constructed subsequently.

13 INTERROGATORY NO. 147

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

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

- 19 (1) Conception;
20 (2) Actual reduction to practice; and
21 (3) Diligence toward reduction to practice;

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

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- 1 C. Identify all persons who participated in each of
2 the events described in response to Part B of this
3 interrogatory, including the role of each such
4 person;
- 5 D. Identify the first person(s) to suggest the inven-
6 tion, state the date the invention was first
7 suggested, and identify the person(s) to whom the
8 invention was suggested;
- 9 E. Identify all persons to whom the invention was
10 disclosed prior to May 27, 1969 and the date and
11 place of each such disclosure;
- 12 F. Identify all persons who had knowledge of the
13 invention prior to May 27, 1969 and the date each
14 such person learned of the invention;
- 15 G. Identify all prototypes, laboratory models, bread-
16 board circuits and other physical embodiments of
17 the invention made prior to May 27, 1969, including
18 the following:
- 19 (1) A concise description of each;
20 (2) The date(s) each was made;
21 (3) The person(s) who constructed each;
22 (4) All persons having access to each prior to May
23 27, 1969; and
24 (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
3 of the subject matter of any of Parts A through G
4 of this interrogatory, and indicate the subject
5 matter 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 RESPONSE:

10 The earliest written record relating to the work done on
11 television games by employees of plaintiff Sanders Associates of
12 which plaintiffs are presently aware that shows or refers to any
13 means for ascertaining coincidence between a hitting symbol and a
14 hit symbol are a memorandum dated May 10, 1967 to R. Baer from W.
15 Rusch (Sanders Deposition Exhibit 9, pages 44-50), laboratory
16 methods entries dated September 25, 1967 through January, 1968
17 (Sanders Deposition Exhibits 17-19) made by William T. Rusch, and
18 pages of handwritten notes and drawings dated in October, 1967
19 through January, 1968 and prepared by William Harrison at the
20 suggestion of William T. Rusch. Additional drawings showing such
21 circuitry are dated December 22, 1967 (Sanders Deposition Exhibit
22 23, pages 160-163) and were prepared by William Harrison at the
23 suggestion of William T. Rusch. The suggestion for such circuitry
24 was made by William T. Rusch in approximately May, 1967.
25 Apparatus including such circuitry (Sanders Deposition Exhibit 30)
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1 was first constructed during the period October - December 1967;
2 other apparatus, including such circuitry was constructed
3 subsequently.

4 INTERROGATORY NO. 148

5 With regard to the invention for imparting a distinct
6 motion to the hit symbol upon coincidence with a hitting symbol,
7 as claimed in Claim 51 of United States Letters Patent Re. 28,507:

- 8 A. What is the earliest date for each of the
9 following:
10 (1) Conception;
11 (2) Actual reduction to practice; and
12 (3) Diligence toward reduction to practice;
- 13 B. Describe in detail the events which constitute the
14 conception, reduction to practice and diligence on
15 which the dates set forth in response to Parts
16 A(1)-A(3) of this interrogatory are based;
- 17 C. Identify all persons who participated in each of
18 the events described in response to Part B of this
19 interrogatory, including the role of each such
20 person;
- 21 D. Identify the first person(s) to suggest the inven-
22 tion, state the date the invention was first
23 suggested, and identify the person(s) to whom the
24 invention was 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
9 the invention made prior to May 27, 1969, including
10 the 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 May
15 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
19 of the subject matter of any of Parts A through G
20 of this interrogatory, and indicate the subject
21 matter 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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1 RESPONSE:

2 The earliest written record relating to the work done on
3 television games by employees of plaintiff Sanders Associates of
4 which plaintiffs are presently aware that shows or refers to any
5 means for imparting a distinct motion to the hit symbol upon
6 coincidence with a hitting symbol are a memorandum dated May 10,
7 1967 to R. Baer from W. Rusch (Sanders Deposition Exhibit 9, pages
8 44-50), laboratory methods entries dated September 25, 1967
9 through January, 1968 (Sanders Deposition Exhibits 17-19) made by
10 William T. Rusch, and pages of handwritten notes and drawings
11 dated in October, 1967 through January, 1968 and prepared by
12 William Harrison at the suggestion of William T. Rusch.
13 Additional drawings showing such circuitry are dated December 22,
14 1967 (Sanders Deposition Exhibit 23, pages 160-163) and were
15 prepared by William Harrison at the suggestion of William T.
16 Rusch. The suggestion for such circuitry was made by William T.
17 Rusch in approximately May, 1967. Apparatus including such
18 circuitry (Sanders Deposition Exhibit 30) was first constructed
19 during the period October - December 1967; other apparatus,
20 including such circuitry was constructed subsequently.

21
22 INTERROGATORY NO. 149

23 With regard to the invention of means for determining a
24 first coincidence between first and second symbols, as claimed in
25 Claim 60 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;

1 G. Identify all prototypes, laboratory models, bread-
2 board circuits and other physical embodiments of
3 the invention made prior to May 27, 1969, including
4 the following:

- 5 (1) A concise description of each;
6 (2) The date(s) each was made;
7 (3) The person(s) who constructed each;
8 (4) All persons having access to each prior to May
9 27, 1969; and
10 (5) The present location and condition of each.

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

16 I. Identify all documents which refer or relate in any
17 way to the subject matter of this interrogatory.
18

19 RESPONSE:

20 The earliest written record relating to the work done on
21 television games by employees of plaintiff Sanders Associates of
22 which plaintiffs are presently aware that shows or refers to any
23 means for determining a first coincidence between first and second
24 symbols are a page of handwritten notes dated May 23, 1967
25 (Sanders Deposition Exhibit 23, page 23) and prepared by William
26 Harrison under the direction and at the suggestion of Ralph H.

Deposition Exhibit 1 (pages 44 and 45) made by w
3 under the direction and at the suggestion of Ralph
4 Additional drawings showing such circuitry and ref.
5 circuitry are dated June 14, 1967 (Sanders Deposition
6 page 81) July 18, 1967, (Sanders Deposition Exhibit
7 September 12, 1967 (Sanders Deposition Exhibit 16, p
8 Sanders Deposition Exhibit 9, pages 89 and 90), each
9 prepared by William Harrison under the direction and
10 suggestion of Ralph H. Baer. The suggestion for such
11 was made by Ralph H. Baer in approximately May 1967.
12 including such circuitry (Sanders Deposition Exhibit 28
13 constructed during the period May - June 1967.

14
15 INTERROGATORY NO. 150

16 With regard to the invention of means for impart
17 distinct motion to the second symbol, as claimed in Claim 1
18 United States Letters Patent Re. 28,507:

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

- 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
4 A(1)-A(3) of this interrogatory are based;
- 5 C. Identify all persons who participated in each of
6 the 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 inven-
10 tion, state the date the invention was first
11 suggested, and identify the person(s) to whom the
12 invention was 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
21 the invention made prior to May 27, 1969, including
22 the following:
- 23 (1) A concise description of each;
- 24 (2) The date(s) each was made;
- 25 (3) The person(s) who constructed each;
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1 (4) All persons having access to each prior to May
2 27, 1969; and

3 (5) The present location and condition of each.

- 4 H. Identify all persons not otherwise identified in
5 response to this interrogatory who have knowledge
6 of the subject matter of any of Parts A through G
7 of this interrogatory, and indicate the subject
8 matter of which each such person has knowledge; and
9 I. Identify all documents which refer or relate in any
10 way to the subject matter of this interrogatory.
11

12 RESPONSE:

13 The earliest written record relating to the work done on
14 television games by employees of plaintiff Sanders Associates of
15 which plaintiffs are presently aware that shows or refers to any
16 means for imparting a distinct motion to the second symbol are a
17 memorandum dated May 10, 1967 to R. Baer from W. Rusch (Sanders
18 Deposition Exhibit 9, pages 44-50), laboratory methods entries
19 dated September 25, 1967 through January, 1968 (Sanders Deposition
20 Exhibits 17-19) made by William T. Rusch, and pages of handwritten
21 notes and drawings dated in October, 1967 through January, 1968
22 and prepared by William Harrison at the suggestion of William T.
23 Rusch. Additional drawings showing such circuitry are dated
24 December 22, 1967 (Sanders Deposition Exhibit 23, pages 160-163)
25 and were prepared by William Harrison at the suggestion of William
26 T. Rusch. The suggestion for such circuitry was made by William

1 T. Rusch in approximately May, 1967. Apparatus including such
2 circuitry (Sanders Deposition Exhibit 30) was first constructed
3 during the period October - December 1967; other apparatus,
4 including such circuitry was constructed subsequently.

5 INTERROGATORY NO. 151

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

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

11 (1) Conception;

12 (2) Actual reduction to practice; and

13 (3) Diligence toward reduction to practice;

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

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

22 D. Identify the first person(s) to suggest the inven-
23 tion, state the date the invention was first
24 suggested, and identify the person(s) to whom the
25 invention was suggested;

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- 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.
- 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.

1 RESPONSE:

2 The earliest written record relating to the work done on
3 television games by employees of plaintiff Sanders Associates of
4 which plaintiffs are presently aware that shows or refers to any
5 means for determining a second coincidence between a third symbol
6 and the second symbol are a memorandum dated May 10, 1967 to R.
7 Baer from W. Rusch (Sanders Deposition Exhibit 9, pages 44-50),
8 laboratory methods entries dated September 25, 1967 through
9 January, 1968 (Sanders Deposition Exhibits 17-19) made by William
10 T. Rusch, and pages of handwritten notes and drawings dated in
11 October, 1967 through January, 1968 and prepared by William
12 Harrison at the suggestion of William T. Rusch. Additional
13 drawings showing such circuitry are dated December 22, 1967
14 (Sanders Deposition Exhibit 23, pages 160-163) and were prepared
15 by William Harrison at the suggestion of William T. Rusch. The
16 suggestion for such circuitry was made by William T. Rusch in
17 approximately May, 1967. Apparatus including such circuitry
18 (Sanders Deposition Exhibit 30) was first constructed during the
19 period October - December 1967; other apparatus, including such
20 circuitry was constructed subsequently.

21
22 INTERROGATORY NO. 152

23 With regard to the invention of means for impartng a
24 distinct motion to the second symbol in response to the second
25 coincidence, as claimed in Claim 61 of United States Letters
26 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;

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- 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.
- 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.

RESPONSE:

The earliest written record relating to the work done on television games by employees of plaintiff Sanders Associates of which plaintiffs are presently aware that shows or refers to any means for imparting a distinct motion to the second symbol in response to the second coincidence are a memorandum dated May 10, 1967 to R. Baer from W. Rusch (Sanders Deposition Exhibit 9, pages 44-50), laboratory methods entries dated September 25, 1967

1 through January, 1968 (Sanders Deposition Exhibits 17-19) made by
2 William T. Rusch, and pages of handwritten notes and drawings
3 dated in October, 1967 through January, 1968 and prepared by
4 William Harrison at the suggestion of William T. Rusch.
5 Additional drawings showing such circuitry are dated December 22,
6 1967 (Sanders Deposition Exhibit 23, pages 160-163) and were
7 prepared by William Harrison at the suggestion of William T.
8 Rusch. The suggestion for such circuitry was made by William T.
9 Rusch in approximately May, 1967. Apparatus including such
10 circuitry was first constructed during the period October -
11 December 1967; other apparatus, including such circuitry was
12 constructed subsequently.

13
14 INTERROGATORY NO. 154

15 Identify each of the certain games known as "Spacewar"
16 which plaintiffs have acknowledged at Massachusetts Institute of
17 Technology in the early 1960's in response to Part (c) of Inter-
18 rogatory No. 75 of Defendant's First Set of Interrogatories to
19 Plaintiffs, including the following:

- 20 (a) A description of the game;
21 (b) The date(s) when each such game was played;
22 (c) State when and under what circumstances Magnavox and/or
23 Sanders first became aware of each such game;
24 (d) Identify all personnel of Magnavox and/or Sanders having
25 knowledge of each such game and the date(s) each such person
26 acquired such knowledge; and

1 (e) Paragraph (e) of this interrogatory has been
2 limited by defendant to documents reflecting searches, opinions,
3 discussions or evaluations of the games known as "Spacewar" as
4 prior art. Plaintiffs are presently aware of no such documents.
5

6
7 June 6, 1984, 1984 Thomas M. Hahn
8 The Magnavox Company

9 Subscribed and sworn to before me
10 this 6th day of June, 1984,
11 in Knox County, Tennessee.

12 Barbara Guffin
13 Notary Public

14 My Commission Expires: June 23, 1986

15 June 11, 1984, 1984 Lois E. Hahn
16 Sanders Associates, Inc.

17 Subscribed and sworn to before me
18 this 11th day of June, 1984,
19 in Nashua, New Hampshire.

20 Ann Marie Cookman
21 Notary Public

22 My Commission Expires: March 3, 1987

23 The foregoing contentions are asserted or stated on
24 behalf of plaintiffs by:

25 Theodore W. Anderson
26 James T. Williams
27 NEUMAN, WILLIAMS, ANDERSON & OLSON
28 Attorneys for The Magnavox Company
and Sanders Associates, Inc.
77 West Washington Street
Chicago, Illinois 60602
(312) 346-1200

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CERTIFICATE OF MAILING

I hereby certify that unexecuted copies of Plaintiffs' Second Supplemental Resonse To Defendant's Interrogatories were forwarded by Federal Express Courier Service on May 25, 1984, and that executed copies of Plaintiffs' Second Supplemental Resonse To Defendant's Interrogatories were forwarded by Federal Express Courier Service on June 13, 1984, to the following:

Thomas O. Herbert, Esq.
Flehr, Hohbach, Test,
Albritton & Herbert
Suite 3400
Four Embarcadero Center
San Francisco, California 94111

and

Michael A. Ladra, Esq.
Wilson, Sonsini, Goodrich & Rosati
Two Palo Alto Square
Palo Alto, California 94304

James T. Williams