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Sanders Associates, Inc.

1-37328
FLEHR, HOHBACH, TEST
ALBRITTON & HERBERT
DOCKETED

APR 25 1984

BY YKH
RESPONSE DUE _____

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,) No. C 82 5270 TEH
16 v.) PLAINTIFF'S RESPONSE
17 ACTIVISION, INC., a corporation,) TO DEFENDANT'S THIRD
SET OF INTERROGATORIES
18 Defendant.) (NOS. 183-192)
19)
20)

21 Plaintiffs herewith respond to defendant's
22 interrogatories 183-192. Plaintiffs object to each of those
23 interrogatories for at least the following reasons:

24 1. Plaintiffs object to interrogatories 183-192 to the
25 extent they are deemed to be continuing or require supplementation
26 beyond the requirements of Rule 26(e), F.R.Civ.P.
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PLAINTIFFS' RESPONSE TO
DEFENDANT'S THIRD SET OF
INTERROGATORIES (NOS. 183-192)

1 2. Plaintiffs object to the definitions of "Magnavox"
2 and "Sanders" included in the introduction to interrogatories
3 183-192 to the extent those definitions and the interrogatories
4 making use of them attempt to impose any obligation on plaintiffs
5 to supply information beyond that required by the Federal Rules of
6 Civil Procedure.

7 However, in order to advance the progress of this action
8 and without waiver of any of the within-stated objections,
9 plaintiffs further respond to defendant's interrogatories 183-192
10 in the following.

11
12 INTERROGATORY NO. 183

13 Explain what is meant by the term "demonstration
14 program" as used in plaintiffs' response to Interrogatories Nos.
15 89-91 of DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFFS.

16 RESPONSE:

17 The term "demonstration program" is used in plaintiffs'
18 response to interrogatories 89 and 91 to refer to a program
19 intended to show or demonstrate the capabilities of the apparatus
20 upon which the program is run.

21
22 INTERROGATORY NO. 184

23 For each combination, if any, of the television game
24 products identified in Schedule 1 to the Notice to Take Deposition
25 dated March 2, 1984 (namely, "Dolphin", "Keystone Kapers",
26 "Decathlon", "Stampede", "Gran Prix", "Barnstorming", "Sky Jinks",

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

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

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23 RESPONSE:

24 Plaintiffs are at this time unable to supply all the
25 information requested in Interrogatory 184. Plaintiffs have not
26 completed their discovery as to the television game cartridges

1 manufactured, used, and/or sold by Activision, and the television
2 game consoles with which those cartridges are used, and are thus
3 unable to fully state what contentions they will make at trial as
4 to the subject matter of this interrogatory. Plaintiffs object
5 this interrogatory as premature.

6 However, in order to advance the progress of this
7 action, plaintiffs further respond to interrogatory 184 as follows
8 while reserving the right to alter, amend, supplement or change
9 the response after discovery is completed and prior to trial.
10 Each response refers to the combination of the indicated
11 Activision television game cartridge and the Atari VCS Model 2600,
12 the Sears Tele-Game Video Arcade, the Colecovision game console
13 with the Coleco Expansion Module 1, or the Coleco Gemini
14 television game console, except where the Mattel version is
15 indicated in which case the response refers to the combination of
16 the indicated Activision television game cartridge and the Mattel
17 Intellelevision or the Sears Tele-Game Super Video Arcade television
18 game console.

19 A. Dolphin: The dolphin symbol after the dolphin has
20 caught a seagull.

21 Pressure Cooker: The "Short-Order Sam" symbol.

22 Stampede: The horse and rider symbol.

23 Stampede (Mattel): The horse and rider symbol.

- 1 B. Dolphin, Pressure Cooker and Stampede: At least the
2 Activision television game cartridge, the joystick,
3 the microprocessor, the peripheral interface,
4 adapter, and the television interface adapter.
5 Stampede (Mattel): The Activision game cartridge, the
6 hand controller, and portions of the television
7 game console.
- 8 C. Dolphin: The squid symbol after the dolphin has caught
9 a seagull.
10 Pressure Cooker: The condiment symbols.
11 Stampede: The cattle symbols.
12 Stampede (Mattel): The cattle symbols.
- 13 D. Dolphin, Pressure Cooker and Stampede: At least the
14 Activision television game cartridge, the
15 television interface adapter, and the
16 microprocessor.
17 Stampede (Mattel): The Activision television game
18 cartridge and portions of the television game
19 console.
- 20 E. Dolphin: The coincidence between the squid symbol and
21 the dolphin symbol after the dolphin has caught a
22 seagull by which the dolphin catches the squid.
23 Pressure Cooker: The coincidence between the "Short-
24 Order Sam" symbol and the condiment symbols
25 by which "Short-Order Sam" catches or rejects the
26 condiments.

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Stampede: The coincidence between the horse and rider symbol and the cattle symbols by which the cattle are herded.

Stampede (Mattel): The coincidence between the horse and rider symbol and the cattle symbols by which the cattle are herded.

F. Dolphin, Pressure Cooker and Stampede: At least the Activision television game cartridge, the microprocessor, and perhaps the television interface adapter.

Stampede (Mattel): The Activision television game cartridge and portions of the television game console.

G. Dolphin: The motion of the squid symbol after coincidence with the dolphin symbol.

Pressure Cooker: The motion of the condiment symbols after coincidence with the "Short-Order Sam" symbol.

Stampede: The motion of the cattle symbols after coincidence with the horse and rider symbol.

Stampede (Mattel): The motion of the cattle symbols after coincidence with the horse and rider symbol.

H. Dolphin, Pressure Cooker and Stampede: At least the Activision game television cartridge and the microprocessor.

1 Stampede (Mattel): The Activision television game
2 cartridge and portions of the television game
3 console.
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5 INTERROGATORY NO. 185

6 For each combination, if any, of the television game
7 products identified in Schedule 1 to the Notice to Take Deposition
8 dated March 2, 1984 (namely, "Dolphin", "Keystone Kapers",
9 "Decathlon", "Stampede", "Gran Prix", "Barnstorming", "Sky Jinks",
10 "Enduro" and "Pressure Cooker") and the consoles identified in
11 response to INTERROGATORY NO. 50 of DEFENDANT'S FIRST SET OF
12 INTERROGATORIES TO PLAINTIFFS (namely, the Atari VCS Model 2600,
13 the Sears Tele-Game Video Arcade, and the combination of the
14 Colecovision game console and the Expansion Module 1) which
15 plaintiffs contend constitutes an infringement of Claim 26 of the
16 United States Patent Re. 28,507, identify the elements which
17 plaintiffs contend correspond to the following elements of the
18 claim:

- 19 A. A variation in the horizontal position of the
20 hitting symbol;
- 21 B. A variation in the vertical position of the hitting
22 symbol; and
- 23 C. Means for providing horizontal and vertical control
24 signal for varying the horizontal and vertical
25 positions of said hitting symbol.
26

1 RESPONSE:

2 Plaintiffs are at this time unable to supply all the
3 information requested in Interrogatory 185. Plaintiffs have not
4 completed their discovery as to the television game cartridges
5 manufactured, used, and/or sold by Activision, and the television
6 game consoles with which those cartridges are used, and are thus
7 unable to fully state what contentions they will make at trial as
8 to the subject matter of this interrogatory. Plaintiffs object
9 this interrogatory as premature.

10 However, in order to advance the progress of this
11 action, plaintiffs further respond to interrogatory 185 as follows
12 while reserving the right to alter, amend, supplement or change
13 the response after discovery is completed and prior to trial.
14 Each response refers to the combination of the indicated
15 Activision television game cartridge and the Atari VCS Model 2600,
16 the Sears Tele-Game Video Arcade, the Colecovision game console
17 with the Coleco Expansion Module 1, or the Coleco Gemini
18 television game console, except where the Mattel version is
19 indicated in which case the response refers to the combination of
20 the indicated Activision television game cartridge and the Mattel
21 Intellelevision or the Sears Tele-Game Super Video Arcade television
22 game console.

23 A. Pressure Cooker: The "Short-Order Sam" symbol may
24 be moved horizontally.

25 B. Pressure Cooker: The "Short-Order Sam" symbol may
26 be moved vertically.

1 C. Pressure Cooker: At least the Activision game
2 cartridge, the joystick, the microprocessor, and
3 the peripheral interface adapter.
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5 INTERROGATORY NO. 186

6 For each combination, if any, of the television game
7 products identified in Schedule 1 to the Notice to Take Deposition
8 dated March 2, 1984 (namely, "Dolphin", "Keystone Kapers",
9 "Decathlon", "Stampede", "Gran Prix", "Barnstorming", "Sky Jinks",
10 "Enduro" and "Pressure Cooker") and the consoles identified in
11 response to INTERROGATORY NO. 50 of DEFENDANT'S FIRST SET OF
12 INTERROGATORIES TO PLAINTIFFS (namely, the Atari VCS Model 2600,
13 the Sears Tele-Game Video Arcade, and the combination of the
14 Colecovision game console and the Expansion Module 1) which
15 plaintiffs contend constitutes an infringement of Claim 44 of the
16 United States Patent Re. 28,507, identify the elements which
17 plaintiffs contend correspond to the following elements of the
18 claim:

- 19 A. A baseball game;
- 20 B. Apparatus for playing a baseball type game;
- 21 C. A hit spot;
- 22 D. Means for displaying a hit spot;
- 23 E. A hitting spot;
- 24 F. Means for displaying a hitting spot;
- 25 G. An adjustment in the vertical position of said
26 hitting spot;

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

15 RESPONSE:

16 Plaintiffs are at this time unable to supply the
17 information requested in interrogatory 186. Plaintiffs have not
18 completed their discovery as to the television game cartridges
19 manufactured, used, and/or sold by Activision, and the television
20 game consoles with which those cartridges are used, and are thus
21 unable to respond to this interrogatory. Plaintiffs object this
22 interrogatory as premature.

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1 INTERROGATORY NO. 187

2 For each combination, if any, of the television game
3 products identified in Schedule 1 to the Notice to Take Deposition
4 dated March 2, 1984 (namely, "Dolphin", "Keystone Kapers",
5 "Decathlon", "Stampede", "Gran Prix", "Barnstorming", "Sky Jinks",
6 "Enduro" and "Pressure Cooker") and the consoles identified in
7 response to INTERROGATORY NO. 50 of DEFENDANT'S FIRST SET OF
8 INTERROGATORIES TO PLAINTIFFS (namely, the Atari VCS Model 2600,
9 the Sears Tele-Game Video Arcade, and the combination of the
10 Colecovision game console and the Expansion Module 1) which
11 plaintiffs contend constitutes an infringement of Claim 45 of the
12 United States Patent Re. 28,507, identify the elements which
13 plaintiffs contend correspond to the following elements of the
14 claim:

- 15 A. A hockey type game;
16 B. Apparatus for playing a hockey type game;
17 C. A first hitting spot;
18 D. Means for displaying a first hitting spot;
19 E. A second hitting spot;
20 F. Means for displaying a second hitting spot;
21 G. A hit spot;
22 H. Means for displaying a hit spot;
23 I. Control of the position of the first hitting spot;
24 J. Control of the position of the second hitting spot;
25 K. Means for controlling the position of said first
26 and second hitting spots;

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- L. Controlling of the position of the hit spot;
- M. Means for controlling the position of said hit spot;
- N. Coincidence between the first hitting spot and the hit spot;
- O. Coincidence between the second hitting spot and the hit spot;
- P. Means for ascertaining coincidence between either of said hitting spots and said hit spot;
- Q. A distinct motion imparted to said hit spot upon coincidence; and
- R. Means for imparting a distinct motion to said hit spot upon coincidence.

RESPONSE:

Plaintiffs are at this time unable to supply the information requested in interrogatory 187. Plaintiffs have not completed their discovery as to the television game cartridges manufactured, used, and/or sold by Activision, and the television game consoles with which those cartridges are used, and are thus unable to respond to this interrogatory. Plaintiffs object this interrogatory as premature.

1 INTERROGATORY NO. 188

2 For each combination, if any, of the television game
3 products identified in Schedule 1 to the Notice to Take Deposition
4 dated March 2, 1984 (namely, "Dolphin", "Keystone Kapers",
5 "Decathlon", "Stampede", "Gran Prix", "Barnstorming", "Sky Jinks",
6 "Enduro" and "Pressure Cooker") and the consoles identified in
7 response to INTERROGATORY NO. 50 of DEFENDANT'S FIRST SET OF
8 INTERROGATORIES TO PLAINTIFFS (namely, the Atari VCS Model 2600,
9 the Sears Tele-Game Video Arcade, and the combination of the
10 Colecovision game console and the Expansion Module 1) which
11 plaintiffs contend constitutes an infringement of Claim 51 of the
12 United States Patent Re. 28,507, identify the elements which
13 plaintiffs contend correspond to the following elements of the
14 claim:

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

1 RESPONSE:

2 Plaintiffs are at this time unable to supply all the
3 information requested in interrogatory 188. Plaintiffs have not
4 completed their discovery as to the television game cartridges
5 manufactured, used, and/or sold by Activision, and the television
6 game consoles with which those cartridges are used, and are thus
7 unable to fully state what contentions they will make at trial as
8 to the subject matter of this interrogatory. Plaintiffs object
9 this interrogatory as premature.

10 However, in order to advance the progress of this
11 action, plaintiffs further respond to interrogatory 188 as follows
12 while reserving the right to alter, amend, supplement or change
13 the response after discovery is completed and prior to trial.
14 Each response refers to the combination of the indicated
15 Activision television game cartridge and the Atari VCS Model 2600,
16 the Sears Tele-Game Video Arcade, the Colecovision game console
17 with the Coleco Expansion Module 1, or the Coleco Gemini
18 television game console, except where the Mattel version is
19 indicated in which case the response refers to the combination of
20 the indicated Activision television game cartridge and the Mattel
21 Intellelevision or the Sears Tele-Game Super Video Arcade television
22 game console.

23 A. Dolphin: The dolphin symbol after the dolphin has
24 caught a seagull.

25 Pressure Cooker: The "Short-Order Sam" symbol.

26 Stampede: The horse and rider symbol.

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Stampede (Mattel): The horse and rider symbol.

B. Dolphin, Pressure Cooker and Stampede: At least the
Activision television game cartridge, the joystick,
the microprocessor, the peripheral interface,
adapter, and the television interface adapter.

Stampede (Mattel): The Activision game cartridge, the
hand controller, and portions of the television
game console.

C. Dolphin: The squid symbol after the dolphin has caught
a seagull.

Pressure Cooker: The condiment symbols.

Stampede: The cattle symbols.

Stampede (Mattel): The cattle symbols.

D. Dolphin, Pressure Cooker and Stampede: At least the
Activision television game cartridge, the
television interface adapter, and the
microprocessor.

Stampede (Mattel): The Activision television game
cartridge and portions of the television game
console.

E. Dolphin: The coincidence between the squid symbol and
the dolphin symbol after the dolphin has caught a
seagull by which the dolphin catches the squid.

1 Pressure Cooker: The coincidence between the "Short-
2 Order Sam" symbol and the condiment symbols by
3 which "Short-Order Sam" catches or rejects the
4 condiments.

5 Stampede: The coincidence between the horse and rider
6 symbol and the cattle symbols by which the cattle
7 are herded.

8 Stampede (Mattel): The coincidence between the horse and
9 rider symbol and the cattle symbols by which the
10 cattle are herded.

11 F. Dolphin, Pressure Cooker and Stampede: At least the
12 Activision television game cartridge, the
13 microprocessor, and perhaps the television
14 interface adapter.

15 Stampede (Mattel): The Activision television game
16 cartridge and portions of the television game
17 console.

18 G. Dolphin: The motion of the squid symbol after
19 coincidence with the dolphin symbol.

20 Pressure Cooker: The motion of the condiment symbols
21 after coincidence with the "Short-Order Sam"
22 symbol.

23 Stampede: The motion of the cattle symbols after
24 coincidence with the horse and rider symbol.

25 Stampede (Mattel): The motion of the cattle symbols
26 after coincidence with the horse and rider symbol.

1 H. Dolphin, Pressure Cooker and Stampede: At least the
2 Activision television game cartridge and the
3 microprocesor.

4 Stampede (Mattel): The Activision television game
5 cartridge and portions of the television game
6 console.

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8 INTERROGATORY NO. 189

9 For each combination, if any, of the television game
10 products identified in Schedule 1 to the Notice to Take Deposition
11 dated March 2, 1984 (namely, "Dolphin", "Keystone Kapers",
12 "Decathlon", "Stampede", "Gran Prix", "Barnstorming", "Sky Jinks",
13 "Enduro" and "Pressure Cooker") and the consoles identified in
14 response to INTERROGATORY NO. 50 of DEFENDANT'S FIRST SET OF
15 INTERROGATORIES TO PLAINTIFFS (namely, the Atari VCS Model 2600,
16 the Sears Tele-Game Video Arcade, and the combination of the
17 Colecovision game console and the Expansion Module 1) which
18 plaintiffs contend constitutes an infringement of Claim 52 of the
19 United States Patent Re. 28,507, identify the elements which
20 plaintiffs contend correspond to the following elements of the
21 claim:

- 22 A. A variation in the horizontal position of the
23 hitting symbol;
- 24 B. A variation in the vertical position of the hitting
25 symbol; and

1 C. Means for providing horizontal and vertical control
2 signal for varying the horizontal and vertical
3 positions of said hitting symbol.
4

5 RESPONSE:

6 Plaintiffs are at this time unable to supply all the
7 information requested in Interrogatory 189. Plaintiffs have not
8 completed their discovery as to the television game cartridges
9 manufactured, used, and/or sold by Activision, and the television
10 game consoles with which those cartridges are used, and are thus
11 unable to fully state what contentions they will make at trial as
12 to the subject matter of this interrogatory. Plaintiffs object
13 this interrogatory as premature.

14 However, in order to advance the progress of this
15 action, plaintiffs further respond to interrogatory 189 as follows
16 while reserving the right to alter, amend, supplement or change
17 the response after discovery is completed and prior to trial.
18 Each response refers to the combination of the indicated
19 Activision television game cartridge and the Atari VCS Model 2600,
20 the Sears Tele-Game Video Arcade, the Colecovision game console
21 with the Coleco Expansion Module 1, or the Coleco Gemini
22 television game console, except where the Mattel version is
23 indicated in which case the response refers to the combination of
24 the indicated Activision television game cartridge and the Mattel
25 Intellelevision or the Sears Tele-Game Super Video Arcade television
26 game console.

- 1 A. Pressure Cooker: The "Short-Order Sam" symbol may
2 be moved horizontally.
- 3 B. Pressure Cooker: The "Short-Order Sam" symbol may
4 be moved vertically.
- 5 C. Pressure Cooker: At least the Activision game
6 cartridge, the joystick, the microprocessor, and
7 the peripheral interface adapter.

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9 INTERROGATORY NO. 190

10 For each combination, if any, of the television game
11 products identified in Schedule 1 to the Notice to Take Deposition
12 dated March 2, 1984 (namely, "Dolphin", "Keystone Kapers",
13 "Decathlon", "Stampede", "Gran Prix", "Barnstorming", "Sky Jinks",
14 "Enduro" and "Pressure Cooker") and the consoles identified in
15 response to INTERROGATORY NO. 50 of DEFENDANT'S FIRST SET OF
16 INTERROGATORIES TO PLAINTIFFS (namely, the Atari VCS Model 2600,
17 the Sears Tele-Game Video Arcade, and the combination of the
18 Colecovision game console and the Expansion Module 1) which
19 plaintiffs contend constitutes an infringement of Claim 60 of the
20 United States Patent Re. 28,507, identify the elements which
21 plaintiffs contend correspond to the following elements of the
22 claim:

- 23 A. A vertical synchronization signal;
- 24 B. A horizontal synchronization signal;
- 25 C. Means for generating vertical and horizontal
26 synchronization signals;

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- D. Means responsive to said synchronization signals for deflecting the beam of a cathode ray tube to generate a raster on the screen of the tube;
- E. A first symbol on said screen;
- F. A position for the first symbol which is directly controlled by a player;
- G. Means coupled to said synchronization signal generating means and said cathode ray tube for generating a first symbol on said screen at a position which is directly controlled by a player;
- H. A second symbol on the screen which is movable;
- I. Means coupled to a said synchronization signal generating means and said cathode ray tube for generating a second symbol on said screen which is movable;
- J. A first coincidence between said first symbol and said second symbol;
- K. Means couple to said first symbol generating means and said second symbol generating means for determining a first coincidence between said first symbol and said second symbol;
- L. A distinct motion imparted to said second symbol in response to said coincidence; and

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M. Means coupled to said coincidence determining means and said second symbol generating means for imparting a distinct motion to said second symbol in response to said coincidence.

RESPONSE:

Plaintiffs are at this time unable to supply all the information requested in Interrogatory 190. Plaintiffs have not completed their discovery as to the television game cartridges manufactured, used, and/or sold by Activision, and the television game consoles with which those cartridges are used, and are thus unable to fully state what contentions they will make at trial as to the subject matter of this interrogatory. Plaintiffs object this interrogatory as premature.

However, in order to advance the progress of this action, plaintiffs further respond to interrogatory 190 as follows while reserving the right to alter, amend, supplement or change the response after discovery is completed and prior to trial. Each response refers to the combination of the indicated Activision television game cartridge and the Atari VCS Model 2600, the Sears Tele-Game Video Arcade, the Colecovision game console with the Coleco Expansion Module 1, or the Coleco Gemini television game console, except where the Mattel version is indicated in which case the response refers to the combination of

1 the indicated Activision television game cartridge and the Mattel
2 Intellelevision or the Sears Tele-Game Super Video Arcade television
3 game console.

4 A. Dolphin, Keystone Kapers, Decathalon, Stampede,
5 Gran Prix, Barnstorming, Sky Jinks, Enduro, and Pressure Cooker:
6 The vertical synchronization signals at the outputs of the
7 television interface adapter and the television game console.

8 Stampede (Mattel): At least the vertical
9 synchronization signal at the output of the television game
10 console.

11 B. Dolphin, Keystone Kapers, Decathalon, Stampede,
12 Gran Prix, Barnstorming, Sky Jinks, Enduro, and Pressure Cooker:
13 The horizontal synchronization signals at the outputs of the
14 television interface adapter and the television game console.

15 Stampede (Mattel): At least the horizontal
16 synchronization signal at the output of the television game
17 console.

18 C. Dolphin, Keystone Kapers, Decathalon, Stampede,
19 Gran Prix, Barnstorming, Sky Jinks, Enduro, and Pressure Cooker:
20 The Activision television game cartridge, the microprocessor, and
21 the television interface adapter.

22 Stampede (Mattel): The Activision television game
23 cartridge and at least portions of the television game console.

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1 D. Dolphin, Keystone Kapers, Decathalon, Stampede,
2 Gran Prix, Barnstorming, Sky Jinks, Enduro, and Pressure Cooker:
3 At least the horizontal and vertical deflection circuitry of the
4 associated television receiver.

5 Stampede (Mattel): At least the horizontal and vertical
6 deflection circuitry of the associated television receiver.

7 E. Dolphin: The dolphin symbol.

8 Keystone Kapers: The "Officer Kelly" symbol.

9 Decathalon: The hurdeler symbol.

10 Stampede: The horse and rider symbol.

11 Gran Prix: The player controlled car symbol.

12 Barnstorming: The airplane symbol.

13 Sky Jinks: The airplane symbol.

14 Enduro: The player controlled car symbol.

15 Pressure Cooker: The "Short-Order Sam" symbol.

16 Stampede (Mattel): The horse and rider symbol.

17 F. Dolphin: The dolphin symbol.

18 Keystone Kapers: The "Officer Kelly" symbol.

19 Decathalon: The hurdeler symbol.

20 Stampede: The horse and rider symbol.

21 Gran Prix: The player controlled car symbol.

22 Barnstorming: The airplane symbol.

23 Sky Jinks: The airplane symbol.

24 Enduro: The player controlled car symbol.

25 Pressure Cooker: The "Short-Order Sam" symbol.

26 Stampede (Mattel): The horse and rider symbol.

1 G. Dolphin, Keystone Kapers, Decathalon, Stampede,
2 Gran Prix, Barnstorming, Sky Jinks, Enduro, and Pressure Cooker:
3 At least the Activision television game cartridge, the joystick,
4 the peripheral interface adapter, the television interface
5 adapter, and the microprocessor.

6 Stampede (Mattel): The Activision game cartridge
7 and at least portions of the television game console.

8 H. Dolphin: The squid symbol.

9 Keystone Kapers: The beachball symbol.

10 Decathalon: The hurdle symbols.

11 Stampede: The cattle symbols.

12 Gran Prix: The game controlled car and bridge
13 symbols.

14 Barnstorming: The barn, windmill and goose
15 symbols.

16 Sky Jinks: The pylon, tree and balloon symbols.

17 Enduro: The game controlled car symbols.

18 Pressure Cooker: The condiment symbols.

19 Stampede (Mattel): The cattle symbols.

20 I. Dolphin, Keystone Kapers, Decathalon, Stampede,
21 Gran Prix, Barnstorming, Sky Jinks, Enduro, and Pressure Cooker:
22 At least the Activision television game cartridge, the television
23 interface adapter, and the microprocessor.

1 J. Dolphin: The coincidence between the dolphin
2 symbol and the squid symbol after the dolphin
3 has caught a seagull by which the dolphin
4 catches the squid.

5 Keystone Kapers: The coincidence between the
6 "Officer Kelly" symbol and the beachball
7 symbol.

8 Decathalon: The coincidence between the hurdeler
9 symbol and any of the hurdle symbols.

10 Stampede: The coincidence between the horse and
11 rider symbol and any of the cattle symbols by
12 which the cattle are herded.

13 Gran Prix: The coincidence between the player
14 controlled car symbol and any of the game
15 controlled car symbols or the and bridge
16 symbols.

17 Barnstorming: The coincidence between the airplane
18 symbol and any of the barn, windmill and goose
19 symbols.

20 Sky Jinks: The coincidence between the airplane
21 symbol and any of the pylon, tree and balloon
22 symbols.

23 Enduro: The coincidence between the player
24 controlled car and any of the game controlled
25 car symbols.

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Pressure Cooker: The coincidence between the "Short-Order Sam" symbol and any of the condiment symbols by which "Short-Order Sam" catches or rejects the condiments.

Stampede (Mattel): The coincidence between the horse and rider symbol and any of the cattle symbols during herding.

K. Dolphin, Keystone Kapers, Decathalon, Stampede, Gran Prix, Barnstorming, Sky Jinks, Enduro, and Pressure Cooker: At least the Activision television game cartridge, the microprocessor and perhaps the television interface adapter.

Stampede (Mattel): At least the Activision television game cartridge and portions of the television game console.

L. Dolphin: The motion of the squid symbol following coincidence.

Keystone Kapers: The motion of the beachball symbol following coincidence.

Decathalon: The motion of the hurdle symbol following coincidence.

Stampede: The motion of the cattle symbol following coincidence.

Gran Prix: The motion of the game controlled car symbol following coincidence.

Barnstorming: The motion of the barn, windmill or goose symbol following coincidence.

1 Sky Jinks: The motion of the pylon, tree or
2 balloon symbol following coincidence.
3 Enduro: The motion of the game controlled car
4 symbol following coincidence.
5 Pressure Cooker: The motion of the condiment
6 symbol following coincidence.
7 Stampede (Mattel): The motion of the cattle symbol
8 following coincidence.

9 M. Dolphin, Keystone Kapers, Decathalon, Stampede,
10 Gran Prix, Barnstorming, Sky Jinks, Enduro, and Pressure Cooker:
11 At least the Activision television game cartridge and the
12 microprocessor.

13 Stampede (Mattel): At least the Activision
14 television game cartridge and portions of the television game
15 console.

16
17 INTERROGATORY NO. 191

18 For each combination, if any, of the television game
19 products identified in Schedule 1 to the Notice to Take Deposition
20 dated March 2, 1984 (namely, "Dolphin", "Keystone Kapers",
21 "Decathlon", "Stampede", "Gran Prix", "Barnstorming", "Sky Jinks",
22 "Enduro" and "Pressure Cooker") and the consoles identified in
23 response to INTERROGATORY NO. 50 of DEFENDANT'S FIRST SET OF
24 INTERROGATORIES TO PLAINTIFFS (namely, the Atari VCS Model 2600,
25 the Sears Tele-Game Video Arcade, and the combination of the
26 Colecovision game console and the Expansion Module 1) which

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1 plaintiffs contend constitutes an infringement of Claim 61 of the
2 United States Patent Re. 28,507, identify the elements which
3 plaintiffs contend correspond to the following elements of the
4 claim:

- 5 A. A third symbol on the screen of the cathode ray
6 tube;
- 7 B. Play control of the position of the third symbol;
- 8 C. Means coupled to said synchronization signal
9 generating means and said cathode ray tube for
10 generating a third symbol on said screen at a
11 position which is controlled by a player;'
- 12 D. A second coincidence between said third symbol and
13 said second symbol;
- 14 E. Means coupled to said third symbol generating means
15 and second symbol generating means for determining
16 a second coincidence between said third symbol and
17 said second symbol;
- 18 F. A first coincidence between said second symbol and
19 said second symbol;
- 20 G. A distinct motion imparted to said second symbol in
21 response to the second coincidence; and
- 22 H. Means coupled to said second and third symbol
23 coincidence determining means and said second
24 symbol generating means for imparting a distinct
25 motion to said second symbol in response to said
26 second coincidence.

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RESPONSE:

Plaintiffs are at this time unable to supply all the information requested in Interrogatory 191. Plaintiffs have not completed their discovery as to the television game cartridges manufactured, used, and/or sold by Activision, and the television game consoles with which those cartridges are used, and are thus unable to fully state what contentions they will make at trial as to the subject matter of this interrogatory. Plaintiffs object this interrogatory as premature.

INTERROGATORY NO. 192

For each combination, if any, of the television game products identified in Schedule 1 to the Notice to Take Deposition dated March 2, 1984 (namely, "Dolphin", "Keystone Kapers", "Decathlon", "Stampede", "Gran Prix", "Barnstorming", "Sky Jinks", "Enduro" and "Pressure Cooker") and the consoles identified in response to INTERROGATORY NO. 50 of DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFFS (namely, the Atari VCS Model 2600, the Sears Tele-Game Video Arcade, and the combination of the Colecovision game console and the Expansion Module 1) which plaintiffs contend constitutes an infringement of Claim 62 of the United States Patent Re. 28,507, identify the elements which plaintiffs contend correspond to the following elements of the claim:

- 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
4 said second symbol and said first or third symbol
5 after coincidence of said second symbol with said
6 third or 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 an
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 ssecond
15 symbol and said first or third symbol after
16 coincidence of said second symbol with said third
17 or first symbol.

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19 RESPONSE:

20 Plaintiffs are at this time unable to supply all the
21 information requested in Interrogatory 192. Plaintiffs have not
22 completed their discovery as to the television game cartridges
23 manufactured, used, and/or sold by Activision, and the television
24 game consoles with which those cartridges are used, and are thus

1 unable to fully state what contentions they will make at trial as
2 to the subject matter of this interrogatory. Plaintiffs object
3 this interrogatory as premature.
4

5 The foregoing objections and contentions are asserted or
6 stated on behalf of plaintiffs by:

7
8 

9 Theodore W. Anderson
10 James T. Williams
11 NEUMAN, WILLIAMS, ANDERSON & OLSON
12 Attorneys for The Magnavox Company
13 and Sanders Associates, Inc.

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CERTIFICATE OF MAILING

I hereby certify that copies of Plaintiffs' Response To Defendant's Third Set Of Interrogatories (Nos. 183-192) are being forwarded Federal Express courier service in envelopes to the following:

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on April 24, 1984.

James T. Williams

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