

NEUMAN, WILLIAMS, ANDERSON & OLSON

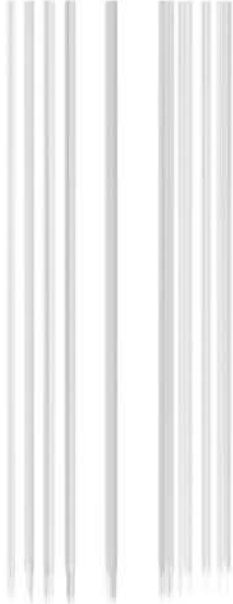
77 WEST WASHINGTON STREET

CHICAGO, ILLINOIS 60602

COPY

PLS → LE

1 FLEHR, HORBACH, TEST,
ALBRITTON & HERBERT



NEUMAN, WILLIAMS, ANDERSON & OLSON

77 WEST WASHINGTON STREET

CHICAGO, ILLINOIS 60602



COPY

May 31, 1984

Algy Tamoshunas, Esquire
North American Philips Corporation
580 White Plains Road
Tarrytown, New York 10591

Re: Magnavox v. Activision

Dear Algy:

We have received and enclosed herewith Activision's Interrogatories 193-196. As you will see, they relate to any knowledge of Sanders' personnel of the flight simulation system at the NASA Johnson Space Center in Houston between January 1, 1964 and May 27, 1969. That simulator has been the subject of depositions in Houston, both last week and this week, and those depositions will continue in either late June or July. It is being alleged as a piece of prior art against the patents in suit.

Obviously, that information will have to come from Sanders. We will be in touch with Lou and Dick concerning the preparation of an appropriate response.

Very truly yours,

NEUMAN, WILLIAMS, ANDERSON & OLSON

By


James T. Williams

JTW:de
Enclosure

cc: T. A. Briody - w/o encl.
L. Etlinger - w/encl. ←
T. W. Anderson - w/o encl.

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9 Attorneys for Defendant

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 JPV
15)	
	Plaintiffs,)	
16)	DEFENDANT'S FOURTH SET
	v.)	OF INTERROGATORIES TO
17)	PLAINTIFF (NOS. 193-196)
	ACTIVISION, INC.,)	
18	a Corporation,)	
)	
19	Defendant.)	
20)	

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

1 and all facts or documents within their scope which may come into
2 the possession of plaintiffs or their attorneys subsequent to the
3 answering of these interrogatories.

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6 DEFINITIONS

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

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

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

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

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

1 copies of the document were sent, and the present location of the
2 original document (or, if the original is unavailable, of the most
3 legible copy).

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

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

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

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

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22 INTERROGATORIES

23
24 INTERROGATORY NO. 193

25 Identify all employees and/or other personnel of Sanders
26 Associates who between January 1, 1964 and May 27, 1969 visited
27 the NASA facility now known as the NASA-Johnson Space Center at
28 Houston, Texas.

1 INTERROGATORY NO. 194

2 For each person identified in response to Interrogatory
3 No. 193, state whether that person saw the computerized flight
4 simulation system or any part(s) thereof (including but not
5 limited to the components sometimes referred to as the image plane
6 generator and the electronic scene generator) at the NASA facility.
7
8

9 INTERROGATORY NO. 195

10 For each person identified in response to Interrogatory
11 No. 194 as having seen the simulation system or any part(s)
12 thereof, state the following:

- 13 A. The date(s) the person saw the system or part(s)
14 thereof;
- 15 B. The portion(s) of the system or part(s) which the
16 person saw;
- 17 C. Whether the system or part(s) were seen in opera-
18 tion and, if so, what they were seen to do;
- 19 D. The person(s) at Sanders to whom the person seeing
20 the system or parts reported; and
- 21 E. Whom at Sanders the person told about seeing the
22 system, parts and/or operation thereof and what was
23 said.
24
25

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28 ///

CERTIFICATE OF SERVICE

1 I hereby certify that the foregoing DEFENDANT'S FOURTH
2 SET OF INTERROGATORIES TO PLAINTIFFS (NOS. 193-196) is being
3 served upon plaintiffs by mailing a copy of the same, by first
4 class mail, postage prepaid, to:

5 Robert P. Taylor, Esq.
6 Pillsbury, Madison & Sutro
7 225 Bush Street
8 P. O. Box 7880
9 San Francisco, CA 94120

10 and by sending a copy via Federal Express to:

11 Neuman, Williams, Anderson & Olson
12 Theodore W. Anderson, Esq.
13 James T. Williams, Esq.
14 77 West Washington Street
15 Chicago, IL 60602

16 this 31st day of May, 1984.

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Edward S. Wright
One of the Attorneys for Defendant