

United States Court of Appeals for the Federal Circuit

THE MAGNAVOX COMPANY, ET AL.,

NO. 86-852

Plaintiffs-Appellees

vs.

ACTIVISION, INC.,

Defendant-Appellant

Judgment

ON APPEAL from the U.S. DISTRICT COURT OF CALIFORNIA, NORTHERN DISTRICT
IN CASE NO(S). C-82-5270-CAL

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED: DISMISSED.

ENTERED BY ORDER OF THE COURT

DATED April 24, 1986


FRANCIS X. GINDHART, CLERK

ISSUED AS A MANDATE: May 16, 1986

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11 UNITED STATES COURT OF APPEALS
12 FOR THE FEDERAL CIRCUIT

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NEMEROVSKI
CANADY
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& FALK
A Professional Corporation

14 THE MAGNAVOX COMPANY, a corpora-) No. 86-1263
15 tion, and SANDERS ASSOCIATES,)
16 INC., a corporation,)
17 Plaintiffs-Appellees,) STATEMENT OF ISSUES
18 vs.) ON APPEAL
19 ACTIVISION, INC., a corporation,) Fed. R. App. P. 10(b)
20 Defendant-Appellant.)

21 Appellant Activision, Inc. sets forth the issues it
22 intends to present on appeal:
23 1. Whether the District Court erred in holding that
24 Activision did not sustain its burden of proving that any of
25 claims 25, 26, 51, 52 or 60-61 of U.S. Patent Re. 28,507 ("the
26 '507 patent") is invalid for obviousness under 35 U.S.C. Section

1 103;

2 2. Whether the District Court erred in construing the
3 scope of claim 60 of the '507 patent;

4 3. Whether the District Court erred in construing the
5 scope of claims 25, 26, 51, 52, 60 and 61 of the '507 patent with
6 respect to Activision video games Fishing Derby and Stampede;

7 4. Whether the District Court erred in finding infringe-
8 ment by Activision of the '507 patent with respect to the claims
9 at issue;

10 5. Whether the District Court erred by misapplying the
11 standards of 35 U.S.C. Section 112 to the "means plus function"
12 claims at issue;

13 6. Whether the District Court erred in its application
14 of the doctrines of equivalents and reverse equivalents to the
15 claims at issue;

16 7. Whether the District Court erred in finding con-
17 tributory infringement in the sale of interchangeable Activision
18 video game cartridges for use with master consoles manufactured

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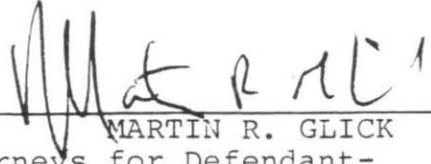
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1 and sold by other companies under licenses previously granted by
2 Plaintiffs.

3 -DATED: May 22, 1986.

4 MARTIN R. GLICK*
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10 By 
11 MARTIN R. GLICK
12 Attorneys for Defendant-
13 Appellant ACTIVISION, INC.

14 *Counsel of Record

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