

NEUMAN, WILLIAMS, ANDERSON & OLSON

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COPY

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NY*

October 30, 1984

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

Re: Magnavox v. Activision

Dear Algy:

We have entered into stipulations regarding non-assertion of the '480 patent and an amendment to Activision's Answer and Counterclaim. Copies of both stipulations as they were executed are enclosed herewith. As you will see, the stipulation on '480 provides that plaintiffs will not assert it against Activision, but any reissue of '480 may be asserted except to the extent its claimed subject matter is identical to the claimed subject matter of '480. The amendment to the pleading essentially withdraws Activision's charge of fraud on the Patent Office and deletes the unfair competition counterclaim.

Very truly yours,

NEUMAN, WILLIAMS, ANDERSON & OLSON

By

*Jim / KS*  
James T. Williams

JTW:de  
Enclosures

cc: T. A. Briody, Esq. - w/encls.  
L. Etlinger, Esq. - w/encls. ←←←  
T. W. Anderson, Esq. - w/o encls.

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13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA

16 THE MAGNAVOX COMPANY, a corpora- ) No. C 82 5270 JPV  
17 tion, and SANDERS ASSOCIATES, )  
INC., a corporation, ) STIPULATION REGARDING  
18 Plaintiffs, ) COVENANT NOT TO SUE FOR  
ALLEGED INFRINGEMENT OF  
19 vs. ) U.S. PATENT 3,728,480  
20 ACTIVISION, INC., a corporation, )  
21 Defendant. )

22  
23 The undersigned parties to this action, by and through  
24 their attorneys of record, hereby stipulate as follows:

25 Plaintiffs The Magnavox Company and Sanders Associates,  
26 Inc. and the successors, agents, assigns or parent corporation of  
STIPULATION REGARDING COVENANT NOT TO SUE FOR ALLEGED  
INFRINGEMENT OF U.S. PATENT 3,728,480

1 identical to the claimed subject matter of U.S. Patent 3,728,480.  
2 Defendant reserves the right to assert any and all appropriate  
3 defenses to the validity, enforceability, and applicability of any  
4 claims of any reissue of U.S. Patent 3,728,480.  
5

6 DATED: October 25, 1984

NEUMAN, WILLIAMS, ANDERSON  
& OLSON

7  
8  
9 By 

JAMES T. WILLIAMS

10 Attorneys for Plaintiffs  
11 The Magnavox Company and  
Sanders Associates, Inc.

12 DATED: October 24, 1984

HOWARD, RICE, NEMEROVSKI, CANADY,  
ROBERTSON & FALK  
A Professional Corporation

13  
14  
15 By 

MARTIN R. GLICK

16 Attorneys for Defendant,  
17 Activision, Inc.  
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26 STIPULATION REGARDING COVENANT NOT TO SUE FOR ALLEGED  
INFRINGEMENT OF U.S. PATENT 3,728,480

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