March 18, 1968

VIA AIR MAIL

Mr. Robert H. Rines
Rines and Rines
No. Ten Post Office Square
Boston, Massachusetts 02109

Dear Bob:

* I enclose three copies of the reply brief. In the short time I had available to look for law, I did not find anything more pertinent than the cases which had already been cited.

I will be out of town tomorrow when we should receive the Foundation and JFD reply briefs. Isabelle will send copies to you if they come in.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosure

cc: Mr. I. S. Blonder (*)

BURMEISTER, KULIE, SOUTHARD & GODULA

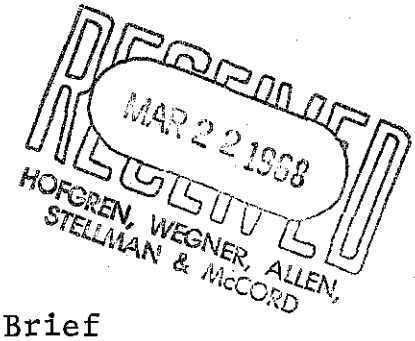
135 SOUTH LA SALLE STREET, CHICAGO, ILLINOIS 60603

MARSHALL A. BURMEISTER
KEITH J. KULIE
DONALD B. SOUTHARD
EDMUND A. GODULA

ATTORNEYS AT LAW-FRANKLIN 2-1344, CENTRAL 6-3351

March 22, 1968

Richard Phillips, Esq.
Hofgren, Wegner, Allen, Stellman & McCord
20 North Wacker Drive
Chicago, Illinois 60606



Re: Blonder-Tongue Brief

Dear Dick:

Thanks for the copy of the Blonder-Tongue reply brief in the UIF case.

We fully expect that the University will inject some of the points brought out in your case into their oral presentation in the UIF-Winegard Appeal.

Some of the points made by the University in the Blonder-Tongue litigation are interesting and could be used effectively in our appeal. Accordingly, we expect to study the briefs in the Blonder-Tongue litigation very carefully and be aware of everything of substance that appears here that is different from the subject matter involved in our case.

Sincerely yours,

Keith J. Kulie

KJK:cvw

Xerox copy to K. W. Price 3/22/68

March 19, 1968

VIA AIR MAIL

Mr. Robert H. Rines
Rines and Rines
No. Ten Post Office Square
Boston, Massachusetts 02109

Dear Mr. Rines:

* I enclose a copy of JFD's brief in opposition to the counterclaim.

Mr. Mann called this morning and said he had sent a copy of the Foundation's reply brief to you, even though this did not show on the certificate of service. Mr. Phillips received his copy of their brief in the morning mail. If for some reason you do not receive the copy from Mr. Mann's office, please let us know and we will send a copy.

Very truly yours,

Secretary to R. S. Phillips

IAG/

* Enclosure

March 20, 1968

Mr. John F. Pearne
McNenny, Farrington, Pearne & Gordon
920 Midland Building
Cleveland, Ohio 44115

Dear John:

* I enclose a copy of JFD's brief.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosure

cc: Mr. R. H. Rines

April 5, 1968

VIA AIR MAIL

Mr. Robert H. Rines
Rines and Rines
No. Ten Post Office Square
Boston, Massachusetts 02109

Dear Bob:

* Here is a start on the findings and conclusions. The rest will follow Monday.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosure

March 19, 1968

VIA AIR MAIL

Mr. Robert Rines
31 McAlister Drive
Box 657
New Orleans, Louisiana

Dear Rob:

* I enclose a copy of our reply brief.

Best wishes.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosure

cc: Mr. R. H. Rines

March 19, 1968

Mr. John F. Pearne
McNenny, Farrington, Pearne & Gordon
920 Midland Building
Cleveland, Ohio 44115

Dear John:

* I enclose a copy of our reply brief. We were able to use some of the law which was developed in your argument on motion for summary judgment.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosure

cc: Mr. R. H. Rines

March 19, 1968

Mr. Keith Kulie
Burmeister, Kulie, Southard & Godula
135 South LaSalle Street
Chicago, Illinois 60603

Dear Keith:

* I enclose a copy of our reply brief. Maybe it will be of some help to you in your oral argument.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosure

cc: Mr. R. H. Rines - The Winegard argument is set for April 2.

M E M O R A N D U M

February 13, 1968

TO: R. S. Phillips

The exhibits of Finkel deposition, D. Ex. 42, should be annexed to it: The Radio and Television Weekly JFD ad of February 10, 1964, B-4 and 4a, and the ad J-6 since what was put in evidence at trans. 773 was the deposition of Finkel "together with the exhibits referred to therein", and this by stipulation (trans. 776).

B-4, 4a is extensively referred to with testimony bearing thereon, for example pages 26 through 28 of the Finkel deposition; and J-6 is referred to and identified as a Popular Electronics ad of September, 1965, on page 22.

R. H. Rines

iag

RINES AND RINES

ATTORNEYS AT LAW

NO. TEN POST OFFICE SQUARE

BOSTON, MASSACHUSETTS 02109

DAVID RINES
ROBERT H. RINES

CABLE SENIR
TELEPHONE HUBBARD 2-3289

December 6, 1966

RECEIVED
DEC 8 - 1966
HOFGREN, WEGNER, ALLEN, STELLMAN & McCORD

Richard S. Phillips, Esquire
Hofgren, Wegner, Allen, Stellman & McCord
20 No. Wacker Drive
Chicago, Illinois 60606

Re: Material To Be Supplied By
Blonder-Tongue To
Foundation and JFD

Dear Dick:

Referring to your list entitled "Blonder Tongue to get For U/I Foundation and JFD" (copy enclosed), we enclose material collected by our client and bearing the same numbers (1 thru' 31) that you have used in your list, as follows:

175+176 1 and 2. In addition to material previously supplied, enclosed sheets numbered "1 & 2" in red with circle.

3. Dwg M-1552-E, labeled "3" in red.

4. Our client could not locate the written data, nor could anything be found in notebook #3.

5. None found.

6 and 7. Early antenna #5 was found and we shall bring it with us.

8. See p. 85-86 of Finkel Deposition, November 1, 1966

178 9. 9/7/66. Purchase Requisition 33313, numbered "9".

10. Robert H. Rines will supply as much as proper in Chicago.

11. Already provided.

179 - 193 12. Enclosed papers ("Competitor Product Analysis") numbered "12". (14 graphs)

194 - 209 13. Enclosed papers ("Competitive Product Evaluation") numbered "13" (2 pages, 14 graphs)

14. 75 Park Terrace East, N.Y.C.

212 - 216 15. Prints C-1758-B, C-1757-C (numbered "15" in red) and technical reports ("15") of July 26, 1965 and August 16, 1965.

16. None found.

217 + 218 17. Documents bearing "17" in red.

18. 10/65

19. To come later (some records in dead storage).

221 - 225 20. Papers numbered "20".

21. None located.

22. None.

23. Jerome Cohn, 7 Osage Road, Rockaway, New Jersey
John A. Linnerman, 117 Fleming Court, Burlington, Iowa.

226 + 227 24. In addition to the material testified to by Mr. Blonder, ads such as "Assault on Perfection" (Electronic Service Dealer, Vol. 6, No. 7, 1966) Copy enclosed and numbered "24".

25. For example, in "Assault on Perfection" ad ("24") front end feed at 1'', 1''' (in red), "strain relief" so-called (actually transmission-line supporting member) at 2', and mast mounting at M . Similarly on others.

26 and 27. In addition to those identified during Blonder deposition, and those discussed commencing with page 23 of the Finkel deposition, those set forth in paragraph 18 of the answers to plaintiff's interrogatories.

228-233 → 28. Report Engineering Dept. Memo #178, June 30, 1965, numbered "28" (6 pages).

29. Robert H. Rines will supply as much as proper in Chicago.

30 and 31. Still being investigated.

We have correlated this with Mr. Cass' letter of November 21, as follows:

Cass Page Reference	Your List Number
154	9
201	10
234	12
236	13
273	14
278-	We find no such search was made.
293-	Still being investigated.
293-4	15
299	16
301	17
304	18
304 (2nd)	19
304 (3rd)	20
313-314	21
315	21 No documents found to support memory.
316	22
365	31 (Still being investigated)
376	23
377	23
382-3	31 (Still being investigated)

404-5	24, 25
405-6	26
406-7	27
408	28
411	29
425-6	30 (Still being investigated)
425-6 (2nd)	31 (" " ")

Very truly yours,

RINES AND RINES

RHR/MN

By Robert H. Rines
Pres.

P. S. Will you please make copies for our files and use any system (numbers) you desire for consistency.

RHR

April 18, 1968

The Honorable Julius J. Hoffman
Judge of the United States District Court
United States District Courthouse - Rm. 2303
219 South Dearborn Street
Chicago, Illinois 60604

RE: University of Illinois Foundation
- v - Blonder-Tongue Laboratories, Inc.,
- v - JFD Electronics Corporation
Civil Action No. 66 C 567

Dear Judge Hoffman:

* Enclosed is the judgment order proposed by Blonder-Tongue Laboratories, Inc. This was inadvertently omitted from the materials filed on the 17th.

Very truly yours,

HOFGREN, WEGNER, ALLEN, STELLMAN & McCORD

Richard S. Phillips
Attorneys for Defendant

RSP:iag

* Enclosure

cc: Merriam, Marshall, Shapiro & Klose (*)
Silverman & Cass (*)

LAW OFFICES
Silverman & Cass
PATENTS · TRADEMARKS · COPYRIGHTS
105 W. ADAMS STREET · CHICAGO, ILLINOIS, U.S.A. 60603
TELEPHONE 726-6006
AREA CODE 312
CABLE: SILCAS

I. IRVING SILVERMAN
MYRON C. CASS
SIDNEY N. FOX
GERALD R. HIBNICK, IND. BAR
RICHARD A. GIANGIORGI
HERBERT J. SINGER
IRVING FABER

RECEIVED
JAN 23 1968
HOFGREN, WEGNER, ALLEN,
STELLMAN & McCORD

January 22, 1968

Our Ref. 6-418

Richard S. Phillips, Esq.
Hofgren, Wegner, Allen, Stellman & McCord
20 North Wacker Drive
Chicago, Illinois 60606

Dear Dick:

Re: UIF v. BT v. JFD

I return herewith the court copies of defendant's exhibits 49 through 57, inclusive, which you loaned to us so that we could make copies thereof.

Yours very truly,

SILVERMAN & CASS

Herb Singer

Herbert J. Singer

HJS:cas
Enc.

CHARLES J. MERRIAM
WILLIAM A. MARSHALL
JEROME B. KLOSE
NORMAN M. SHAPIRO
BASIL P. MANN
CLYDE V. ERWIN, JR.
ALVIN D. SHULMAN
EDWARD M. O'TOOLE
ALLEN H. GERSTEIN
OWEN J. MURRAY
DONALD E. EGAN
NATE F. SCARPELLI

LAW OFFICES

MERRIAM, MARSHALL, SHAPIRO & KLOSE

THIRTY WEST MONROE STREET
CHICAGO, ILLINOIS 60603

TELEPHONE
FINANCIAL 6-5750

December 19, 1966



Mr. Richard S. Phillips
Hofgren, Wegner, Allen,
Stellman & McCord
Suite 2200
20 North Wacker Drive
Chicago, Illinois 60606

Re: University of Illinois Foundation
v. Blonder-Tongue Laboratories, Inc.
v. JFD Electronics Corporation
Civil Action No. 66 C 567

Dear Dick:

In answer to Bob Rines' request during the depositions last week, I enclose a copy of Isbell's Technical Report No. 39 ("Log Periodic Dipole Arrays").

Our latest information on the addresses of Isbell and Carrel are as follows:

Isbell:

963 Thirteenth Avenue E.
Seattle, Washington

Carrel:

1505 Custer Parkway
Richardson, Texas.

Very truly yours,

Pete

cc to Rines 12/21/1

BPM/mto
Enclosure
cc: Myron C. Cass, Esq.
W/Enclosure

Basil P. Mann

February 14, 1968

Mr. Basil P. Mann
Merriam, Marshall, Shapiro & Klose
30 West Monroe Street
Chicago, Illinois 60603

Mr. Myron C. Cass
Silverman & Cass
105 West Adams Street
Chicago, Illinois 60603

Dear Pete and Mike:

We realized in working on the brief that we had neglected to include in the set of exhibits we gave you, referred to in Mr. Finkel's deposition, defendant's exhibit 42, an advertisement dated February 10, 1964, from Radio and Television Weekly (B-4) and an advertisement from Popular Electronics, September, 1965, Exhibit J-6.
* Copies are enclosed so that your records will be complete.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosures

February 14, 1968

VIA AIR MAIL

Mr. Theodore Abeles
Lum, Biunno & Tompkins
550 Broad Street
Newark, New Jersey 01702

Dear Mr. Abeles:

* I enclose a copy of the transcript of the deposition of Finkel taken by Bob Rines in the Blonder-Tongue suit together with copies of the exhibits identified or referred to therein. I also enclose a copy of
* the Finkel deposition taken by John Pearne in the suit against Finney. You can keep the copies of exhibits, but I would appreciate your returning the two deposition transcripts when you are through with them. My secretary will send you a copy of our brief when it is completed.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosures

cc: Mr. Robert H. Rines

February 15, 1968

VIA AIR MAIL

Mr. Robert H. Rines
Rines & Rines
No. Ten Post Office Square
Boston, Massachusetts 02109

Dear Bob:

* I enclose two copies of the brief on behalf of the Foundation. Typing of our brief was completed, it has been filed and served. If a copy gets assembled for you before the day is over, I will send it to you also.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosure

cc: Mr. I. S. Blonder (*)

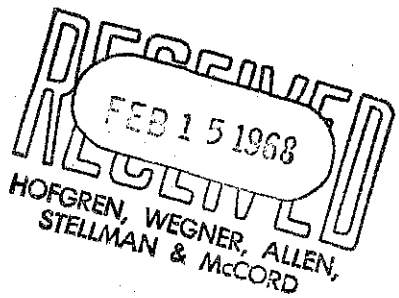
PS: It got assembled so three copies are enclosed.

CHARLES J. MERRIAM
WILLIAM A. MARSHALL
JEROME B. KLOSE
NORMAN M. SHAPIRO
BASIL P. MANN
CLYDE V. ERWIN, JR.
ALVIN D. SHULMAN
EDWARD M. O'TOOLE
ALLEN H. GERSTEIN
OWEN J. MURRAY
DONALD E. EGAN
NATE F. SCARPELLI

LAW OFFICES
MERRIAM, MARSHALL, SHAPIRO & KLOSE
THIRTY WEST MONROE STREET
CHICAGO, ILLINOIS 60603

TELEPHONE
FINANCIAL 6-5750

February 14, 1968



Mr. Richard S. Phillips
Hofgren, Wegner, Allen,
Stellman & McCord
20 North Wacker Drive
Chicago, Illinois 60606

Re: University of Illinois Foundation v. Blonder-Tongue and JFD

Dear Dick:

Enclosed are four copies of our brief in the subject case.

Sincerely yours,

Basil P. Mann/cjh

Basil P. Mann

BPM/cjh

Enclosures

February 19, 1968

Mr. Robert Rines
31 McAlister Drive
Box 657
New Orleans, Louisiana

Dear Rob:

* I enclose copies of the briefs for Blonder-Tongue and the Foundation. Some of this may not make much sense without the record of the part of the trial you missed. Your dad thought you might be interested in that and I will send you a copy when we get a chance to run it through the Xerox machine.

What's happened to the Don Quixote of the Justice Department? I haven't seen him in the papers up here recently.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosures

cc: Mr. R. H. Rines

February 19, 1968

Mr. Keith Kulie
Burmeister, Kulie, Southard & Godula
135 South LaSalle Street
Chicago, Illinois 60603

Dear Keith:

* I enclose a copy of Blonder-Tongue's brief and that of the Foundation.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosures

cc: Mr. R. H. Rines

February 19, 1968

Mr. John F. Pearne
McNenny, Farrington, Pearne & Gordon
920 Midland Building
Cleveland, Ohio 44115

Dear John:

* I enclose a copy of the Blonder-Tongue brief and a Xerox of the Foundation's brief. Thanks again for all your help.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosures

cc: Mr. W. E. Wyss
Mr. R. H. Rines

February 16, 1968

Mr. Theodore Abeles
Lum, Biunno & Tompkins
550 Broad Street
Newark, New Jersey 01702

Dear Mr. Abeles:

* I enclose a copy of the brief on behalf of Blonder-Tongue in the suit against JFD for unfair competition and antitrust violation. I hope it will be helpful in your examination of Mr. Finkel.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosure

cc: Mr. R. H. Rines

WEBSTER 9-5639

DOROTHY L. BRACKENBURY
Official Reporter United States District Court
SUITE 223, UNITED STATES COURT HOUSE
23024 CHICAGO 4, ILLINOIS

January 24, 1968

Mr. John Rex Allen and
Mr. Richard S. Phillips,
20 North Wadker Drive,
Chicago, Ill.

Mr. Robert H. Rines,
10 Post Office Square,
Boston, Mass.

Gentlemen:

First I must say all of us were delighted with your very thoughtful package. Tony, Gene and all the staff enjoyed it- it was in beautiful condition and disappeared in record time...

I am enclosing the balance of transcript of continuances right before trial - sorry I overlooked this before; it may be filed separately as we numbered from one again on the actual trial.

Yours very truly,

Dorothy

D.L.B.

KULIE AND SOUTHARD
ATTORNEYS AT LAW
29 SOUTH LA SALLE STREET · CHICAGO, ILLINOIS 60603

KEITH J. KULIE
DONALD B. SOUTHARD

AREA CODE 312
CENTRAL 6-3351

December 13, 1968

RECEIVED
DEC 16 1968
HOFGREN, WEGNER, ALLEN, STELLMAN & McCORD

Richard Phillips, Esq.
Hofgren, Wegner, Allen, Stellman & McCord
20 N. Wacker Drive
Chicago, Illinois

Re: UIF. v. Winegard Company
Appeal No.: 19000
File: 45-34

Dear Dick:

Enclosed are copies of materials relating to the appeal involving the Winegard Company.

You will note that the Foundation has requested continuation of the stay of mandate to and including February 3, 1969. This would provide a stay for the full 90 day period from denial of the petition for re-hearing in this case.

The rules for the Court of Appeals for the Eighth Circuit provide only for a 30 day extension in the stay. We called the clerk in St. Louis to determine whether we could successfully oppose the Foundation's request for an extension. He indicated to us that he felt any party would be entitled to the full 90 day period granted under the Supreme Court rules. His practice has been to grant

Correspondence
L. L. Kulie 12/27/68

three successive 30 day extensions, when requested.

We decided to file a memorandum in opposition to the Foundation's request to indicate to the court that we were not happy with the delay sought by the Foundation. It seems certain, however, that the time requested will be granted in 30 day increments.

We will advise you as soon as we receive an indication from the clerk on the latest request for an extension.

Sincerely yours,

Keith J. Kulie

KJK:cvw
Enc.

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

ROBERT C. TUCKER, CLERK

ST. LOUIS, MO. 63101

December 6th, 1968

Mr. Basil P. Mann,
Thirty West Monroe Street,
Chicago, Illinois 60603

Dear Sir:

Re: No. 19000. University of Illinois
v. Winegard Company

Your letter of December 4th has been received, and, as requested, we have prepared and are sending to you herewith a three volume certified transcript of record for filing in the Supreme Court of the United States with application for writ of certiorari in the above entitled case. You will note that Volume III contains the proceedings in this Court, such as, Opinion and Judgment entered thereon; Petition of appellant for rehearing and order thereon and order staying issuance of mandate, etc. Clerk's fee for preparation of the certified record is $6.15, as per statement enclosed, and your remittance in that amount will be appreciated.

Very truly yours,

Robert C. Tucker,
Clerk.

G.
Enc.

cc of letter to:
Mr. Keith J. Kulie,
135 So. LaSalle,
Chicago, Ill.

IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

UNIVERSITY OF ILLINOIS FOUNDATION,	)	
Plaintiff,	)	Civil Action No.
v.	)	19000
WINEGARD COMPANY,	)	
Defendant.	)	

MOTION FOR CONTINUANCE OF
STAY OF MANDATE

Appellant, University of Illinois Foundation, respectfully petitions this Court for a continuance to February 3, 1969 in the stay of the mandate, now set to expire on December 12, 1968. This extension is requested because of the unusual circumstances involved in appellant's planned petition to the Supreme Court for a writ of certiorari.

This action was brought by appellant for infringement of a patent (Isbell No. 3,210,767) which this Court found invalid in its decision of September 30, 1968. A petition for rehearing was denied on November 5, 1968 and a 30-day stay of the mandate was granted on November 12, 1968.

The same Isbell patent was also considered by the District Court for the Northern District of Illinois, and found valid in a decision dated June 28, 1968 (University of Illinois Foundation v. Blonder-Tongue Laboratories, N.D. Ill., Civ. No. 66 C 567). An appeal, filed on July 25, 1968, was taken by Blonder-Tongue in that case to the Court

of Appeals for the 7th Circuit. Because of an unavoidable delay in the printing of the appendix in that case on Blonder-Tongue's motion, the time for filing its brief has been extended to January 13, 1969.

In the event that the 7th Circuit Court of Appeals affirms the finding of validity of the Isbell patent, appellants expect to use, as a major reason for granting its petition for a writ of certiorari, the conflict between the decision of this Court and that of the 7th Circuit with respect to the Isbell patent. Appellant has been informed by the Clerk of the Supreme Court that consideration of the petition for the writ of certiorari may be delayed, pending the decision of the 7th Circuit Court of Appeals. Appellant has also requested the 7th Circuit Court of Appeals for advancement of the date of hearing so as to minimize the anticipated delay in consideration by the Supreme Court.

In order to permit the situation to develop as far as possible so that some firm estimate can be made of the anticipated date of decision by the 7th Circuit Court of Appeals, appellant would like to delay the filing of its petition for certiorari until near the end of the 90-day period permitted by law, i.e., February 3, 1969. At that time, it is expected that the briefs would have been filed in the 7th Circuit case, and a firm estimate of the expected date of decision might be possible, so that the Supreme Court could be apprised of the approximate delay in consideration of the petition for certiorari which might be involved.

In order to permit the procedure outlined above, appellant requests that this Court extend the continuance of the mandate in this case from November 12, 1968, to February 3, 1969, so as to coincide with the end of the 90-day period permitted for filing a petition for a writ of certiorari in the Supreme Court.

Appellant offers to give a bond or such other security as may be required by this Court as a condition to the grant of the continuance herein requested.

Respectfully submitted,

Basil P. Mann

Basil P. Mann
One of the Attorneys for Plaintiff-Appellant
MERRIAM, MARSHALL, SHAPIRO & KLOSE
30 West Monroe Street
Chicago, Illinois 60603

CERTIFICATE OF SERVICE

A copy of the foregoing "Motion for Continuance of Stay of Mandate" was forwarded by first-class, United States mail, postage prepaid, this 9th day of December, 1968, to the following:

Keith Kulie, Esq.
Kulie and Southard
29 South LaSalle Street
Chicago, Illinois 60603

and

Edward W. Dailey, Esq.
Dailey, Dailey, Ruther & Bauer
National Bank Building
Burlington, Iowa 52601

Basil P. Mann

Basil P. Mann
One of the Attorneys for Plaintiff
University of Illinois Foundation

IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

UNIVERSITY OF ILLINOIS FOUNDATION,	)	
Plaintiff,	)	Civil Action No.
v.	)	19000
WINEGARD COMPANY,	)	
Defendant.	)	

AFFIDAVIT

State of Illinois)
) ss.
County of Cook)

BASIL P. MANN, being first duly sworn, deposes and says that:

1. He is a member of the Bar of the State of Illinois and is admitted to practice before the United States Courts of Appeal of both the 7th and 8th Circuits;

2. He is one of counsel representing the University of Illinois Foundation, appellant in this case and appellee in a related case (University of Illinoid Foundation v. Blonder-Tongue Laboratories, Inc., No. 17,153), now pending before the Court of Appeals for the 7th Circuit, in which Isbell Patent 3,210,767 was found valid by the District Court;

3. In the case before the 7th Circuit Court of Appeals (No. 17,153), which was filed on July 25, 1968, the time for filing the appellant's (Blonder-Tongue's) appendix and brief has been extended to January 13, 1969

on appellant's motion and showing of an unavoidable delay in printing. The University of Illinois Foundation has requested that Court to deny any further continuances and to set the case for hearing at the earliest possible date.

4. It is the intention of appellant herein to file a petition for a writ of certiorari in the Supreme Court prior to the end of the allotted period therefor, i.e., February 3, 1969, and to request delayed consideration of the petition pending the decision of the 7th Circuit Court of Appeals.

Further affiant sayeth not.

Basil P. Mann

Basil P. Mann

State of Illinois)
) ss.
County of Cook)

Before me, this 9th day of December, 1968, personally appeared Basil P. Mann, known to me to be the person described above who signed and swore to the foregoing in my presence.

Dorothy Schmidt
Notary Public

My Commission Expires: Nov. 21, 1970

CERTIFICATE OF SERVICE

A copy of the foregoing "Affidavit" was forwarded by first-class, United States mail, postage prepaid, this 9th day of December, 1968, to the following:

Keith Kulie, Esq.
Kulie and Southard
29 South LaSalle Street
Chicago, Illinois 60603

and

Edward W. Dailey, Esq.
Dailey, Dailey, Ruther & Bauer
National Bank Building
Burlington, Iowa 52601

Basil P. Mann

Basil P. Mann
One of the Attorneys for Plaintiff
University of Illinois Foundation

KULIE AND SOUTHARD

ATTORNEYS AT LAW

29 SOUTH LA SALLE STREET · CHICAGO, ILLINOIS 60603

KEITH J. KULIE
DONALD B. SOUTHARD

AREA CODE 312
CENTRAL 6-3351

November 8, 1968

Richard Phillips, Esq.
20 N. Wacker Drive
Chicago, Illinois

Re: UIF -v- Winegard Company
File: 45-34

Dear Dick:

This is to advise you that the Foundation filed a petition for rehearing in the above appeal. We have just been advised that the petition was denied.

We are reasonably confident that the Foundation will file a petition for writ of cert. However, we do not feel that this case is of sufficient importance to attract the interest of the Supreme Court.

We will keep you advised of further significant activity in this case.

Sincerely yours,

Keith J. Kulie

KJK:cvw

Xerox copy to:
John Pearne
Robert Rines
11/12/68

RECEIVED
NOV 12 1968
HOFGREN, WEGNER, ALLEN, STELLMAN & McCORD

KULIE AND SOUTHARD

ATTORNEYS AT LAW

29 SOUTH LA SALLE STREET · CHICAGO, ILLINOIS 60603

KEITH J. KULIE
DONALD B. SOUTHARD

AREA CODE 312
CENTRAL 6-3351

November 9, 1968

Richard Phillips, Esq.
20 N. Wacker Drive
Chicago, Illinois

RE: UIF -v- Winegard Company
Our File: 45-34

Dear Dick:

You may be interested to know that the Foundation has filed a petition for stay of mandate of the court of appeals for 30 days. This means that the petition for writ of cert. must be filed on or before December 12.

Sincerely yours,

Keith J. Kulie

k

Xerox copy to:
John Pearne
Robert Rines
11/12/68

RECEIVED
NOV 12 1968
HOFGREN, WEGNER, ALLEN, STELLMAN & McCORD

March 18, 1968

VIA AIR MAIL

Mr. Robert H. Rines
Rines and Rines
No. Ten Post Office Square
Boston, Massachusetts 02109

Dear Bob:

* I enclose three copies of the reply brief. In the short time I had available to look for law, I did not find anything more pertinent than the cases which had already been cited.

I will be out of town tomorrow when we should receive the Foundation and JFD reply briefs. Isabelle will send copies to you if they come in.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosure

cc: Mr. I. S. Blonder (*)

BURMEISTER, KULIE, SOUTHARD & GODULA

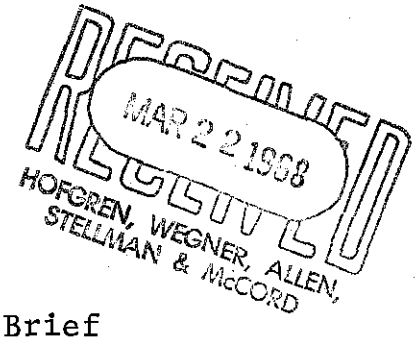
135 SOUTH LA SALLE STREET, CHICAGO, ILLINOIS 60603

MARSHALL A. BURMEISTER
KEITH J. KULIE
DONALD B. SOUTHARD
EDMUND A. GODULA

ATTORNEYS AT LAW-FRANKLIN 2-1344, CENTRAL 6-3351

March 22, 1968

Richard Phillips, Esq.
Hofgren, Wegner, Allen, Stellman & McCord
20 North Wacker Drive
Chicago, Illinois 60606



Re: Blonder-Tongue Brief

Dear Dick:

Thanks for the copy of the Blonder-Tongue reply brief in the UIF case.

We fully expect that the University will inject some of the points brought out in your case into their oral presentation in the UIF-Winegard Appeal.

Some of the points made by the University in the Blonder-Tongue litigation are interesting and could be used effectively in our appeal. Accordingly, we expect to study the briefs in the Blonder-Tongue litigation very carefully and be aware of everything of substance that appears here that is different from the subject matter involved in our case.

Sincerely yours,

Keith J. Kulie

KJK:cvw

Xerox copy to K. W. Price 3/22/68

March 19, 1968

VIA AIR MAIL

Mr. Robert H. Rines
Rines and Rines
No. Ten Post Office Square
Boston, Massachusetts 02109

Dear Mr. Rines:

* I enclose a copy of JFD's brief in opposition to the counterclaim.

Mr. Mann called this morning and said he had sent a copy of the Foundation's reply brief to you, even though this did not show on the certificate of service. Mr. Phillips received his copy of their brief in the morning mail. If for some reason you do not receive the copy from Mr. Mann's office, please let us know and we will send a copy.

Very truly yours,

Secretary to R. S. Phillips

IAG/

* Enclosure

March 20, 1968

Mr. John F. Pearne
McNenny, Farrington, Pearne & Gordon
920 Midland Building
Cleveland, Ohio 44115

Dear John:

* I enclose a copy of JFD's brief.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosure

cc: Mr. R. H. Rines

April 5, 1968

VIA AIR MAIL

Mr. Robert H. Rines
Rines and Rines
No. Ten Post Office Square
Boston, Massachusetts 02109

Dear Bob:

* Here is a start on the findings and conclusions. The rest will follow Monday.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosure

March 19, 1968

VIA AIR MAIL

Mr. Robert Rines
31 McAlister Drive
Box 657
New Orleans, Louisiana

Dear Rob:

* I enclose a copy of our reply brief.

Best wishes.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosure

cc: Mr. R. H. Rines

March 19, 1968

Mr. John F. Pearne
McNenny, Farrington, Pearne & Gordon
920 Midland Building
Cleveland, Ohio 44115

Dear John:

* I enclose a copy of our reply brief. We were able to use some of the law which was developed in your argument on motion for summary judgment.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosure

cc: Mr. R. H. Rines

March 19, 1968

Mr. Keith Kulie
Burmeister, Kulie, Southard & Godula
135 South LaSalle Street
Chicago, Illinois 60603

Dear Keith:

* I enclose a copy of our reply brief. Maybe it will be of some help to you in your oral argument.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosure

cc: Mr. R. H. Rines - The Winegard argument is set for April 2.

M E M O R A N D U M

February 13, 1968

TO: R. S. Phillips

The exhibits of Finkel deposition, D. Ex. 42, should be annexed to it: The Radio and Television Weekly JFD ad of February 10, 1964, B-4 and 4a, and the ad J-6 since what was put in evidence at trans. 773 was the deposition of Finkel "together with the exhibits referred to therein", and this by stipulation (trans. 776).

B-4, 4a is extensively referred to with testimony bearing thereon, for example pages 26 through 28 of the Finkel deposition; and J-6 is referred to and identified as a Popular Electronics ad of September, 1965, on page 22.

R. H. Rines

iag

RINES AND RINES

ATTORNEYS AT LAW

NO. TEN POST OFFICE SQUARE

BOSTON, MASSACHUSETTS 02109

DAVID RINES
ROBERT H. RINES

CABLE SENIR
TELEPHONE HUBBARD 2-3289

December 6, 1966

RECEIVED
DEC 8 - 1966
HOFGREN, WEGNER, ALLEN, STELLMAN & McCORD

Richard S. Phillips, Esquire
Hofgren, Wegner, Allen, Stellman & McCord
20 No. Wacker Drive
Chicago, Illinois 60606

Re: Material To Be Supplied By
Blonder-Tongue To
Foundation and JFD

Dear Dick:

Referring to your list entitled "Blonder Tongue to get For U/I Foundation and JFD" (copy enclosed), we enclose material collected by our client and bearing the same numbers (1 thru' 31) that you have used in your list, as follows:

175+176 1 and 2. In addition to material previously supplied, enclosed sheets numbered "1 & 2" in red with circle.

3. Dwg M-1552-E, labeled "3" in red.

4. Our client could not locate the written data, nor could anything be found in notebook #3.

5. None found.

6 and 7. Early antenna #5 was found and we shall bring it with us.

8. See p. 85-86 of Finkel Deposition, November 1, 1966

178 9. 9/7/66. Purchase Requisition 33313, numbered "9".

10. Robert H. Rines will supply as much as proper in Chicago.

11. Already provided.

179 - 193 12. Enclosed papers ("Competitor Product Analysis") numbered "12". (14 graphs)

194 - 209 13. Enclosed papers ("Competitive Product Evaluation") numbered "13" (2 pages, 14 graphs)

14. 75 Park Terrace East, N.Y.C.

212 - 216 15. Prints C-1758-B, C-1757-C (numbered "15" in red) and technical reports ("15") of July 26, 1965 and August 16, 1965.

16. None found.

217 + 218 17. Documents bearing "17" in red.

18. 10/65

19. To come later (some records in dead storage).

221 - 225 20. Papers numbered "20".

21. None located.

22. None.

23. Jerome Cohn, 7 Osage Road, Rockaway, New Jersey
John A. Linnerman, 117 Fleming Court, Burlington, Iowa.

226 + 227 24. In addition to the material testified to by Mr. Blonder, ads such as "Assault on Perfection" (Electronic Service Dealer, Vol. 6, No. 7, 1966) Copy enclosed and numbered "24".

25. For example, in "Assault on Perfection" ad ("24") front end feed at 1'', 1''' (in red), "strain relief" so-called (actually transmission-line supporting member) at 2', and mast mounting at M . Similarly on others.

26 and 27. In addition to those identified during Blonder deposition, and those discussed commencing with page 23 of the Finkel deposition, those set forth in paragraph 18 of the answers to plaintiff's interrogatories.

228-233 → 28. Report Engineering Dept. Memo #178, June 30, 1965, numbered "28" (6 pages).

29. Robert H. Rines will supply as much as proper in Chicago.

30 and 31. Still being investigated.

We have correlated this with Mr. Cass' letter of November 21, as follows:

Cass Page Reference	Your List Number
154	9
201	10
234	12
236	13
273	14
278-	We find no such search was made.
293-	Still being investigated.
293-4	15
299	16
301	17
304	18
304 (2nd)	19
304 (3rd)	20
313-314	21
315	21 No documents found to support memory.
316	22
365	31 (Still being investigated)
376	23
377	23
382-3	31 (Still being investigated)

404-5	24, 25
405-6	26
406-7	27
408	28
411	29
425-6	30 (Still being investigated)
425-6 (2nd)	31 (" " ")

Very truly yours,

RINES AND RINES

RHR/MN

By Robert H. Rines
Pres.

P. S. Will you please make copies for our files and use any system (numbers) you desire for consistency.

RHR

April 18, 1968

The Honorable Julius J. Hoffman
Judge of the United States District Court
United States District Courthouse - Rm. 2303
219 South Dearborn Street
Chicago, Illinois 60604

RE: University of Illinois Foundation
- v - Blonder-Tongue Laboratories, Inc.,
- v - JFD Electronics Corporation
Civil Action No. 66 C 567

Dear Judge Hoffman:

* Enclosed is the judgment order proposed by Blonder-Tongue Laboratories, Inc. This was inadvertently omitted from the materials filed on the 17th.

Very truly yours,

HOFGREN, WEGNER, ALLEN, STELLMAN & McCORD

Richard S. Phillips
Attorneys for Defendant

RSP:iag

* Enclosure

cc: Merriam, Marshall, Shapiro & Klose (*)
Silverman & Cass (*)

LAW OFFICES
Silverman & Cass
PATENTS · TRADEMARKS · COPYRIGHTS
105 W. ADAMS STREET · CHICAGO, ILLINOIS, U.S.A. 60603
TELEPHONE 726-6006
AREA CODE 312
CABLE: SILCAS

I. IRVING SILVERMAN
MYRON C. CASS
SIDNEY N. FOX
GERALD R. HIBNICK, IND. BAR
RICHARD A. GIANGIORGI
HERBERT J. SINGER
IRVING FABER

RECEIVED
JAN 23 1968
HOFGREN, WEGNER, ALLEN,
STELLMAN & McCORD

January 22, 1968

Our Ref. 6-418

Richard S. Phillips, Esq.
Hofgren, Wegner, Allen, Stellman & McCord
20 North Wacker Drive
Chicago, Illinois 60606

Dear Dick:

Re: UIF v. BT v. JFD

I return herewith the court copies of defendant's exhibits 49 through 57, inclusive, which you loaned to us so that we could make copies thereof.

Yours very truly,

SILVERMAN & CASS

Herb Singer

Herbert J. Singer

HJS:cas
Enc.

CHARLES J. MERRIAM
WILLIAM A. MARSHALL
JEROME B. KLOSE
NORMAN M. SHAPIRO
BASIL P. MANN
CLYDE V. ERWIN, JR.
ALVIN D. SHULMAN
EDWARD M. O'TOOLE
ALLEN H. GERSTEIN
OWEN J. MURRAY
DONALD E. EGAN
NATE F. SCARPELLI

LAW OFFICES

MERRIAM, MARSHALL, SHAPIRO & KLOSE

THIRTY WEST MONROE STREET
CHICAGO, ILLINOIS 60603

TELEPHONE
FINANCIAL 6-5750

December 19, 1966



Mr. Richard S. Phillips
Hofgren, Wegner, Allen,
Stellman & McCord
Suite 2200
20 North Wacker Drive
Chicago, Illinois 60606

Re: University of Illinois Foundation
v. Blonder-Tongue Laboratories, Inc.
v. JFD Electronics Corporation
Civil Action No. 66 C 567

Dear Dick:

In answer to Bob Rines' request during the depositions last week, I enclose a copy of Isbell's Technical Report No. 39 ("Log Periodic Dipole Arrays").

Our latest information on the addresses of Isbell and Carrel are as follows:

Isbell:

963 Thirteenth Avenue E.
Seattle, Washington

Carrel:

1505 Custer Parkway
Richardson, Texas.

Very truly yours,

Pete

cc to Rines 12/21/1

BPM/mto
Enclosure
cc: Myron C. Cass, Esq.
W/Enclosure

Basil P. Mann

February 14, 1968

Mr. Basil P. Mann
Merriam, Marshall, Shapiro & Klose
30 West Monroe Street
Chicago, Illinois 60603

Mr. Myron C. Cass
Silverman & Cass
105 West Adams Street
Chicago, Illinois 60603

Dear Pete and Mike:

We realized in working on the brief that we had neglected to include in the set of exhibits we gave you, referred to in Mr. Finkel's deposition, defendant's exhibit 42, an advertisement dated February 10, 1964, from Radio and Television Weekly (B-4) and an advertisement from Popular Electronics, September, 1965, Exhibit J-6.
* Copies are enclosed so that your records will be complete.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosures

February 14, 1968

VIA AIR MAIL

Mr. Theodore Abeles
Lum, Biunno & Tompkins
550 Broad Street
Newark, New Jersey 01702

Dear Mr. Abeles:

* I enclose a copy of the transcript of the deposition of Finkel taken by Bob Rines in the Blonder-Tongue suit together with copies of the exhibits identified or referred to therein. I also enclose a copy of
* the Finkel deposition taken by John Pearne in the suit against Finney. You can keep the copies of exhibits, but I would appreciate your returning the two deposition transcripts when you are through with them. My secretary will send you a copy of our brief when it is completed.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosures

cc: Mr. Robert H. Rines

February 15, 1968

VIA AIR MAIL

Mr. Robert H. Rines
Rines & Rines
No. Ten Post Office Square
Boston, Massachusetts 02109

Dear Bob:

* I enclose two copies of the brief on behalf of the Foundation. Typing of our brief was completed, it has been filed and served. If a copy gets assembled for you before the day is over, I will send it to you also.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosure

cc: Mr. I. S. Blonder (*)

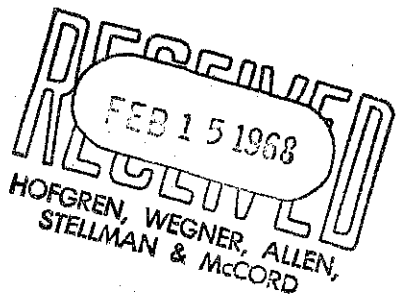
PS: It got assembled so three copies are enclosed.

CHARLES J. MERRIAM
WILLIAM A. MARSHALL
JEROME B. KLOSE
NORMAN M. SHAPIRO
BASIL P. MANN
CLYDE V. ERWIN, JR.
ALVIN D. SHULMAN
EDWARD M. O'TOOLE
ALLEN H. GERSTEIN
OWEN J. MURRAY
DONALD E. EGAN
NATE F. SCARPELLI

LAW OFFICES
MERRIAM, MARSHALL, SHAPIRO & KLOSE
THIRTY WEST MONROE STREET
CHICAGO, ILLINOIS 60603

TELEPHONE
FINANCIAL 6-5750

February 14, 1968



Mr. Richard S. Phillips
Hofgren, Wegner, Allen,
Stellman & McCord
20 North Wacker Drive
Chicago, Illinois 60606

Re: University of Illinois Foundation v. Blonder-Tongue and JFD

Dear Dick:

Enclosed are four copies of our brief in the subject case.

Sincerely yours,

Basil P. Mann/cjh

Basil P. Mann

BPM/cjh

Enclosures

February 19, 1968

Mr. Robert Rines
31 McAlister Drive
Box 657
New Orleans, Louisiana

Dear Rob:

* I enclose copies of the briefs for Blonder-Tongue and the Foundation. Some of this may not make much sense without the record of the part of the trial you missed. Your dad thought you might be interested in that and I will send you a copy when we get a chance to run it through the Xerox machine.

What's happened to the Don Quixote of the Justice Department? I haven't seen him in the papers up here recently.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosures

cc: Mr. R. H. Rines

February 19, 1968

Mr. Keith Kulie
Burmeister, Kulie, Southard & Godula
135 South LaSalle Street
Chicago, Illinois 60603

Dear Keith:

* I enclose a copy of Blonder-Tongue's brief and that of the Foundation.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosures

cc: Mr. R. H. Rines

February 19, 1968

Mr. John F. Pearne
McNenny, Farrington, Pearne & Gordon
920 Midland Building
Cleveland, Ohio 44115

Dear John:

* I enclose a copy of the Blonder-Tongue brief and a Xerox of the Foundation's brief. Thanks again for all your help.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosures

cc: Mr. W. E. Wyss
Mr. R. H. Rines

February 16, 1968

Mr. Theodore Abeles
Lum, Biunno & Tompkins
550 Broad Street
Newark, New Jersey 01702

Dear Mr. Abeles:

* I enclose a copy of the brief on behalf of Blonder-Tongue in the suit against JFD for unfair competition and antitrust violation. I hope it will be helpful in your examination of Mr. Finkel.

Very truly yours,

Richard S. Phillips

RSP:iag

* Enclosure

cc: Mr. R. H. Rines

WEBSTER 9-5639

DOROTHY L. BRACKENBURY
Official Reporter United States District Court
SUITE 223, UNITED STATES COURT HOUSE
23024 CHICAGO 4, ILLINOIS

January 24, 1968

Mr. John Rex Allen and
Mr. Richard S. Phillips,
20 North Wadker Drive,
Chicago, Ill.

Mr. Robert H. Rines,
10 Post Office Square,
Boston, Mass.

Gentlemen:

First I must say all of us were delighted with your very thoughtful package. Tony, Gene and all the staff enjoyed it- it was in beautiful condition and disappeared in record time...

I am enclosing the balance of transcript of continuances right before trial - sorry I overlooked this before; it may be filed separately as we numbered from one again on the actual trial.

Yours very truly,

Dorothy

D.L.B.