

Finding Aid to the William K. Ford Case Files Collection, 1973-1985, 2012-2017

Summary Information

Title: William K. Ford case files collection

Creator: William K. Ford (primary)

ID: 113.3288

Date: 1973-1985, 2012-2017 (inclusive)

Extent: 0.2 linear feet (physical); 108 MB (digital)

Language: The materials in this collection are in English.

Abstract: The William K. Ford case files collection is a compilation of digitized documents of various court filings from the 1970s and 1980s pertaining to the video game and arcade industry. Also included in this collection are three law journal articles and accompanying letters from Ford.

Repository:

Brian Sutton-Smith Library and Archives of Play at The Strong
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Administrative Information

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Custodial History: The William K. Ford case files collection was donated to The Strong in July 2013 as a gift from William K. Ford. The collection accessioned by The Strong under Object ID 113.3288 and was received from Ford in one envelope.

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Controlled Access Terms

Personal Names

- Anderson, Theodore W.
- Baer, Ralph H., 1922-2014
- Blahuta, George T.
- Braun, David
- Briody, Thomas A.
- Britz, John Anthony
- Ford, William K.
- Gerstman, George H.
- Hannigan, Malachy L.

- Koci, Jerry C.
- Olliges, William E.
- Ross, Henry S.
- Rusch, William T.
- Segerson, James F.

Corporate Names

- Allied Leisure Industries, Inc.
- Atari, Inc.
- Bally Manufacturing Corp.
- Magnavox Co.
- Mattel, Inc.
- Midway Manufacturing Co.
- Sanders Associates, Inc.
- Sears, Roebuck and Co.
- Universal Co. Ltd.

Subjects

- Court decisions and opinions
- Games--Research
- Records and briefs
- Trial and arbitral proceedings
- Video arcades
- Video games industry
- Video games--History

Biographical Note

William K. Ford, JD, is an American lawyer, professor, and author. Ford earned his law degree from the University of Chicago in 2003. He held the position of Bigelow Teaching Fellow and Lecturer in Law at the University of Chicago Law School, and in 2006, Ford was appointed Associate Professor at the John Marshall Law School in Chicago. Ford teaches courses in computer and video game law, contracts, constitutional theory, and other right of publicity topics.

Ford has given lectures, written articles, and contributed to books about video game law. In 2013 and 2014, Ford hosted and produced five episodes of an informative web series called "[Games are Not Coffee Mugs.](#)" As of 2017, Ford teaches at John Marshall Law School and writes about video game law and its correlation with copyright, trademarks, right of publicity, and other intellectual property issues.

Collection Scope and Content Note

The William K. Ford case files collection contains digitized documents of various court filings pertaining to the video game and arcade industry, as well as some reference materials written by Ford. The bulk of the materials are from 1973-1985. The documentation in Series I, Subseries B holds records related to case no. 74 C 1030, the Magnavox Company v. Bally Manufacturing Corp. et al., regarding patent infringement of Ralph Baer's original patent for TV Games; Baer's depositions are included.

The William K. Ford case files collection is arranged into two series, one of which has been further divided into subseries. The physical materials are housed in one archival document box. Copies of the digital files are stored on the internal network at The Strong.

System of Arrangement

Series I: Legal case files, 1973-1985

Subseries A: Allied Leisure Industries, Inc. v. Midway Manufacturing Co., 1973-1974

Subseries B: Magnavox Co. v. Bally Manufacturing Corp. et al., 1974-1977

Subseries C: Atari, Inc. v. Magnavox Co., 1975-1976

Subseries D: Magnavox Co. v. Sears, Roebuck and Co., 1975-1976

Subseries E: Midway Manufacturing Co. v. Universal Co., Ltd. et al., 1980

Subseries F: Magnavox Co. v. Mattel, Inc. et al., 1980-1985

Series II: William K. Ford reference, 2012-2017

Contents List

Series I: Legal case files, 1973-1985

Scope and Content Note: While conducting research for his article “Copy Game for High Score: The First Video Game Lawsuit” (*Journal of Intellectual Property Law*, Fall 2012), William K. Ford accessed legal records held in the Federal Record Center in Chicago and scanned these for educational purposes. The legal case files within this series feature complaints, docket reports, depositions, trial transcripts, opinions, protected orders, and more. The series has been divided into subseries based on the plaintiff v. defendant folders maintained by Ford.

A CD of these electronic files is located in Box 1. The digital files are also accessible on the internal network of The Strong.

Box 1

Folder 1 CD: “Judicial records,” contains selected case files, 1973-1985

Subseries A: Allied Leisure Industries, Inc. v. Midway Manufacturing Co., 1973-1974

Scope and Content Note: This subseries holds documents related to case no. 73 C 2682, Allied Leisure Industries v. Midway Manufacturing, regarding circuit boards. Document types include the complaint, docket sheet, motions, affidavits, transcripts, and other papers from the U.S. District Court, Northern District of Illinois, Eastern Division. The pages are dated between 1973 and 1974.

Files include:

- Allied Leisure v. Midway - Answer
- Allied Leisure v. Midway - Blahuta Affidavit
- Allied Leisure v. Midway - Complaint
- Allied Leisure v. Midway - Dismissal
- Allied Leisure v. Midway - Docket Sheet
- Allied Leisure v. Midway - Gerstman Affidavit
- Allied Leisure v. Midway - Hannigan Affidavit
- Allied Leisure v. Midway - Motion for TRO
- Allied Leisure v. Midway - Motion Request - PI
- Allied Leisure v. Midway - Motion Request - TRO
- Allied Leisure v. Midway - Notice of Depositions
- Allied Leisure v. Midway - Olliges Affidavit
- Allied Leisure v. Midway - Ross Affidavit
- Allied Leisure v. Midway - Segerson Affidavit
- Allied Leisure v. Midway - Transcript

Subseries B: Magnavox Co. v. Bally Manufacturing Corp. et al., 1974-1977

Scope and Content Note: This subseries contains documents related to case no. 74 C 1030, the Magnavox Company v. Bally Manufacturing Corp., Chicago Dynamic Industries, Atari, Inc., Allied Leisure Industries, Inc., and Empire Distributing, Inc., regarding patent infringement. Document types include complaints, depositions, docket reports, motions, notices, transcripts, and other papers from the U.S. District Court, Northern District of Illinois, Eastern Division. The pages are dated between 1974 and 1977.

Files include:

- Folder: Complaints
 - Magnavox v. Bally, No. 74-1030 - Complaint (Copy 1)
 - Magnavox v. Bally, No. 74-1030 - Complaint (Copy 2)
 - Magnavox v. Bally, No. 74-1030 - Complaint, First Amended
 - Magnavox v. Bally, No. 74-1030 - Complaint, Second Amended
 - Magnavox v. Seeburg, No. 74-2410 - Complaint
 - Midway v. Magnavox, No. 74-1657 - Complaint
- Folder: Depositions
 - Magnavox v. Bally, No. 74-1030 - Dep. of Baer - Day 1 (11-21-75)
 - Magnavox v. Bally, No. 74-1030 - Dep. of Baer - Day 12
 - Magnavox v. Bally, No. 74-1030 - Dep. of Braun - Ex. 1
 - Magnavox v. Bally, No. 74-1030 - Dep. of Braun - Ex. 2a
 - Magnavox v. Bally, No. 74-1030 - Dep. of Braun - Ex. 7
 - Magnavox v. Bally, No. 74-1030 - Dep. of Braun - Ex. 8
 - Magnavox v. Bally, No. 74-1030 - Dep. of Braun - Ex. 9
 - Magnavox v. Bally, No. 74-1030 - Dep. of Braun - Ex. 16
 - Magnavox v. Bally, No. 74-1030 - Dep. of Braun - Ex. 17
 - Magnavox v. Bally, No. 74-1030 - Dep. of Braun - Main
 - Magnavox v. Bally, No. 74-1030 - Dep. of Briody - Day 1
 - Magnavox v. Bally, No. 74-1030 - Dep. of H. Ross - Ex. 1
 - Magnavox v. Bally, No. 74-1030 - Dep. of H. Ross - Ex. 2
 - Magnavox v. Bally, No. 74-1030 - Dep. of H. Ross - Ex. 3
 - Magnavox v. Bally, No. 74-1030 - Dep. of H. Ross - Main
 - Magnavox v. Bally, No. 74-1030 - Dep. of J. Britz - Ex. 1
 - Magnavox v. Bally, No. 74-1030 - Dep. of J. Britz - Ex. 2
 - Magnavox v. Bally, No. 74-1030 - Dep. of J. Britz - Ex. 3
 - Magnavox v. Bally, No. 74-1030 - Dep. of J. Britz - Main
 - Magnavox v. Bally, No. 74-1030 - Dep. of Koci
 - Magnavox v. Bally, No. 74-1030 - Dep. of Rusch - Day 3
- Folder: Docket Reports
 - Magnavox v. Chicago Dynamic, No. 74-1030 - Docket Report
 - Magnavox v. Seeburg, No. 74-2510 - Docket Report
- Folder: Miscellaneous Documents
 - Magnavox v. Bally, No. 74-1030 - Letter from Gillette Company
 - Magnavox v. Bally, No. 74-1030 - Mem. in Sup. of Midway Tran
 - Magnavox v. Bally, No. 74-1030 - Mot. Of Allied Leisure re V
 - Magnavox v. Bally, No. 74-1030 - Notice of Prior Art

- Magnavox v. Bally, No. 74-1030 - Notice-Mullarky Dep. (Atari)
- Magnavox v. Bally, No. 74-1030 - Notice-Mullarky Dep. (Bally)
- Magnavox v. Bally, No. 74-1030 - Sears Protect Order
- Magnavox v. Bally, No. 74-1030 - Stip. Dismiss. Allied Leisure
- Magnavox v. Bally, No. 74-1030 - Stip. Dismiss. Atari
- Magnavox v. Chi. Dyn., No. 74-1030 - Atari Protect Order Pg
- Magnavox v. Chi. Dyn., No. 74-1030 - Final J. W.W.D.
- Magnavox v. Chi. Dyn., No. 74-1030 - Judg. World Wide Dist.
- Magnavox v. Chi. Dyn., No. 74-1030 - Opinion Denying Stay
- Magnavox v. Chi. Dyn., No. 74-1030 - Pretrial Memo for Def's
- Magnavox v. Chi. Dyn., No. 74-1030 - Pretrial Memo for Plain
- Magnavox v. Sears, No. 75-3153 - Reassignment of Case
- Folder: Trial Transcript
 - Folder: Incomplete Transcripts
 - Trial - Dec. 27, 1976 - assorted pages
 - Trial - Dec. 30, 1976 - Pages 807, 882-883
 - Trial - Dec. 28, 1978 - Pages 450-549
 - Trial - Dec. 29, 1976 - Pages 679-806
 - Trial - Jan. 5, 1977 - Pages 1493-1603
 - Trial - Jan. 10, 1977 (Day 10) - Pages 1878-2036
 - Trial - Nov. 4, 1976 (Day 1) - Pages 1-107
 - Trial - Nov. 4, 1976 (Day 1) - Pages 108-221
- Magnavox v. Chicago - Archive Information

Subseries C: Atari, Inc. v. Magnavox Co., 1975-1976

Scope and Content Note: Within this subseries are documents relating to case no. 75 C 1442, Atari, Inc. v. the Magnavox Company and Sanders Associates, Inc., challenging the patent infringement suit brought against Atari. Document types include a complaint, docket report, transfer forms, an affidavit, and consolidation forms from the U.S. District Court, Northern District of California. The papers are dated between 1975 and 1976.

Files include:

- Folder: Atari v. Magnavox, No. 75-1442
 - Atari v. Magnavox (75-1442) - Anderson Affidavit
 - Atari v. Magnavox (75-1442) - Answer and Counterclaim
 - Atari v. Magnavox (75-1442) - Complaint
 - Atari v. Magnavox (75-1442) - Docket Report
 - Atari v. Magnavox (75-1442) - Opp'n to Transfer (Page 1)
 - Atari v. Magnavox (75-1442) - Transfer
- Folder: Atari v. Magnavox, No. 75-3933
 - Atari v. Magnavox - Consolidation Order

Subseries D: Magnavox Co. v. Sears, Roebuck and Co., 1975-1976

Scope and Content Note: This subseries houses documents related to case no. 74 C 1030, the Magnavox Company v. Sears, Roebuck and Co. regarding patent infringement. Document types include a complaint, docket sheet, orders, and other papers from the U.S. District Court, Northern District of Illinois, Eastern Division. The pages are dated between 1975 and 1976.

Files include:

- Magnavox v. Sears, No. 75-3153 - Attorney Appearances
- Magnavox v. Sears, No. 75-3153 - Complaint
- Magnavox v. Sears, No. 75-3153 - Docket Sheet
- Magnavox v. Sears, No. 75-3153 - Protective Order
- Magnavox v. Sears, No. 75-3153 - Stipulated Dismissal

Subseries E: Midway Manufacturing Co. v. Universal Co., Ltd. et al., 1980

Scope and Content Note: This subseries holds a denial for a counterclaim suit filed by Universal Co. against Midway Manufacturing held in U.S. District Court, Central District of California, in 1980.

File is:

- Midway Mfg. v. Universal Co. - Opinion (C.D. Cal. 1980)

Subseries F: Magnavox Co. v. Mattel, Inc. et al., 1980-1985

Scope and Content Note: This subseries houses a docket report summarizing the proceedings of case no. 80 C 4124, the Magnavox Company v. Mattel, Inc., Mattel Sales Corp., S-W Distributors, Brunswick Corp., Rozel Industries, Inc., and William A. Linz Associates regarding patent infringement. The case was heard in U.S. District Court, and the docket report contains notes from 1980 through 1985.

File is:

- Magnavox v. Mattel, No. 80-4124 - Docket Report

Series II: William K. Ford reference, 2012-2017

Scope and Content Note: This series contains published articles on video game law written or co-written by Ford, as well as an informative letter from Ford about other video game legal cases and related web series episodes.

Box 1

- Folder 2 “Copy Game for High Score: The First Video Game Lawsuit,” William K. Ford, *Journal of Intellectual Property Law*, Vol. 20, No. 1, Fall 2012
- Folder 3 “Games are Not Coffee Mugs: Games and the Right of Publicity,” William K. Ford and Raizel Liebler, *Santa Clara Computer & High Technology Law Journal*, Vol. 29, No. 1, November 2012
- Folder 4 Reference/provenance letter from William K. Ford to J.P. Dyson at The Strong, June 2013; letter to Jeremy Saucier, July 2017

Folder 5 “Restoring *Rogers*: Video Games, False Association Claims, and the ‘Explicitly Misleading’ Use of Trademarks,” William K. Ford, *The John Marshall Review of Intellectual Property Law*, Vol. 16, No. 3, Special 2017