

Finding Aid to the Arthur S. Obermayer Cube Suit Collection, 1960-1990

Summary Information

Title: Arthur S. Obermayer Cube Suit collection

Creator: Arthur S. Obermayer (primary)

ID: 115.4176

Date: 1960-1990 (inclusive); 1982-1987 (bulk)

Extent: 13.5 linear feet

Language: The materials in this collection are primarily in English, though there are instances of Hungarian and Japanese.

Abstract: This collection contains legal documents, patents, notes, correspondence, drawings, publicity, and other papers pertaining to the patent infringement suit initiated by Moleculon Research Corp. against Ideal Toy Corp. regarding the popular Rubik's Cube puzzle. The bulk of these materials are dated between 1982 and 1987.

Repository:

Brian Sutton-Smith Library and Archives of Play at The Strong
One Manhattan Square
Rochester, New York 14607
585.263.2700
library@museumofplay.org

Administrative Information

Conditions Governing Use: This collection is open for research use by staff of The Strong and by users of its library and archives. Though the donor has not transferred intellectual property rights (including, but not limited to any copyright, trademark, and associated rights therein) to The Strong, he has given permission for The Strong to make copies in all media for museum, educational, and research purposes.

Custodial History: The Arthur S. Obermayer Cube Suit collection was donated to The Strong in December 2015 as a gift from Arthur S. Obermayer, the founder and President of Moleculon Research Corp. The papers were accessioned by The Strong under Object ID 115.4176 and were received from Obermayer in ten boxes, which included one box of game/puzzle prototypes and production versions.

Preferred citation for publication: Arthur S. Obermayer Cube Suit collection, Brian Sutton-Smith Library and Archives of Play at The Strong

Processed by: Julia Novakovic, August-September 2016

Controlled Access Terms

Personal Names

- Gustafson, William O.
- Nichols, Larry D.
- Obermayer, Arthur S.
- Rubik, Ernő
- Slocum, Jerry

Corporate Names

- CBS Inc.
- Ideal Toy Corporation
- Moleculon Research Corporation

Subjects

- Court decisions and opinions
- Mathematical recreations
- Nichols' Cube
- Patent infringement
- Patent infringement--United States
- Patent laws and legislation
- Puzzles
- Records and briefs
- Rubik's Cube
- Scientific property

Historical Note

In 1969, Larry D. Nichols, a scientist at Moleculon Research Corp. in Cambridge, Massachusetts, invented a rotating cube puzzle. Dr. Arthur S. Obermayer, founder and President of Moleculon, saw potential in the $2 \times 2 \times 2$ cube puzzle (later nicknamed "Nichols' Cube") and contacted several toy companies (including Ideal Toy Corp.) about licensing and producing the toy. Nichols, after assigning the patent to his employer, applied for a U.S. patent to cover the cube puzzle in 1970, and the U.S. Patent Office granted Moleculon the patent in 1972.

In the meantime, Hungarian architecture professor Ernő Rubik conceived of a $3 \times 3 \times 3$ rotating cube puzzle in 1974; he received a Hungarian patent on the puzzle one year later. Produced originally in Hungary as the "Magic Cube," Rubik's puzzle caught the attention of Ideal in 1979. Ideal bought the distribution rights to the Magic Cube and renamed it the "Rubik's Cube" after its inventor. The puzzle launched at several international toy fairs in early 1980, sparking the multi-year, worldwide Rubik's Cube craze. (Ideal later produced official derivatives of the $3 \times 3 \times 3$ Rubik's Cube, including the $2 \times 2 \times 2$ Pocket Cube and the $4 \times 4 \times 4$ Rubik's Revenge.)

Moleculon learned about the Rubik's Cube during the spring of 1981 and contacted Ideal about potential patent infringement regarding the puzzle. After negotiations between Moleculon and Ideal failed, Moleculon examined its legal options, convinced that its U.S. patent on Nichols' Cube had been breached by the Rubik's Cube. In May 1982, Moleculon filed a complaint for patent infringement against Ideal Toy Corp. in the Federal District Court in Wilmington, Delaware. Later that same year, CBS, Inc. acquired Ideal and inherited the Moleculon lawsuit.

The original patent infringement suit—referenced by Obermayer as the "Cube Suit"—transpired over the course of two years. In October 1984, the Federal District Court judge ruled a \$60 million settlement in favor of Moleculon. CBS filed its first appeal in 1985; the Court of Appeals affirmed that the $2 \times 2 \times 2$ Pocket Cube infringed upon Nichols' patent, but overturned the judgment on the $3 \times 3 \times 3$ Rubik's Cube. CBS (unsuccessfully) petitioned the U.S. Supreme

Court for a writ of certiorari in 1986. Moleculon filed a final appeal against CBS in 1987, again claiming that the $3 \times 3 \times 3$ Rubik's Cube also infringed upon its cube patent, but the court did not agree.

Collection Scope and Content Note

The Arthur S. Obermayer Cube Suit collection contains legal files, notes, correspondence, drawings, publicity information, reference, photographs, and other documentation relating to the creation of the Nichols' Cube, invented and patented by Larry D. Nichols of Moleculon Research Corp. Series II covers the original 1982 patent infringement suit filed by Moleculon against CBS (producers of the Rubik's Cube), and Series III includes legal papers from three appeals. The bulk of the materials are dated between 1982 and 1987.

The Arthur S. Obermayer Cube Suit collection is arranged into four series, two of which have been further divided into subseries. The materials are housed in 24 archival document boxes and two oversized folders.

Related Materials

Arthur S. Obermayer donated to The Strong more than 20 three-dimensional geometric puzzles, which were used to demonstrate mechanisms and puzzle construction during litigation. The Brian Sutton-Smith Library and Archives of Play also received 10 books about Rubik's Cube (a 2014 inductee into the National Toy Hall of Fame) and cube puzzles from Obermayer.

System of Arrangement

Series I: Development, 1969-1984

Series II: 1982 patent infringement suit, 1960-1989

Subseries A: Legal documents and correspondence

Subseries B: Preparation and reference

Subseries C: Publicity

Series III: Appeals, 1985-1989

Subseries A: 1985 appeal

Subseries B: 1986 appeal

Subseries C: 1987 appeal

Series IV: Product knock-off suits, 1987-1990

Contents List

Series I: Development, 1969-1984

Scope and Content Note: This series contains papers from Moleculon Research Corp. (abbreviated throughout as “MRC”) relating to the creation of Larry D. Nichols’ (abbreviated throughout as “LDN”) cube puzzle while employed at Moleculon. These materials include patent forms, notes, sketches, puzzle descriptions, product submissions to toy companies, correspondence, and more. Arthur S. Obermayer (abbreviated throughout as “ASO”) kept these papers and later used them as reference/discovery during the 1982 patent infringement suit. (In this series, “RDP” is an abbreviation frequently used in place of “rotating disk puzzle”—another puzzle creation by Nichols. According to Obermayer, “The original patent application for Nichols’ Cube was crafted to be broad enough to include Nichols’ rotating disk puzzle.”)

All folder titles in quotation marks are retained from the original folder titles labeled by Obermayer. Descriptions of the material type in each folder are also noted.

Box 1

- Folder 1 “967020 Cube Toy, 2/7/69” - patent disclosure draft, 1969
- Folder 2 “967120 New Concept in Proprietary Puzzles: The Roly-Poly, 2/17/69” - patent disclosure draft and sketches, 1969
- Folder 3 “Patents - Educational device (Cube Toy) Richard P. Crowley” - patent application for Larry Nichols and related correspondence, 1970-1971
- Folder 4 “Cube Toy - Descriptions” - notes, sketches, and descriptions, 1970 and n.d.
- Folder 5 “RDP - Descriptions” - drawings, notes, confidential descriptions, and correspondence; c. 1970-1988
- Folder 6 “RDP Agreements” - Moleculon draft agreement templates, 1970
- Folder 7 “RDP Manufacturing” - notes, puzzle descriptions, memos, and correspondence; 1970-1971
- Folder 8 “Patent #3,655,201” - patent reference, legal papers, and correspondence; 1971-1987
- Folder 9 “Cube Toy - Miscellaneous” - notes and correspondence, 1969-1970
- Folder 10 “RDP - Miscellaneous” - drawings, descriptions, notes, and memos; 1970-1971

Box 2

- Folder 1 “Companies contacted - Billings & Reece Inc.” - correspondence, notes, and reference; 1971
- Folder 2 “RDP - Funtastic, Alexandria, VA” - notes, puzzle descriptions, product submission, correspondence, and draft agreements; 1969-1970
- Folder 3 “Funtastic Corp.” - notes, reference, and correspondence; 1969 [with 1983 annotations]
- Folder 4 “Puzzles - Hallmark Cards, Inc. Kansas City, Mo.” - notes, reference, and correspondence; 1970-1972
- Folder 5 “Wizardry - Hallmark Cards, Kansas City, Mo.” - correspondence, 1972

- Folder 6 “Puzzles - Felicia Parker O’Neil - I-S Ultd. Inc.” - notes, reference, and correspondence; 1970 [with 1983 annotations]
- Folder 7 “Cube Toy - Kinautics, Inc. Winchester, MA.” - notes, draft text, and correspondence; 1970
- Folder 8 “RDP - Leisure Dynamics (Lakeside Toys), Minneapolis, Minn.” - notes, internal memos, product submission forms, and correspondence; 1969-1970
- Folder 9 “RDP - Mattel, Hawthorne, CA.” - notes, puzzle description, product submission, and correspondence; 1970-1971
- Folder 10 “Cube Puzzle - ‘Big Jack’ - Mattel” - reference and correspondence, 1971
- Folder 11 “Cube Toy - Parker Brothers, Salem, Mass.” - notes, reference, and correspondence; 1969-1984
- Folder 12 “RDP - Parker Brothers, Salem, Mass.” - notes, reference, and correspondence; 1969-1970
- Folder 13 “Cube Toy - 3M” - reference and correspondence, 1969-1970
- Folder 14 “Puzzles (General) - Miscellan.” - notes and reference, 1969-1972
- Folder 15 “Puzzle Ad in *Playthings*, 1970” - copies of correspondence, ad, and *Playthings* magazine receipt; 1970

Series II: 1982 patent infringement suit, 1960-1989

Scope and Content Note: This series holds legal files, correspondence, reference, photographs, discovery information, publicity, press releases, and other papers relating to Civil Action No. 82-289, *Moleculon v. CBS*, filed in Wilmington, Delaware in 1982. The litigation from this civil action played out through 1989.

All folder titles in quotation marks are retained from the original folder titles labeled by Obermayer. Descriptions of the material type in each folder are also noted. Some of the materials in this series previously sustained water damage but are safe to access. Afflicted folders are noted in brackets following the folder title and description.

Subseries A: Legal documents and correspondence

Scope and Content Note: This subseries includes deposition transcripts, pretrial orders, trial transcripts, briefs, legal correspondence, and subsequent motions for the patent infringement suit initially filed against CBS in 1982.

Box 3

- Folder 1 *Moleculon v. CBS*, Civil Action No. 82-289, Deposition of Erno Rubik, August 26, 1982 [*some water damage*]
- Folder 2 *Moleculon v. CBS*, Civil Action No. 82-289, Deposition of Arthur S. Obermayer, Vol. I, 1982 [*some water damage*]
- Folder 3 *Moleculon v. CBS*, Civil Action No. 82-289, Deposition of Arthur S. Obermayer, Vol. II, 1983 [*some water damage*]
- Folder 4 *Moleculon v. CBS*, Civil Action No. 82-289, Deposition of Arthur S. Obermayer, Vol. III, 1983 [*some water damage*]

Folder 5 Moleculon v. CBS, Civil Action No. 82-289, Deposition of Arthur S. Obermayer, Vols. IV-V, 1983 [*some water damage*]

Box 4

Folder 1 Moleculon v. CBS, Civil Action No. 82-289, Deposition of Larry D. Nichols, Vol. I, 1983 [Part 1 of 2] [*some water damage*]

Folder 2 Moleculon v. CBS, Civil Action No. 82-289, Deposition of Larry D. Nichols, Vol. I, 1983 [Part 2 of 2] [*some water damage*]

Folder 3 Moleculon v. CBS, Civil Action No. 82-289, Deposition of Larry D. Nichols, Vol. II, 1983 [*some water damage*]

Folder 4 Moleculon v. CBS, Civil Action No. 82-289, Deposition of Larry D. Nichols, Vol. III, 1983 [*some water damage*]

Folder 5 Moleculon v. CBS, Civil Action No. 82-289, Deposition of Larry D. Nichols, Vol. IV, 1983 [*some water damage*]

Folder 6 Moleculon v. CBS, Civil Action No. 82-289, Deposition of Larry D. Nichols, Vol. V, 1983 [*some water damage*]

Box 5

Folder 1 Moleculon v. CBS, Civil Action No. 82-289, Deposition of Larry D. Nichols, Vol. VI, 1983 [*some water damage*]

Folder 2 Moleculon v. CBS, Civil Action No. 82-289, Summary of Vol. VII - Larry D. Nichols deposition, 1984

Folder 3 Moleculon v. CBS, Civil Action No. 82-289, Summary index to Larry D. Nichols' deposition volumes, 1983 [*some water damage*]

Folder 4 Moleculon v. CBS, Civil Action No. 82-289, Topic index to Larry D. Nichols' deposition volumes, 1983 [*some water damage*]

Folder 5 Moleculon v. CBS, Civil Action No. 82-289, Claim index to Larry D. Nichols' deposition volumes, 1983 [*some water damage*]

Folder 6 Moleculon v. CBS, Civil Action No. 82-289, Pretrial Order, January 1984 [*some water damage*]

Folder 7 Moleculon v. CBS, Civil Action No. 82-289, January 23, 1984, First Day of Trial Transcript, January 1984 [*some water damage*]

Box 6

Folder 1 Moleculon v. CBS, Civil Action No. 82-289, January 24, 1984, Second Day of Trial Transcript, January 1984 [*some water damage*]

Folder 2 Moleculon v. CBS, Civil Action No. 82-289, January 25, 1984, Third Day of Trial Transcript, January 1984 [*some water damage*]

Folder 3 Moleculon v. CBS, Civil Action No. 82-289, January 26, 1984, Fourth Day of Trial Transcript, January 1984 [*some water damage*]

Folder 4 Moleculon v. CBS, Civil Action No. 82-289, January 27, 1984, Fifth Day of Trial Transcript, January 1984 [*some water damage*]

Folder 5 Moleculon v. CBS, Civil Action No. 82-289, January 30, 1984, Sixth Day of Trial Transcript, January 1984 [*some water damage*]

Box 7

- Folder 1 Moleculon v. CBS, Civil Action No. 82-289, January 31, 1984, Seventh Day of Trial Transcript, January 1984 [*some water damage*]
- Folder 2 Moleculon v. CBS, Civil Action No. 82-289, February 1, 1984, Eighth Day of Trial Transcript, February 1984 [*some water damage*]
- Folder 3 Moleculon v. CBS, Civil Action No. 82-289, Trial Index, n.d. [c. 1984] [*some water damage*]
- Folder 4 Moleculon v. CBS, Civil Action No. 82-289, Plaintiff's Post-Trial Brief, March 12, 1984 [copy 1]
- Folder 5 Moleculon v. CBS, Civil Action No. 82-289, Plaintiff's Post-Trial Brief, March 12, 1984 [copy 2]
- Folder 6 Moleculon v. CBS, Civil Action No. 82-289, CBS Inc.'s Post-Trial Answering Brief, April 16, 1984 [copy 1] [*some water damage*]

Box 8

- Folder 1 Moleculon v. CBS, Civil Action No. 82-289, CBS Inc.'s Post-Trial Answering Brief [copy 2]
- Folder 2 Moleculon v. CBS, Civil Action No. 82-289, Plaintiff's Reply Brief, April 30, 1984 [copy 1]
- Folder 3 Moleculon v. CBS, Civil Action No. 82-289, Plaintiff's Reply Brief, April 30, 1984 [copy 2] [*some water damage*]
- Folder 4 Moleculon v. CBS, Civil Action No. 82-289, Post-Trial Argument transcript, May 7, 1984
- Folder 5 Moleculon v. CBS, Civil Action No. 82-289, Opinion, October 2, 1984
- Folder 6 Moleculon v. CBS, Civil Action No. 82-289, Opinion and Order, Judge Stapleton, Wilmington, Delaware, October 2, 1984 [2 copies]
- Folder 7 Moleculon v. CBS, Civil Action No. 82-289, Notice of Motion and Motion of Defendant for a New Trial, December 14, 1984
- Folder 8 Moleculon v. CBS, Civil Action No. 82-289, Memorandum in Support of Defendant's Motion for a New Trial, December 14, 1984
- Folder 9 Moleculon v. CBS, Civil Action No. 82-289, Plaintiff's Memorandum in Opposition to the Defendant's Motion for New Trial, January 11, 1985
- Folder 10 Moleculon v. CBS, Civil Action No. 82-289, Defendant's Reply Memorandum in Support of Defendant's Motion for a New Trial, January 28, 1985
- Folder 11 Moleculon v. CBS, Civil Action No. 82-289, Memorandum Opinion, February 21, 1985
- Folder 12 Moleculon v. CBS, Civil Action No. 82-289, Notice of Appeal [CBS Appeal], March 1985
- Folder 13 "Cube: District Court Remand (New Trial v. Hearing Arguments), Dec. '86 thru July '87" - notes, legal correspondence, and questions list; 1986-1987
- Folder 14 "Cube: District Court Remand General Correspondence (Mid '86-'87)" - notes, legal correspondence, and reference; 1986-1987

Box 9

- Folder 1 Moleculon v. CBS, Civil Action No. 82-289, Plaintiff's Opening Brief on Remand, March 6, 1987; drafts, February 1987

- Folder 2 Moleculon v. CBS, Civil Action No. 82-289, CBS Inc.'s Answering Brief on Remand, May 1, 1987
- Folder 3 Moleculon v. CBS, Civil Action No. 82-289, CBS Inc.'s Answering Brief on Remand with CBS Inc.'s Appendix for Answering Brief on Remand; May 1, 1987
- Folder 4 Moleculon v. CBS, Civil Action No. 82-289, Plaintiff's Reply Brief on Remand, May 15, 1987; drafts, n.d.
- Folder 5 Moleculon v. CBS, Civil Action No. 82-289, Opinion, July 6, 1987
- Folder 6 "Cube: Settlement Agreement, 12 August 1988" - notes, correspondence, and legal papers; 1988
- Folder 7 "Cube: Settlement Agreement, August 12, 1988" - agreement photocopy, 1988

Box 10

- Folder 1 "Cube: Valuation" - notes, documents, and reference; 1981-1987
- Folder 2 "Cube: Royalties Calculations Based on Fixed Price per Article Basis" - patent reference, notes, and correspondence; 1985-1986
- Folder 3 "Cube: Interest calculations (settlement) 1986" - notes, financial documents, spreadsheets, and legal correspondence; 1986
- Folder 4 "Cube: Settlement negotiations - Draft letters to Eslinger" - draft letters and notes, 1986
- Folder 5 "Cube: Settlement negotiations, 1986" - notes, reference, and correspondence; 1986
- Folder 6 "Cube: Settlement negotiations, 1987-1988" - notes, reference, and correspondence; 1987-1988

Box 11

- Folder 1 "Atty. A. Rosen - Cube Toy" - notes and correspondence, 1981
- Folder 2 "Crowley - Cube Puzzle" - notes and correspondence, 1981
- Folder 3 "Iandorio - Cube Puzzle" - correspondence, notes, and reference; 1981-1986
- Folder 4 "Lawyers re: Cube Puzzle" - notes, reference, and correspondence; 1982
- Folder 5 "W. Brown Morton (Cube)" - legal correspondence, reference, and notes; 1982-1988 [Part 1 of 2]
- Folder 6 "W. Brown Morton (Cube)" - legal correspondence, reference, and notes; 1983-1988 [Part 2 of 2]
- Folder 7 "Hedrick and Lane (Cube)" - notes, reference, and correspondence; 1981-1983 [Part 1 of 2]
- Folder 8 "Hedrick and Lane (Cube)" - notes, reference, and correspondence; 1984-1985 [Part 2 of 2]
- Folder 9 "ASO--Wilkes, Artis, Hedrick, & Lane, Revised fee agreement" - notes and correspondence, 1982-1985
- Folder 10 "Cube: Rosen, Dainow, & Jacobs - Original letter of agreement" - letter, 1987
- Folder 11 "Cube: Rosen, Dainow, & Jacobs - Fee agreement and invoices" - notes, correspondence, and invoices; 1987-1989

Oversized

- Folder 1 "Cube: Royalties Calculations Based on Fixed Price per Article Basis" - hand-drawn charts, November 1986

Subseries B: Preparation and reference

Scope and Content Note: This subseries houses discovery materials, patent reference, information about CBS's finances, and other files retained by Obermayer in preparation for the patent infringement suit initially filed against CBS in 1982. Also included in this subseries are details about Obermayer's "Nichols' Cube Celebration," held in November 1984.

Box 12

- Folder 1 "CBS Discovery #1, 1982" - legal correspondence and papers, 1982
- Folder 2 "CBS Discovery #2, 1983" - legal correspondence, 1983 [Part 1 of 2]
- Folder 3 "CBS Discovery #2, 1983" - legal correspondence, 1983-1984 [Part 2 of 2]
- Folder 4 "CBS Discovery #3, 1984 forward" - legal correspondence, 1984
- Folder 5 "Hedrick & Lane discovery material" - legal correspondence and papers, 1982 [Part 1 of 3]
- Folder 6 "Hedrick & Lane discovery material" - legal correspondence and papers, 1982 [Part 2 of 3]
- Folder 7 "Hedrick & Lane discovery material" - legal correspondence and papers, 1983-1984 [Part 3 of 3]

Box 13

- Folder 1 Patent reference and letter, 1984 and n.d.
- Folder 2 "Rubik's Hungarian Patent" - patents, reference, and correspondence; 1978-1984 [some in Hungarian]
- Folder 3 "Gustafson patent" - photocopies of patents, notes, reference, and correspondence; 1960-1982 [some in Japanese]
- Folder 4 "Japanese patents" - patents, notes, reference, and transcriptions; 1978-1983 [some in Japanese]
- Folder 5 "2x2x2 Patent App. - Cube (ASO "Improved Cube Puzzle" 1981)" - reference, correspondence, legal papers, and notes; 1981-1987
- Folder 6 "4x4x4 Puzzle - Patent by Sebesteny ('Rubik's Revenge')"- patent and reference, 1983
- Folder 7 "Tenser - Cube Puzzle" - correspondence, notes, and reference; 1981-1984

Box 14

- Folder 1 "Ideal Toy Corp. An. Rpt. / Fiscal Merge 1981-82" - notes and reference [CBS/Ideal merger], 1981-1982
- Folder 2 "Cube: CBS - Lawyers' Opinions to CBS on Merits of Suit - June 1982" - legal papers and correspondence, 1982
- Folder 3 "CBS Annual Reports" - annual reports, 1984-1987
- Folder 4 "CBS 10K 1984" - SEC Forms 10-K and reference, 1984-1986
- Folder 5 "CBS 10Qs, 1985" - SEC Forms 10-Q, notes, and reference; 1985-1987
- Folder 6 "CBS Stock" - CBS shareholder information, stock offers, notes, and reference; 1984-1988
- Folder 7 "Cube: CBS - General information" - news clippings, reference, and letter; 1987

Box 15

- Folder 1 “ACS Talk - 1984” - notes, correspondence, application for paper; 1984 [American Chemical Society, “The Invention of ‘Rubik’s Cube’”] [*some water damage*]
- Folder 2 “All the Cube Solutions from Dell/Banbury” - press kit, 1982 [Rubik’s Cube solving book]
- Folder 3 “ASO Cube - Portable Legal pre 10/84” - notes and reference, 1983-1984
- Folder 4 “ASO Deposition Materials, 1984” - notes and summary of deposition, 1983-1984 [*some water damage*]
- Folder 5 “ASO Trial Preparation” - notes, memos, and reference; 1983-1985
- Folder 6 “Chadwick-Miller (Cube Toy)” - notes, memos, correspondence, and reference; 1981
- Folder 7 “Companies Contacted - Puzzle Companies Taiwan and U.S.” - notes, reference, and correspondence; 1981-1982
- Folder 8 “Confidentiality agreements and blanks -- Cube Puzzle” - signed and blank confidentiality agreements, 1981
- Folder 9 “Cube: Chronology of Lawsuit (by LDN - Spring ’88)” - chronology and reference, 1988
- Folder 10 “Cube Confidential - ASO, LDN, RFH only” - information on discovery, notes, finance information, correspondence, and photographs; 1970-1989
- Folder 11 “Cube: Conflict Management Inc. (CMI), 1986” - notes, correspondence, and invoices; 1986-1988
- Folder 12 “Cube construction” - memo [Larry D. Nichols], 1983
- Folder 13 “Cube: Legal - From 10/2/84 - 2/85 District Court” - notes, reference, and correspondence; 1984-1985
- Folder 14 “Cube Marketing Inquiries” - correspondence, 1985-1986
- Folder 15 “Cube: Marketing/Manufacturing correspondence, etc. - ’76, ’81-’84” - notes and correspondence, 1976-1984

Box 16

- Folder 1 “Cube: Model Production 1987” - notes and correspondence, 1981-1987 [*some water damage*]
- Folder 2 “Cube: Porter, Levay, & Rose, Inc. 1986” - notes and correspondence, 1986-1987
- Folder 3 “Cube Puzzle: Calculations re: no. of combinations (1981)” - notes, 1981
- Folder 4 “Cube Things RGS” - reference, notes, and sketches [demo cube production]; 1981
- Folder 5 “Cube Toy - Agreements” - agreement templates, n.d.
- Folder 6 “Depositions” - letter, reference, and transcripts [William Gustafson]; 1982
- Folder 7 “Depositions” - notes, reference, and transcripts [William Gustafson, Larry D. Nichols]; 1982-1984
- Folder 8 “Disclosure Document 3 Part Design for Cube Puzzle #100255” - notes, disclosures, and correspondence; 1981-1984
- Folder 9 “Discussion of Claims” - notes, correspondence, and reference; 1981-1985
- Folder 10 “During Trial” - memo, 1984
- Folder 11 “Expert Witnesses” - notes, reference, and correspondence; 1982-1984

- Folder 12 “Franklin Pierce Law Center (Prof. Homer O’Blair/Patents)” - notes and journal [*IDEA: The Journal of Law and Technology*], 1986-1987
- Folder 13 “Fred Finnemore - Cube” - notes, correspondence, and consultant report [“The Cube³”]; 1981
- Folder 14 “Gerald Slocum on Rubik’s Cube 8/3/84” - notes and trial transcripts, 1984

Box 17

- Folder 1 “Ideal Counterclaims” - legal correspondence and papers, 1981-1983
- Folder 2 “Ideal Toy - Cube Puzzle” - notes, correspondence, clippings, memos, and plan of action for patent infringement case; 1981-1982
- Folder 3 “Issue of Abandonment” - correspondence and legal papers [Civil Action No. 82-289], 1984
- Folder 4 “LDN Agreement 1985” - agreement (signed), 1985
- Folder 5 “Legal papers re: Cube Case” - legal drafts and letter, 1983
- Folder 6 “License on Cube Patent, Thomas Kramer, London (9/87)” - notes, 1987
- Folder 7 Loose correspondence, 1984-1985
- Folder 8 “Loose in files” - memos, notes, receipts, and reference; 1982-1985
- Folder 9 “Lory Rosten/Cube” - press release and correspondence, 1985
- Folder 10 “Miscellaneous Correspondence Cube/Suit Post Trial” - notes and correspondence, 1984-1986
- Folder 11 “MRC: Refrac Technology legal docs” - general release, Refrac Technology Development Corp./Moleculon, 1982
- Folder 12 “Moleculon Research - Larry D. Nichols Agreement” - agreement and letter, 1988
- Folder 13 “Nichols -MRC” - notes, correspondence, draft agreements, and reference; 1966-1986
- Folder 14 “Notes for a Renewed Game and Puzzle Agreement,” Larry D. Nichols, May 4, 1985
- Folder 15 “Notes Taken During Trial - ASO (handwritten) (Cube)” - notebook with notecards, n.d. [c. 1984]
- Folder 16 “Plaintiff Post-Trial Brief, 3/8/84” - post-trial briefs, March 1984
- Folder 17 “Post-Trial Briefs” - correspondence, legal papers, notes, and legal drafts; 1984

Box 18

- Folder 1 “Potential Services re: Cube 1982” - notes, correspondence, and reference; 1981-1982
- Folder 2 “Puzzles - Cube Inspired Offers/Letters/Game Companies, 1985” - reference and correspondence; 1985
- Folder 3 “Puzzles - Licensing” - notes and letter, 1987
- Folder 4 “REFAC - Cube Puzzle” - agreements, correspondence, legal papers, and notes; 1981-1984
- Folder 5 “Responses to the Cube Puzzle Press Conference/Announce.” - notes, clippings, correspondence, and audio recording of “News Conference at MIT Faculty Club, June 1982”; 1982
- Folder 6 “Rubik’s Cube Club” - *Rubik’s Cube Newsletter*, promo poster, and ephemera; 1982-1983

- Folder 7 “Trade Dress Suits Ideal/CBS Before ITC District Courts” - correspondence, reference, and notice of investigations; 1981
- Folder 8 “Trial” - notes and trial index, 1984
- Folder 9 “Trial Preparation” - legal papers [Pre-Trial Order, Plaintiff’s Trial Brief, CBS Inc. Pre-Trial Brief, Appendices] and notes, 1983
- Folder 10 “United States International Trade Commission Action-Trade Dress Suits” - notes and reference, 1981-1982
- Folder 11 “Wahl Appeal correspondence 1985” - notes, correspondence, and legal papers; 1985-1986
- Folder 12 “William Kierstead” - correspondence, 1984

Box 19

- Folder 1 “Nichols’ Cube Reception” - planning materials, draft text, and draft press releases; 1984-1985
- Folder 2 “The Winning Move/Nichols’ Cube Celebration” - invitation, speech, photographs, and pins; November 1984
- Folder 3 “Cube Celebration responses” - letters and cards, 1984
- Folder 4 “Cube Photographs (ex LDN) Fall 1987” - photographs, 1987

Oversized

- Folder 2 “Larry D. Nichols” - patent information, notes, and reference; 1969-1981

Subseries C: Publicity

Scope and Content Note: Included in this subseries are draft and final press releases, press kits from Moleculon, correspondence from public relations firms, and news clippings about the patent infringement suit.

Box 19

- Folder 5 “(Our prep.) PR - The Cube Puzzle” - draft descriptions, chronology, memos, notes, and “Recent Media Actions”; 1981-1983
- Folder 6 “Articles on Cube Puzzle(s)” - clippings and photographs, 1981-1983
- Folder 7 Cube Suit press releases - historical information, chronology, selected publicity, biographical information, and photographs; 1982-1984
- Folder 8 Cube suit publicity clippings, 1982-1986

Box 20

- Folder 1 “PR Cube/Agnew, Carter, McCarthy” - notes and correspondence, 1982
- Folder 2 “Cube: Nancy Burke PR” - notes, copied clippings, correspondence, and text drafts; 1982-1983
- Folder 3 Moleculon media information folders - notes, memos, photographs, reference, and press release materials; 1982
- Folder 4 “MRC PR Material (Generated Here) - Pre-Oct. 1984” - notes, memos, lists, and correspondence; 1982-1984
- Folder 5 “Articles re: Ideal Suit” - clippings [with some correspondence], 1982-1985
- Folder 6 “Press Release Kits -- Copies” - draft descriptions and text for press release kits, 1983-1984
- Folder 7 “Cube: PR - 1984” - notes and press release drafts, 1984

- Folder 8 "Final Order" - press release and copies of order for Civil Action No. 82-289, 1984
- Folder 9 "Media Moleculon" - news clippings, 1984-1985
- Folder 10 Publicity articles, 1984-1986
- Folder 11 "Post-Trial Packet PR Materials, Oct. 1985" - photocopied reference, 1984-1985
- Folder 12 "CGL/ASO Cube PR Contacts 1985" - notes, reference, and correspondence; 1985
- Folder 13 "Moleculon Cube Articles, 1985, '86" - news clippings and correspondence, 1985-1986
- Folder 14 "Post Trial CBS Suit-related PR Correspondence" - notes and correspondence, 1985-1986
- Folder 15 "Post Trial/Appeal articles and press releases" - press releases, news clippings, and correspondence; 1985-1986
- Folder 16 "Cube Publicity List -- Original" - publicity list, notes, and press release; 1986-1987

Box 21

- Folder 1 "Cube: Rubik's Magic Puzzle, Articles, P.R., etc. 1986" - notes and news clippings, 1986-1987
- Folder 2 "Cube articles, 1987, '88" - news clippings, 1987-1988
- Folder 3 "Bacon's Service -- Clippings" - brochures, correspondence, and order forms; 1982-1987
- Folder 4 Bacon's clippings - news clippings, 1982-1985
- Folder 5 Bacon's clippings - news clippings, 1986-1987

Series III: Appeals, 1985-1989

Scope and Content Note: This series contains legal papers, correspondence, reference, and notes relating to three subsequent appeals in 1985, 1986, and 1987.

All folder titles in quotation marks are retained from the original folder titles labeled by Obermayer. Descriptions of the material type in each folder are also noted.

Subseries A: 1985 appeal

Scope and Content Note: This series holds appeal briefs, motions, and other legal papers relating to Appeal No. 85-2096, CBS v. Moleculon, filed initially by CBS in 1985. In this appeal, the judge affirmed that the 2x2x2 Pocket Cube infringed upon Nichols' patent, but overturned the judgment on the 3x3x3 Rubik's Cube.

Box 22

- Folder 1 Appeal No. 85-2096, CBS v. Moleculon, Certificate of Interest and Entry of Appearance, March-June 1985
- Folder 2 Appeal No. 85-2096, CBS v. Moleculon, Designation by Moleculon of Parts of Record to be Included in Appendix, and Designation by CBS of Parts to be Included in Appendix; April-May 1985

- Folder 3 Appeal No. 85-2096, CBS v. Molculon, Extension of Appeal, May-June 1985
- Folder 4 Appeal No. 85-2096, CBS v. Molculon, Opposition to Motion for One-Week Extension of Time, June 7, 1985
- Folder 5 Appeal No. 85-2096, CBS v. Molculon, Brief for Appellee, August 1985
- Folder 6 Appeal No. 85-2096, CBS v. Molculon, Reply Brief for Appellant, with notes, August 1985
- Folder 7 "CBS Appeal -- Claim 3 Argument/MRC" - Appeal No. 85-2096, CBS v. Molculon, Memorandum of Authorities on the Significance of the Word 'Comprising' In Claim 3 of the Patent at Issue, October 15, 1985
- Folder 8 "CBS Appeal -- Claim 3 Argument/CBS" - Appeal No. 85-2096, CBS v. Molculon, CBS's Memorandum of Authorities..., October 17, 1985
- Folder 9 Appeal No. 85-2096, CBS v. Molculon, Petition for Rehearing in Banc, June 1986
- Folder 10 "ASO-LDN Claim 3 Substantiation 1985" - notes, reference, and correspondence, 1982-1985
- Folder 11 "Molculon Appeal Brief - Draft materials, July 1985" - correspondence and legal paper drafts, 1985
- Folder 12 "ASO Desk -- CBS Appeal, Oct. 1985" - notes, correspondence, and reference [Appeal No. 85-2096, CBS v. Molculon]; 1985-1986

Subseries B: 1986 appeal

Scope and Content Note: This subseries includes information about petition for the writ of certiorari entered by CBS against Molculon in 1986. (The U.S. Supreme Court denied the petition, stating that it will let the lower court decision stand.)

Box 23

- Folder 1 "Cube: Supreme Court - Writ of Certiorari (10/86-1/87)" - No. 86-534, CBS v. Molculon - Petition for Writ of Certiorari to U.S. Court of Appeals for the Federal Circuit, Respondent's Brief in Opposition, Petitioner's Reply Brief, and related correspondence; 1986-1987

Subseries C: 1987 appeal

Scope and Content Note: This subseries houses appeal briefs, motions, decisions, notes, reference, and other papers relating to Appeal No. 87-1594, Molculon v. CBS, filed initially in 1987. In this appeal, Molculon tried to have overturned the previous appeal ruling that the 3x3x3 Rubik's Cube did not infringe upon Nichols' patent. (Molculon did not win this appeal.)

Box 23

- Folder 2 Appeal No. 87-1594, Molculon v. CBS, Brief and Appendix A for Appellant [CBS], n.d. [November 3, 1987] [*some water damage*]
- Folder 3 Appeal No. 87-1594, Molculon v. CBS, Brief for Appellee [Molculon], December 14, 1987 [*some water damage*]
- Folder 4 Appeal No. 87-1594, Molculon v. CBS, Reply Brief for Appellant [CBS], n.d. [c. 1987-1988]
- Folder 5 "Cube: Federal Circuit Court of Appeals 'Law of the Case' doctrine, 1988" - notes, reference, and correspondence; 1988 [*some water damage*]

- Folder 6 Appeal No. 87-1594, *Moleculon v. CBS*, Decision, April 5, 1989, with notes and correspondence, April 1989
- Folder 7 Appeal No. 87-1594, *Moleculon v. CBS*, Petition of Plaintiff-Appellee for Rehearing and Suggestion for Rehearing in Banc, May 5, 1989 [*some water damage*]
- Folder 8 Appeal No. 87-1594, *Moleculon v. CBS*, Response of Defendant-Appellant CBS, Inc. to Petition of Plaintiff-Appellee for Rehearing and Suggestion for Rehearing in Banc, June 9, 1989
- Folder 9 "Appeal No. 87-1594" - legal papers, correspondence, and notes; 1987-1988

Box 24

- Folder 1 "Appeal No. 87-1594" - notes, correspondence, audiocassette, and Draft of Equity Argument; 1988-1989
- Folder 2 Appeal No. 87-1594, *Moleculon v. CBS*, Order, June 23, 1989

Series IV: Product knock-off suits, 1987-1990

Scope and Content Note: This series contains legal papers, correspondence, notes, and other materials pertaining to additional litigation filed by *Moleculon* against other makers of cube puzzles.

Box 24

- Folder 3 "Cube: 'Knock-off' Suits - Joe Iandiorio, Jan. '87" - notes, correspondence, and fee agreements; 1987
- Folder 4 "Cube: 'Knock-off' Suits - Wilkes, Artis, Hedrick, & Lane ASO" - notes and correspondence, 1987
- Folder 5 "Knock-off Cube Suits - 1989" - notes, correspondence, and legal papers; 1988-1989
- Folder 6 "Cube: Knock-off Suits - District Court - Massachusetts" - Civil Action No. 87-0385-T, *Moleculon v. Chadwick Miller*; Plaintiff's First Set of Interrogatories to Defendant and Plaintiff's First Request for Production of Documents; 1987
- Folder 7 "Cube: Rosen, Dainow, & Jacobs - Knock-off Suits" - notes and correspondence, 1987-1990