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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DAVID H. SITRICK

Plaintiff,

v.

TAKE-TWO INTERACTIVE SOFTWARE,
INC.

Defendant.

JUDGE ANDERSON

03C 9148

JURY TRIAL DEMANDED

COMPLAINT AND DEMAND FOR JURY TRIAL

NOW COMES Plaintiff, David H. Sitrick, by his attorneys and for his Complaint against Defendant, Take-Two Interactive Software, Inc., alleges the following:

1. This is an action for patent infringement arising under the patent laws of the United States (Title 35, United States Code) as appears more fully hereinafter. This Court has jurisdiction under Title 28, United States Code, Section 1338(a); and venue lies in this District under the provisions of Title 28, United States Code, Section 1400(b).

2. Plaintiff, David H. Sitrick, is a resident of the state of Illinois and of this District.

3. On February 25, 1986, United States Patent No. 4,572,509 (hereinafter "the '509 patent") was duly and legally issued to Plaintiff for a "Video Game Network" invented by Plaintiff, and since that date, Plaintiff has been and still is the owner of the '509 patent, a copy of which is attached to this Complaint as Exhibit A.

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4. On information and belief, Defendant, Take-Two Interactive Software, Inc., is doing business in this District, has a principal place of business at 622 Broadway, New York, New York 10012, and is a publisher of game software.

5. Defendant has for a long time past directly, contributorily, and/or by inducement infringed the '509 patent in this district and elsewhere in the United States by making, selling, offering for sale, and/or using electronic games and software therefor.

6. Plaintiff has given written notice to Defendant.

7. Acts of infringement by Defendant have been willful and deliberate.

WHEREFOR, Plaintiff prays that this Court:

A. Adjudge United States Patent No. 4,572,509 to be infringed by Defendant and not invalid;

B. Order Defendant to account to Plaintiff for damages sustained by Plaintiff as a result of Defendant's infringement of United States Patent No. 4,572,509, with interest, said damages so found then to be increased three-fold pursuant to 35 U.S.C. § 285 upon the Court's finding that the present case is exceptional;

C. Award Plaintiff his costs, expenses, and reasonable attorney fees for bringing and prosecuting this action; and

D. Award Plaintiff such other and further relief as the Court may deem just and proper.

DEMAND FOR TRIAL BY JURY

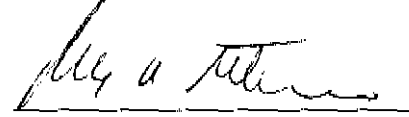
Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff hereby demands a trial by jury of all issues triable by jury in this action.

Respectfully submitted,

DAVID H. SITRICK

Dated: December 18, 2003

By:



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Attorneys for Plaintiff
David H. Sitrick

CAT 1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

03C 9148

Civil Cover Sheet

MAGISTRATE SIDNEY I. SCHENKIER

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized for use only in the Northern District of Illinois.

Plaintiff(s): David H. Sitrick

Defendant(s): Take-Two Interactive Software Co.

County of Residence:

County of Residence: New York

Plaintiff's Atty: Robert M. Gerstein
Marshall Gerstein & Borun LLP
233 S. Wacker, Ste 6300,
Chicago, IL 60606
312-474-6300

Defendant's Atty:

FILED
DEC 19 2003
CLERK OF COURT
U.S. DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
CHICAGO, ILLINOIS

II. Basis of Jurisdiction: 3. Federal Question (U.S. not a party)

III. Citizenship of Principal Parties (Diversity Cases Only)

Plaintiff: -N/A
Defendant: -N/A

IV. Origin: 1. Original Proceeding

V. Nature of Suit: 830 Patent

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VI. Cause of Action: This is an action for patent infringement arising under the patent laws of the United States (Title 35, United States Code) as appears more fully hereinafter. This Court has jurisdiction under Title 28, United States Code, Section 1338(a); and venue lies in this District under the provisions of Title 28, United States Code, Section 1400(b).

VII. Requested in Complaint

Class Action:
Dollar Demand:
Jury Demand: Yes

VIII. This case IS NOT a refiling of a previously dismissed case.

Signature: *[Handwritten Signature]*

Date: 12/18/03

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

JUDGE ANDERSEN

In the Matter of

EASTERN DIVISION

DAVID H. SITRICK

Plaintiff,

v.

TAKE-TWO INTERACTIVE SOFTWARE, INC.

Defendant.

03C
Case Number:

9148

MAGISTRATE SIDNEY I. SORENSEN

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR:

Plaintiff David Sitrick

(A)		(B)	
SIGNATURE <i>Robert M. Gerstein</i>		SIGNATURE	
NAME Robert M. Gerstein		NAME	
FIRM Marshall Gerstein & Borun LLP		FIRM	
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CITY/STATE/ZIP Chicago Il 60606		CITY/STATE/ZIP	
TELEPHONE NUMBER 312-474-6300	FAX NUMBER 312-474-0448	TELEPHONE NUMBER	FAX NUMBER
E-MAIL ADDRESS rgerstein@marshallip.com		E-MAIL ADDRESS	
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 06198844		IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)	
MEMBER OF TRIAL BAR? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>
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(C)		(D)	
SIGNATURE		SIGNATURE	
NAME		NAME	
FIRM		FIRM	
STREET ADDRESS		STREET ADDRESS	
CITY/STATE/ZIP		CITY/STATE/ZIP	
TELEPHONE NUMBER	FAX NUMBER	TELEPHONE NUMBER	FAX NUMBER
E-MAIL ADDRESS		E-MAIL ADDRESS	
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)		IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)	
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