

COOLEY LLP
1114 Avenue of the Americas
New York, New York 10036
Tel.: 212-479-6000
Cathy Hershcopf
Jeffrey L. Cohen
Alex R. Velinsky

*Counsel for the Official Committee
Of Unsecured Creditors*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

)	
In re:)	Chapter 11
)	
ATARI, INC., <u>et al.</u> ,)	Case No. 13-10176 (JMP)
)	
Debtors, ¹)	
)	

**SUPPLEMENTAL AFFIDAVIT OF JEFFREY L. COHEN
PURSUANT TO BANKRUPTCY RULE 2014(a)**

I, Jeffrey L. Cohen, being duly sworn, hereby depose and say:

1. I am an attorney at law and a member of the firm of Cooley LLP (“Cooley”), a law firm of approximately 700 attorneys with its New York offices located at 1114 Avenue of the Americas, New York, New York 10036-7798. I submit this supplemental affidavit to provide additional disclosure in accordance with rule 2014(a) of the Federal Rules of Bankruptcy Procedure of Cooley’s connections with potential parties in interest in the above-captioned chapter 11 cases, in addition to those disclosed in my affidavit filed in support of the *Application to Retain and Employ Cooley LLP as Counsel to the Official Committee of Unsecured Creditors*

¹ The Debtors are Atari, Inc., Atari Interactive, Inc., Humongous, Inc., and California U.S. Holdings, Inc.

of *Atari Inc., et al., Nunc Pro Tunc to February 8, 2013* (Docket No 89) (the “Application”).

Except as otherwise noted, I have personal knowledge of the matters set forth herein or I have relied on information provided to me by other members of Cooley that have personal knowledge of the matters set forth herein.

2. On March 6, 2013, this Court entered the *Order Authorizing the Retention and Employment of Cooley LLP as Counsel to the Official Committee of Unsecured Creditors of Atari Inc., et al., Nunc Pro Tunc to February 8, 2013* (Docket No. 113).

3. Since the filing of the Application, Cooley has continued to review its contacts with the Debtors, their affiliates, and potential parties in interest to ensure that Cooley does not represent any entity having an interest adverse to the Committee in connection with these cases.

4. As a result of these efforts, it has come to my attention that Debtor Atari Interactive, Inc. has filed a Notice of Opposition, under the Trademark Act, Section 2(d), against Pong Research Corporation (“Pong Research”) in connection with Pong Research’s application to register “PONG” for cases for mobile phones, cell phones, laptop computers, tablet computers, notebook computers, and other wireless communication devices. The matter is captioned *Atari Interactive, Inc. v. Pong Research Corp., Opposition No. 91207420* (the “Trademark Dispute”).

5. It has also come to my attention that attorneys in Cooley’s Washington, D.C. office represent Pong Research in the Trademark Dispute. Upon obtaining this information, an ethical screen was set up between the Cooley attorneys working on matters related to the Debtors’ chapter 11 cases and the attorneys representing Pong Research in the Trademark Dispute.

6. In the event that the need arises for the Debtors to consult the Committee on matters relating to the Trademark Dispute, the Committee will retain conflicts counsel to represent it in connection with this matter.

7. Cooley will continue its policy of updating and expanding its ongoing relationship search for additional parties in interest in an expedient manner. If any new material relevant facts or relationships are discovered or arise, Cooley will file an additional supplemental affidavit.

Pursuant to 28 U.S.C. § 1746, I declare under the penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Dated: August 23, 2013
New York, New York

/s/ Jeffrey L. Cohen
Jeffrey L. Cohen
COOLEY LLP