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### **THE TOKYO DISTRICT COURT RULES AGAINST THE DISTRIBUTION OF GAME COPYING DEVICES DESIGNED FOR THE *NINTENDO DS***

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February 27, 2009 -- Nintendo Co., Ltd. (Headquarter: Minami-Ku, Kyoto-Shi, President: Satoru Iwata) together with 54 software manufacturers who develop/sell video game software for play on the *Nintendo DS* (including *Nintendo DS Lite*) filed a lawsuit in July of last year with the Tokyo District Court against multiple parties, who had been importing/selling the "R4 Revolution for DS", a typical model of so-called game copying devices. The companies filed their action pursuant to the Japanese Unfair Competition Prevention Act (2008 (WA) No. 20886) seeking an injunction to stop the distribution of the game copying devices.

Today, the Tokyo District Court fully granted the injunction in favor of Nintendo and the 54 software manufacturers who have been impacted by the sale of these devices. This ruling is an acknowledgement of the validity of Nintendo's and the other companies' claims, confirming the game copying devices are a violation under Japan laws.

Nintendo and software manufacturers will continue to pursue legal actions against game copying devices that allow the play of illegal copied software made available on the Internet. In addition to the favorable ruling by the Tokyo District Court, Nintendo also obtained favorable rulings by courts in Hong Kong, Germany and Italy. Nintendo has been active in its efforts to stop the illegal distribution of game copying devices. Since 2008, Nintendo has supported over 300 actions in 16 countries, confiscating over 200,000 DS game copiers. Nintendo has had assistance from law enforcement authorities in Australia, Belgium, Denmark, France, Germany, Hong Kong, Italy, Japan, Korea, the Netherlands, New Zealand, Singapore, Spain, Taiwan, United Kingdom and United States. As part of its battle against piracy, Nintendo is also working with Chinese enforcement authorities to pursue factories in China responsible for the manufacture of the infringing devices. Nintendo will continue to pursue the distribution of game copying devices on a global scale.