



Q2: April – June 2017

UK Man Decides to Call an End to Selling R4s. In mid-June officers from the Police Intellectual Property Crime Unit (PIPCU), acting on a referral from Nintendo, went to the residential premises of a man in the North East of England suspected of selling *Nintendo DS* and *Nintendo 3DS* circumvention devices. The seller admitted that he had been selling these devices on EBay and handed over his remaining stock. The man was presented with a warning letter by police as part of the “Stop It” campaign pioneered by PIPCU in the UK. Further information on how PIPCU operates particularly around early interventions can be found here: <https://www.cityoflondon.police.uk/advice-and-support/fraud-and-economic-crime/pipcu/Pages/How-PIPCU-operates.aspx>.

More Piracy Sites Blocked in Italy. In April and June, the Italian telecommunications authority AGCOM ordered Italian ISPs to block subscribers’ access to roms43.com and nicoblog.org which are both websites that make available large amounts of *Nintendo* pirated games. Both websites were referred to AGCOM by Nintendo.

Dutch Seller of *Nintendo 3DS* Circumvention Devices Raided a Second Time by Police. Following a second complaint filed by Nintendo against the same target, Dutch police raided a retail premises in The Hague and recovered a significant number of *Nintendo 3DS* game copiers, mod chips and unlicensed products such as chargers, batteries and shells.

Nintendo 3DS – Uniform Dispute Resolution Policy (UDRP) Case Win! As part of ongoing enforcement efforts against the online distribution of game copiers, Nintendo initiated investigations into websites that use the term “3DS” in their domain name/URL. The unauthorized use of 3DS in the domain name is misleading, creates a false connection to Nintendo, and draws consumers to infringing products. During the course of the investigation, it was determined that one entity controlled nine different websites that used 3DS in the domain name and primarily sold different varieties of game copiers and other infringing goods. Nintendo filed a UDRP complaint against the owner of the websites and claimed, among other things, that the domain names were registered in bad faith. In May, a panel of three arbitrators issued a favorable decision confirming that Nintendo has solid ownership rights in the term 3DS due to robust sales and continuous use since February 2011. It was proven that the disputed domains are confusingly similar to *Nintendo’s 3DS* trademarks and that the domains were registered in bad faith. All nine disputed domains were transferred to Nintendo. Nintendo will continue to explore UDRP and similar actions that are intended to disrupt illegal website operators’ ability to market and sell infringing game copiers.

Counterfeit *amiibo* Cards Hot Sellers on Online Marketplaces. As *The Legend of Zelda: Breath of the Wild* dominated the gaming charts in March, individuals who could not get their hands on legitimate *Zelda*-themed *amiibo* took matters into their own hands and began creating their own. Counterfeit *amiibo* cards began flooding online “DIY” marketplace Etsy and similar marketplaces. Using both in-house and vendor resources, Nintendo removed over 3,000 counterfeit *amiibo* card listings from various online marketplaces. Nintendo will continue to monitor and enforce against unauthorized *amiibo* products as their popularity continues to grow.



Counterfeit *Nintendo Switch* Carrying Cases Seized in China. The China Market Supervision Administration (MSA)



conducted an investigation of a suspected supplier of video game accessories. On April 5, 2017, the China MSA successfully raided and seized 1,200 units of infringing *Nintendo Switch* carrying cases. The confiscated products were transferred to one of MSA’s warehouse awaiting destruction.