

July 9, 2013

To whom it may concern:

Nintendo Co., Ltd.

Tokyo District Court Announces Its Decision of Injunction and Damages Against Game Copier Devices for Nintendo DS

In 2009, Nintendo Co., Ltd. (Head Quarters: Minami-ku, Kyoto-shi, President: Satoru Iwata) together with 49 software manufacturers who develop/sell video game software for play on the *Nintendo DS* filed a lawsuit in the Tokyo District Court against sellers of devices called “game copiers”. The companies filed this action pursuant to the Japanese Unfair Competition Prevention Act seeking an injunction to stop the distribution of the game copying devices, as well as seeking damage compensation. (2009 (WA) No. 40515, 2010 (WA) No. 12105 and No. 17265)

Today, the Tokyo District Court ruled in favor of Nintendo and the 49 other software manufacturers, ordering an injunction against importing/selling game copiers and also ordering the sellers to pay 95,625,000 YEN as a damage of Nintendo. Although the illegality of game copiers was confirmed in 2009, this is another very important decision for the entire game industry. The Court not only confirmed the illegality of the game copiers, but also confirmed that sellers must be held accountable for the damages caused by the game copiers, ordering payment to the authentic software manufactures.

Japanese Unfair Competition Law was revised in December 2011 to include criminal penalties against the sellers and importers of such devices that enable the play of illegally copied games by circumventing technological protection measures (security). May 2012 marked the first arrest of a game copier under this new law. Customs Law was also revised to designate illegal devices such as game copiers as prohibited imports.

Nintendo and software manufacturers will continue to pursue both civil and criminal legal actions against such illegal devices as game copiers.

END

Contact regarding this matter:

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[Defendants]

(Company name)	(Address)	(President)
Yugengaisha Seafort Japan	Tokyo	Kinuko Ishikawa
KabushikiKaisha MgicalCompany	Tokyo	Kinuko Ishikawa
Mediaforce KabushikiKaisha	Tokyo	Nobuhiro Takami
Mediaforce KabushikiKaisha and Two more defendants	Tokyo	Nobuhiro Takami

[Plaintiffs]

(Company name)	(Address)	(President)
IE Institute Co., Ltd.	Tokyo	Mikio Nishizawa
Agatsuma Entertainment Co., Ltd.	Tokyo	Tokio Tomita
Arika Co., Ltd	Tokyo	Ryo Nishitani
Index Corporation	Tokyo	Yoshimi Ochiai
Capcom Co., Ltd.	Osaka	haruhiro Tsujimoto
Konami Digital Entertainment Co., Ltd.	Tokyo	Tomiaki Tanaka
GAE, Inc.	Tokyo	Takashi Otomo
Shogakukan Inc.	Tokyo	Masahiro Oga
Square Enix Co., Ltd.	Tokyo	Yosuke Matsuda
D3 Publisher Inc.	Tokyo	Yuji Ito
Now Production, Co., Ltd.	Osaka	Toshiaki Kurimura
Namco Bandai Games Inc.	Tokyo	Satoshi Oshita
The Pokemon Company	Tokyo	Tsunekazu Ishihara
Yuke's Co., Ltd.	Osaka	Yukinori Taniguchi
Red Entertainment Corp.	Tokyo	Yasuaki Nagoshi
Level-5 Inc.	Fukuoka	Akihiro Hino

Other 33 companies