



## **Italian Courts Ban Sales of Game Copiers for *Nintendo DS***

*Decisions of the Court of Rome and of the Court of Palermo Confirm the Illegality of Devices Used to Play Illegal Nintendo Games*

Vimercate, 22 October 2010: - Nintendo welcomes two most recent court decisions that demonstrate another important step in preventing the proliferation of game copiers (e.g. R4) worldwide. The Tribunale di Roma, Sezione specializzata in materia di proprietà industriale e intellettuale, on 13 of October issued an order against a company that had been distributing and marketing the illegal devices. Likewise, the Tribunale Palermo, Sezione specializzata in materia di proprietà industriale e intellettuale, on 19 October in a similar proceeding also issued an order against another company which had been distributing, and marketing these illegal devices. Game copiers are designed primarily to circumvent the anti-piracy technology embedded in the Nintendo hardware systems and enable the play of unlawful Nintendo games downloaded via the Internet.

The decisions of the Tribunale di Roma and of the Tribunale di Palermo found that game copiers infringe copyright and that those who distribute them act unlawfully and are also liable to reimburse the costs incurred in the legal proceedings required. Both court decisions are in line with former court decisions in Italy, in particular of the Tribunale Civile di Milano, which had already confirmed the unlawful nature of game copiers. The legal situation is clear: Italian Copyright prohibits the manufacturing, import, sale and distribution of devices that circumvent technical protection measures which have been implemented for the protection of copyright.

The courts enjoined the defendant companies from producing, distributing, and marketing such game copier devices. The courts further ordered the physical seizure of the game copier devices which the defendant companies possessed. Based on these rulings, other distributors must be cautioned. The production, importation and distribution of game copiers are considered a serious form of piracy with very tangible consequences.

Nintendo takes the opportunity of these decisions to raise the awareness of the impact of piracy and the illegal nature of game copiers. Through its trade associations, Nintendo is also trying to educate Internet users that such piracy is illegal and harmful. At the same time, Nintendo will continue to take legal actions against professional distributors of devices that enable the playing of pirated videogames. "Piracy, in Italy, is a great problem that continues to plague the video game industry. People wrongly think that the use of game copiers to play unauthorized downloaded games is an accepted behaviour, devoid of legal effect." says Andrea Persegati, Managing Director of Nintendo Italy. "Nintendo, together with AESVI (Italian Software Publishers Association), continue working hard to prevent the proliferation of these devices on an Italian scale. We are very happy about the positive decisions of the Court of Rome and of the Court of Palermo inflicting a hard blow to those who don't respect a law this is very clear".

Video game piracy continues to be problem that Nintendo battles on a global scale. Other favourable court decisions against distributors of game copiers have been issued in other EU

territories such as Belgium, Germany, Netherlands, Spain and the UK, as well as the United States, Australia, Hong Kong, Japan, Korea and Taiwan. Nintendo supports all criminal enforcement and legal actions against the distribution of illegal devices that facilitate Internet piracy. Since 2009, there have been over 500,000 game copiers seized globally. Nintendo initiates these actions not only on its own behalf, but also on behalf of over 1,400 video game-development companies that depend on legitimate sales of games for their survival.

More information about Nintendo is available on [www.nintendo.it](http://www.nintendo.it), and about Nintendo's fight against piracy on <http://ap.nintendo.com>.

**Per ulteriori informazioni:**

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**Nintendo**

Nintendo Co.,Ltd di Kyoto, è il leader mondiale indiscusso nella creazione e nello sviluppo di intrattenimento interattivo. Ad oggi Nintendo produce e commercializza hardware e software per i suoi sistemi Wii™, Nintendo DS™, e Nintendo DSi™. Dal 1983 Nintendo ha venduto più di 3,4 miliardi di videogiochi e più di 565 milioni di unità hardware in tutto il mondo, inclusa sia l'attuale generazione Wii, Nintendo DS e Nintendo Dsi, sia i più datati Game Boy™, Game Boy Advance, Super NES™, Nintendo 64™ e Nintendo GameCube™. Nintendo ha inoltre creato indiscusse icone come Mario™ Donkey Kong® e lanciato serie del calibro di Zelda™ e Pokèmon®. La filiale italiana, con sede a Vimercate (Milano), è attiva dall'inizio del 2002. La filiale europea, Nintendo of Europe, con sede in Grossostheim (Germania) è attiva, invece, dal 1990 e funge da quartier generale per le operazioni Nintendo in Europa.