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## **NINTENDO ASKS U.S. TRADE REPRESENTATIVE TO HELP COMBAT GLOBAL VIDEO GAME PIRACY**

*Nintendo Calls Out Brazil, China, Korea, Mexico, Paraguay and Spain*

REDMOND, Wash., Feb. 25, 2009 – Nintendo has outlined a list of countries around the globe that remain leaders in denying adequate and effective protection of video game products. In its annual comments to the U.S. Trade Representative under the “Special 301” process, Nintendo has singled out countries where piracy is rampant and has asked the United States to take further steps to combat it.

Nintendo reports that piracy of its most popular products, the Nintendo DS™ and Wii™ systems, has increased during the year. Nintendo attributes this increase to the availability of circumvention devices, such as “game copiers” and “mod chips.” These devices skirt the product security embedded in Nintendo’s famous products and enable the play of illegal Nintendo software.

“It is important for parents to note that if users of circumvention devices are children, they may be exposed to unsuitable content downloaded from the Internet and played on their Nintendo systems,” said Jodi Daugherty, Nintendo of America’s senior director of anti-piracy.

Below is a summary of Nintendo’s filing:

PEOPLE’S REPUBLIC OF CHINA: China continues to be the hub of production for counterfeit Nintendo video game products. The number of online shopping sites in China selling infringing Nintendo products is increasing, and help is needed by the government to curtail the growth of these illegal marketplaces. These products are sold both inside China and to the world, including our key market in the United States. Chinese customs officials must stop shipments of game copiers and other infringing products out of China, and China should work in the coming year to eliminate barriers to its enforcement laws.

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REPUBLIC OF KOREA: Internet piracy in Korea continues to increase, as does the availability of devices that get around product security and allow for the play of illegal Nintendo software. A massive customs raid of 10 premises that resulted in the seizure of more than 75,000 game copiers at the beginning of 2009 is a positive sign the government is serious about enforcement. Nintendo is pleased with Korea's consistent customs seizures, and courts are now starting to hold distributors of circumvention devices, such as game copiers, accountable. The Korea-U.S. free trade agreement is important to all intellectual property rights holders.

BRAZIL: Federal anti-piracy actions are not reducing piracy in Brazil, and local enforcement efforts are weak. Efforts to prosecute for piracy are virtually nonexistent. Customs and border control agents failed to seize a single shipment of Nintendo video game products in Brazil in 2008. Internet piracy is increasing with no legal infrastructure in place to respond to the threat it poses to rights holders. High tariffs and taxes also constitute market barriers for legitimate video game products.

MEXICO: Anti-piracy actions by the Mexican government in 2008 were wholly inadequate. The Mexican government must recognize the seriousness of the piracy problem and start using existing enforcement tools. Mexico's participation in negotiating the Anti-Counterfeiting Trade Agreement is encouraging, but enforcement efforts need to move forward now. The willingness of Mexican customs and Mexican postal service workers to be trained by trademark owners was a positive sign in 2008.

SPAIN: The availability of game-copying devices in Spain is alarming. Internet sites offering game-copying devices and illegal Nintendo software are widespread and must be addressed. Nintendo asks that the Spanish government implement laws protecting the creative copyright industry and enact laws against Internet piracy. Nintendo considers education a priority in its fight against piracy in the European Union. Customs authorities play an important role in enforcing intellectual property rights, and Nintendo is seeing positive signs in this area. Nintendo is pleased about recent steps taken by the Spanish National Police against distributors of game copiers.

PARAGUAY: Corruption continues to hamper anti-piracy efforts. Nintendo's anti-piracy actions in Paraguay show that illegal goods are imported and also locally produced. Border controls are key to decreasing piracy, and the revised criminal code will increase penalties against those distributing circumvention devices in Paraguay.

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For more information about Nintendo, visit [www.Nintendo.com](http://www.Nintendo.com).

**About Nintendo:** The worldwide pioneer in the creation of interactive entertainment, Nintendo Co., Ltd., of Kyoto, Japan, manufactures and markets hardware and software for its Wii™ and Nintendo DS™ systems. Since 1983, when it launched the Nintendo Entertainment System™, Nintendo has sold more than 2.8 billion video games and more than 485 million hardware units globally, including the current-generation Wii and Nintendo DS, as well as the Game Boy™, Game Boy Advance, Super NES™, Nintendo 64™ and Nintendo GameCube™. It has also created industry icons that have become well-known, household names such as Mario™, Donkey Kong™, Metroid™, Zelda™ and Pokémon™. A wholly owned subsidiary, Nintendo of America Inc., based in Redmond, Wash., serves as headquarters for Nintendo's operations in the Western Hemisphere. For more information about Nintendo, visit the company's Web site at [www.nintendo.com](http://www.nintendo.com).

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