



Nintendo Halts Unauthorized Super Mario Event in China

To mark the 30th anniversary of *Super Mario Bros.*, a Shanghai company designed a mall event around the unauthorized use of Nintendo's intellectual property. Concerns over counterfeit games and brand quality prompted Nintendo to address the situation. As a result, organizers cancelled *Mario*-themed games, destroyed its life-sized *Mario* character sculptures and issued a public apology to Nintendo, promising not to infringe on its rights in the future.

Nintendo Wins Important Cases in Italy

On November 6th the Milan Tribunal of First Instance handed down its long-awaited ruling in the Nintendo v PC Box civil proceedings. The Tribunal found PC Box liable under copyright law for selling circumvention devices and providing console modification services; it also ordered the Italian company to pay significant damages and legal costs to Nintendo. The Tribunal is the first national EU court to fully apply guidance provided by the Court of Justice of the European Union concerning the interpretation of specific provisions of the Italian copyright law. In separate proceedings, the criminal Courts of Appeal in Florence upheld the convictions of the PC Box owners for selling circumvention devices, sentencing them to one-year imprisonment. The e-commerce website operated by PC Box has since closed.

Spanish Attorney-General Issues Guidance on the New IP provisions of the Criminal Code

As previously reported, Spain recently amended its criminal code to include new provisions which clarify and strengthen the existing legal framework governing the use of security measures ("TPMs") by IP rights owners to protect against piracy as well as the liability of website operators that make available links to unauthorized content. In December 2015, the Spanish Attorney-General issued guidance to assist judicial and law enforcement authorities in applying these new provisions. Since the amended criminal code has been in force, Nintendo has seen a significant reduction in the number of e-commerce websites based in Spain selling circumvention devices.

Arizona Man Brazenly Offered Game Copying Devices and Illegal Nintendo Games

An Arizona man, who was placing his business cards on video game displays within Target and Wal-Mart and offering game copying devices pre-loaded with illegal copies of *Nintendo* games, has been stopped. After investigating and identifying the man behind the business cards, Nintendo was able to secure an agreement with him to cease all illegal activities and to prevent future infringement.



Video Game Industry Program Reduces Infringing Links on Search Engines

In addition to its own monitoring, Nintendo relies on strategic efforts by the Entertainment Software Association (ESA) to continually remove live infringing links from Google and Bing search results. The current program of reporting infringing URLs in order to disrupt their availability and visibility covers approximately 250 ESA member game titles (including franchises). In Q4, the ESA removed more than two million links from Google and Bing, including tens of thousands of *Nintendo*-related results, from offending host and torrent sites like uploaded.net, fileshark.pl, catshare.net, and Demonoid.pw.