



Press Release

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Nintendo and 54 Video Game Software Companies Join Together to Combat *Nintendo DS* Game Copiers in Japan

October 5, 2009 -- Nintendo Co., Ltd., (Headquarters: Minami-Ku, Kyoto-Shi, President: Satoru Iwata) together with 54 software manufacturers who develop/sell video game software for play on the *Nintendo DS* (including *Nintendo DS Lite* and *Nintendo DSi*) filed a lawsuit today in the Tokyo District Court against four companies, who had been importing/selling the "R4 Revolution for DS" (a typical model of a "game copying device"). The companies filed their action pursuant to the Japanese Unfair Competition Prevention Act (2009 (WA) No. 35335) seeking an injunction to stop the distribution of the game copying devices, as well as seeking damage compensation.

Earlier this year, the Tokyo District Court ruled in favor of Nintendo and the 54 other software manufacturers, confirming that it is illegal to make, import and sell game copying devices. To curtail the continued spread of Internet piracy by the use of game copiers in Japan, Nintendo sent warning notices to distributors involved in marketing and selling game copiers. Despite the Court's decision and Nintendo's warnings, many companies have ignored the notices and continue to trade in the devices. To prevent further damage to the video game industry, the companies have joined together once again to seek relief from the Tokyo District Court ordering the distributors to stop their unlawful acts and to financially compensate the companies.

Nintendo has been active in its efforts to stop the illegal distribution of game copying devices on a global scale. Since 2008, Nintendo has supported over 600 actions (including customs seizures, law enforcement actions, initiating civil proceedings, etc.) in 16 countries, confiscating over a half million DS game copiers. Nintendo has had assistance from law enforcement authorities in Australia, Belgium, Denmark, France, Germany, Hong Kong, Italy, Japan, Korea, the Netherlands, New Zealand, Singapore, Spain, Taiwan, United Kingdom

and United States. As part of its battle against piracy, Nintendo is also working with Chinese enforcement authorities to pursue factories in China responsible for the manufacture of the infringing devices. In 2009 alone, working with law enforcement agencies, Nintendo has pursued actions against over 80 factories in China producing the unlawful devices. Nintendo will continue to pursue the distribution of game copying devices on a global scale.

Nintendo Co. Ltd. takes piracy seriously. To further strengthen its actions and to obtain more information about the distribution of the illegal game copying devices, it has set up a means for consumers to report piracy through Nintendo's website at www.Nintendo.co.jp.

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