

Nintendo of America Inc.

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A copyright is an exclusive right granted to an author of a literary, musical, audiovisual or artistic work, giving the author the sole right to reproduce and distribute that work. There are several different types of copyrights which are associated with Nintendo's products. These include various copyrights in Nintendo's software source code, executable code, game visual display, game music, game characters, product packaging, game manuals and labels, hardware chips microcode, artwork and publications.

Trademarks are the distinctive names, words, logos, designs and symbols used to distinguish a product of a particular manufacturer or source. Some of Nintendo's most widely recognized trademarks include Nintendo, Nintendo Wii, Nintendo DS, Nintendo DSi, Nintendo GameCube, Pokémon, Super Mario Bros., and Zelda. The Nintendo trademark has been filed in many countries throughout the world and registrations have been issued in Nintendo's name in many countries.

Please be advised that the manufacture, distribution and/or sale of counterfeit Nintendo goods is illegal and carries criminal penalties.

FAQ

Q: Why was my auction terminated?

A: Most likely, your auction was removed because it offered for sale a circumvention device or a product that violates Nintendo's copyrights and/or trademarks. Nintendo regularly monitors the Internet, including auction sites, in order to protect consumers from unknowingly purchasing a fake Nintendo product and to protect its copyrights and/or trademarks. As part of that effort, Nintendo will notify eBay of auction listings containing unauthorized uses of Nintendo copyrighted content or trademarks and eBay will take the necessary action to comply with its user policies, which include removing the auction from the website.

Q: What is a counterfeit?

A: A counterfeit Nintendo product is an illegal copy of an authentic Nintendo product. These counterfeit products often originate from Taiwan, Hong Kong or China. The production, distribution, or sale of counterfeit Nintendo products is illegal. Nintendo has brought thousands of legal actions worldwide to stop counterfeiters. In addition, thousands of criminal actions have been brought against those found to be distributing, reproducing, or selling unauthorized, illegal copies of Nintendo video game products throughout the world, including criminal actions against online distributors.

Q: Are Mod Chips and Game Copiers illegal?

A: Yes, mod chips have been adjudicated to be illegal in various countries around the world, including the United States, United Kingdom and Hong Kong. Game copiers have also been adjudicated to be illegal in the United States, Germany, Japan, Korea and various other countries based on the functions of these devices which violate copyright, trademark and/or

anti-circumvention laws. Countries around the globe are also adopting or have adopted similar laws aimed at illegal circumvention of security measures. People caught selling or installing them may be subject to criminal prosecution and may also be liable for civil damages resulting from such activities.

Q: How can I tell that a game is genuine?

A: There are many tips to determine whether a Nintendo product is counterfeit or genuine. We have provided a list of tips under the “How to Detect” section of Nintendo’s anti-piracy Web site: <http://ap.nintendo.com>.

Q: How do I report potential infringements of Nintendo products?

A: To report infringing items on Internet auction sites, please email us at auctionpiracy@noa.nintendo.com. To report ROM sites, emulators, game copiers, counterfeit manufacturing, or other illegal activities, please email us at piracyscene@noa.nintendo.com.

For specific questions regarding Nintendo policies that are not answered above or within eBay Community Standards, please visit ap.nintendo.com for additional information on Nintendo's Anti-Piracy Group.

For more information on piracy issues regarding the videogame industry, please visit the Entertainment Software Association's website at www.theESA.com.