

1 Robert A. Weikert (Bar No. 121146)
2 rweikert@nixonpeabody.com
3 Andrew H. Winetroub (Bar No. 291847)
4 awinetroub@nixonpeabody.com
5 NIXON PEABODY LLP
6 One Embarcadero Center, 32nd Floor
7 San Francisco, California 94111-3600
8 Tel: (415) 984-8200
9 Fax: (866) 294-8300

6 David L. May (*Pro Hac Vice Pending*)
7 dmay@nixonpeabody.com
8 Jennette W. Psihoules (*Pro Hac Vice Pending*)
9 jpsihoules@nixonpeabody.com
10 NIXON PEABODY LLP
11 799 9th Street NW
12 Washington, DC 20001-4501
13 Tel: (202) 585-8000
14 Fax: (202) 585-8080

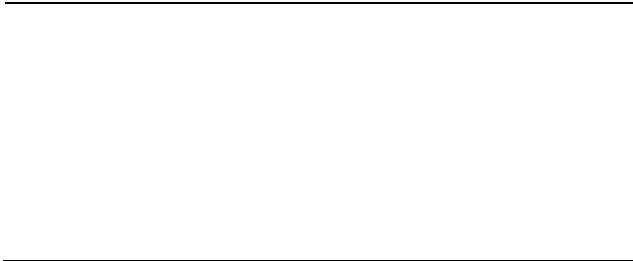
11 *Attorneys for Plaintiff*
12 BANDAI NAMCO Entertainment America Inc.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION

17 BANDAI NAMCO ENTERTAINMENT
18 AMERICA INC.,
19
20 Plaintiff,
21
22 vs.
23 ATGAMES HOLDINGS, LTD.; and DOES 1
24 through 50,
25
26 Defendants.

Case No.:
COMPLAINT FOR:
1. Trademark Infringement under the
Lanham Act (15 U.S.C. § 1114(1)(a));
2. Counterfeiting under the Lanham Act
(15 U.S.C. § 1114(1)(a) and § 1116(d));
3. Copyright Infringement under the
Copyright Act (17 U.S.C. § 501(a));
4. Unfair Competition and False
Designation of Origin under the
Lanham Act (15 U.S.C.
§ 1125(a)(1)(A));
5. False Advertising under the Lanham
Act (15 U.S.C. § 1125(a)(1)(B));
6. California Unfair Competition (Cal.
Bus. & Prof. Code §§ 17200 *et seq.*);

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and

7. **California False Advertising (Cal. Bus. & Prof. Code §§17500 et seq.).**

JURY TRIAL DEMANDED

1. Plaintiff, BANDAI NAMCO Entertainment America Inc. (“**BNEA**”), brings this complaint (hereinafter “**Complaint**”) against Defendant AtGames Holdings Ltd. (“**AtGames**”), and Defendants DOES 1 through 50 (together with AtGames, “**Defendants**”), for injunctive relief and monetary damages as well as such other relief as specified herein for (i) Trademark Infringement under the Lanham Act (15 U.S.C. § 1114(1)(a)); (ii) Counterfeiting under the Lanham Act (15 U.S.C. § 1114(1)(a) and 1116(d)); (iii) Copyright Infringement under the Copyright Act (17 U.S.C. § 501(a)); (iv) Unfair Competition and False Designation of Origin under the Lanham Act (15 U.S.C. § 1125(a)(1)(A)); (v) False Advertising under the Lanham Act (15 U.S.C. § 1125(a)(1)(B)); (vi) California Unfair Competition (Cal. Bus. & Prof. Code §§17200 et seq.); and (vii) California False Advertising (Cal. Bus. & Prof. Code §§17500 et seq.).

PARTIES

2. Plaintiff BNEA is a Delaware corporation with its principal place of business located in Santa Clara, California.

3. BNEA is informed and believes and on that basis alleges that Defendant AtGames Holdings Ltd. is a corporation formed under the laws of the British Virgin Islands, with its principal place of business located in Taipei, Taiwan. BNEA is further informed and believes and on that basis alleges that Defendant AtGames has facilities and operations in El Segundo, California.

4. BNEA brings this Complaint against Defendants DOES 1 through 50 under fictitious names. Their true names and capacities, whether individual, corporate, associate, or otherwise, are unknown to BNEA. When BNEA ascertains their true names and capacities, it will amend this Complaint to insert the true name and capacity of each fictitiously named

1 Defendant. BNEA is informed and believes and on that basis alleges that each fictitiously named
2 Defendant is legally responsible in some manner for the occurrences alleged in this Complaint.

3 5. BNEA is informed and believes and on that basis alleges that, at all times relevant
4 to this Complaint, Defendants, and each of them, were the agents, servants, employees, alter egos,
5 successors-in-interest, subsidiaries, affiliated companies or corporations, and joint ventures of
6 each other Defendant. BNEA further alleges on information and belief that each of the
7 Defendants acted in concert with, and with the consent of, each of the other Defendants, and that
8 each of the Defendants ratified or agreed to accept the benefits of the conduct of each of the
9 Defendants, and did accept the benefits of conduct of each of the Defendants. For the remainder
10 of this Complaint, all references to AtGames include DOES 1 through 50.

11 **JURISDICTION AND VENUE**

12 6. This Court has subject matter jurisdiction over BNEA's claims pursuant to 15
13 U.S.C. § 1121 and 28 U.S.C. §§ 1331 and 1338(a) because these claims arise under the Lanham
14 Act, 15 U.S.C. §§ 1114, 1116, and 1125(a), and the Copyright Act, 17 U.S.C. § 501(a). In
15 addition, supplemental jurisdiction over the related state law claims is conferred upon this Court
16 by 28 U.S.C. § 1367(a).

17 7. BNEA is informed and believes and on that basis alleges that this Court has
18 personal jurisdiction over Defendants because Defendants have regularly transacted, and continue
19 to transact, business in this State; contract to supply goods and/or services in this State; and
20 engage in other persistent courses of conduct and/or derive substantial revenue from goods used
21 or consumed, or services rendered, in this State.

22 8. BNEA is informed and believes and on that basis alleges that AtGames has its
23 primary United States office in this State and otherwise has sufficient minimum contacts with this
24 State, through at least the promotion, advertising, marketing, offering for sale and/or sale of the
25 Licensed Products (as defined *infra*) within this State as well as contractual relations with
26 Plaintiff in this State, such that this Court has personal jurisdiction over Defendant.

27 9. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391 because a
28 substantial part of the acts complained of herein occurred in this judicial district, certain of the

1 claims at issue in this action arise out of or relate to contracts that oblige these parties to litigate
2 disputes thereunder in this judicial district, and Defendants are subject to personal jurisdiction in
3 this judicial district.

4 **INTRADISTRICT ASSIGNMENT**

5 10. A substantial part of the events or omissions giving rise to the claims in this action
6 occurred in the County of Santa Clara. Accordingly, assignment to the San Jose Division is
7 proper pursuant to Civil L.R. 3-2(c).

8 **FACTUAL BACKGROUND**

9 ***BANDAI NAMCO and its Successful PAC-MAN Video Game***

10 11. BNEA is an affiliate of BANDAI NAMCO Entertainment Inc. (“**BNEI**” and,
11 together with BNEA, “**BANDAI NAMCO**”), a world renowned video game developer and
12 publisher with its headquarters in Tokyo, Japan.

13 12. BANDAI NAMCO, through its predecessors and its global network of affiliates
14 and licensees, has developed, published and distributed numerous highly successful and popular
15 video game franchises, including Tekken®, PAC-MAN®, Dig Dug®, Galaga®, Galaxian®,
16 Soulcalibur®, and Ace Combat®, among a number of others. It is consistently ranked among the
17 top ten video game publishers in the world as well as listed as one of the largest video game
18 companies in terms of revenue. *See* articles attached hereto as **Exhibit 1**.

19 13. Perhaps BANDAI NAMCO’s most well-known and most played video game
20 franchise of all time is PAC-MAN, a maze-based arcade game originally developed and released
21 in 1980. In the PAC-MAN game, the player controls the PAC-MAN character, who must eat all
22 the dots inside an enclosed maze while avoiding four colored ghosts.

23 14. Almost immediately upon release, PAC-MAN become an arcade game classic
24 drawing a cult-like following and remains to this day one of the highest grossing video games of
25 all time. *See* articles attached hereto as **Exhibit 1**.

26 15. As a result of the widespread success and popularity of the PAC-MAN game since
27 its release, the PAC-MAN mark and brand have obtained valuable fame, reputation and goodwill
28 among the purchasing public worldwide.

1 ***The Development of Ms. PAC-MAN and Relationship between GCC and BANDAI NAMCO***

2 16. BNEA is informed and believes and on that basis alleges that, in or around 1981, a
3 small group of former students from the Massachusetts Institute of Technology (MIT), including
4 but not limited to Kevin G. Curran (“**Curran**”), Douglas B. Macrae, and John Tylko, Jr., under
5 the entity General Computer Corporation (“**GCC**”), developed an enhancement kit for the
6 original PAC-MAN game titled Crazy Otto, which later became Ms. PAC-MAN.

7 17. BNEA is informed and believes and on that basis alleges that during that same
8 year, GCC began discussions with the U.S. distributor of PAC-MAN at the time (*i.e.*, Midway
9 Mfg. and Bally Manufacturing Corporation and any affiliated or subsidiary companies of such
10 entities (collectively “**Midway**”)) for the sale of Ms. PAC-MAN, which at the time was still titled
11 Crazy Otto. BNEA is further informed and believes and on that basis alleges that GCC and
12 Midway ultimately worked together to create the Ms. PAC-MAN game, as a sequel to PAC-
13 MAN.

14 18. BNEA is informed and believes and on that basis alleges that, on October 29,
15 1981, GCC and Midway entered into an agreement whereby GCC assigned to Midway all right,
16 title and interest in and to Ms. PAC-MAN, including all trademarks and copyrights throughout
17 the world, in consideration for royalty payments for the sale of the Ms. PAC-MAN game (the
18 “**Midway 1981 Agreement**”).

19 19. In or around the end of 1981, Midway published the Ms. PAC-MAN video game
20 in the U.S.

21 20. Since its release, Ms. PAC-MAN has been widely popular around the world. It
22 has also been rated as one of the greatest video games of all time and one of the most successful
23 arcade games ever made. *See* articles attached hereto as **Exhibit 1**.

24 21. BNEA is informed and believes and on that basis alleges that, shortly after its
25 release, a dispute arose between GCC and Midway relating to Midway’s manufacture and sale of
26 Ms. PAC-MAN and the Midway 1981 Agreement, among other matters, that resulted in
27 litigation. BNEA is further informed and believes on that basis alleges that GCC and Midway
28

1 settled the dispute pursuant to a settlement agreement effective as of October 5, 1983 (the
2 “**Midway 1983 Agreement**”).

3 22. Around the same time, GCC entered into an agreement with Namco Limited and
4 Namco America, Inc. (collectively, “**Namco**”), effective as of October 14, 1983 (the “**Namco**
5 **1983 Agreement**”), relating to the Midway 1983 Agreement and assigning all rights it still had in
6 and to Ms. PAC-MAN to Namco.

7 23. In or around 1987, Midway assigned to Namco all right, title and interest it had in
8 and to Ms. PAC-MAN, as a result of the Midway 1983 Agreement.

9 24. In August 2018, BANDAI NAMCO and the successors in interest to GCC (Kevin
10 Curran, Douglas B. Macrae, Gerald D. Hosier and John Tylko, Jr., collectively, the “**GCC**
11 **Successors**”) began negotiating an arrangement to finally resolve their relationship created under
12 the 1983 Agreement and subsequent agreement entered into in or around 2008 (collectively, the
13 “**GCC Agreements**”) with respect to Ms. PAC-MAN.

14 25. Over the course of a year, until late August 2019, BANDAI NAMCO and the
15 GCC Successors continued to engage in active discussions relating to the GCC Agreements and
16 Ms. PAC-MAN. In late August 2019, the relevant parties were close to reaching an agreement as
17 to terms and a formal written agreement was circulated and signed by most if not all of the GCC
18 Successors.

19 26. As a result of AtGames’ conduct (as set forth *infra*), the negotiated agreement
20 between BANDAI NAMCO and the GCC Successors to fully and finally resolve the issues
21 addressed in the GCC Agreements, and the terms the parties had already agreed to, was not
22 consummated.

23 **Ms. PAC-MAN and the Ms. PAC-MAN Property**

24 27. BNEI owns any and all intellectual property rights related to the Ms. PAC-MAN
25 franchise, including without limitation, all rights to the game, characters, designs, likenesses,
26 visual representations, copyrights, character names, trademarks, and any other rights contained
27 and/or incorporated in the Ms. PAC-MAN video game (collectively hereinafter, the “**Ms. PAC-**
28 **MAN Property**”).

1 28. Currently, pursuant to agreements with BNEI, BNEA has exclusive rights in and
2 to the Ms. PAC-MAN Property, and BNEA is exclusively authorized to, among other things,
3 grant sublicenses to third parties to use the Ms. PAC-MAN Property, in connection with the
4 development, manufacture, distribution, sale, advertising and promotion of a wide variety of
5 products and services, including but not limited to video games, apparel, accessories, head wear,
6 foot wear, bags, home goods, stationary, collectibles, statues, books (excluding strategy guides),
7 comics, food and drink, lottery, advertising, premiums, toys, portable handhelds, plug-n-play
8 devices, tabletop games, card games, merchandise sold or provided directly or indirectly to
9 consumers as “amusement prizes,” mall events, and advertising (limited to print, television, radio,
10 and internet) and any ancillary materials (the “**BNEA Ms. PAC-MAN Licensed Products**”),
11 within at least North America, Central America and South America.

12 29. BNEI, and its affiliates and predecessors in interest, including but not limited to
13 BNEA, have exclusively used the mark Ms. PAC-MAN (hereinafter the “**Ms. PAC-MAN**
14 **Mark**”) and other related marks in connection with their various goods and services over a
15 lengthy and extended period of time and, thereby, have acquired valuable rights and goodwill in
16 and to such marks.

17 30. BNEI is the owner of, *inter alia*, U.S. Trademark Registration No. 1,279,066 for
18 the mark Ms. PAC-MAN, having an effective filing date of July 21, 1982, and directed to “*Coin-*
19 *Operated and Non-Coin-Operated Electronic Amusement Apparatus for Playing a Game on a*
20 *Video Output Display*” in Class 28 (hereinafter the “**Ms. PAC-MAN Trademark Registration**”).
21 A true and correct copy of the registration certificate for the Ms. PAC-MAN Trademark
22 Registration is attached hereto and incorporated herein by reference as **Exhibit 2**.

23 31. Further, BNEI is the owner of U.S. Copyright Registration No. PA 140-275 for the
24 audiovisual work titled “Ms. PAC-MAN” covering the Ms. PAC-MAN video game (the “**Ms.**
25 **PAC-MAN Game Copyright Registration**”). A true and correct copy of the registration
26 certificate for the Ms. PAC-MAN Game Copyright is attached hereto and incorporated herein by
27 reference as **Exhibit 3**.

28

1 32. BNEI is also the owner of, *inter alia*, the following additional U.S. Copyright
2 Registrations related to Ms. PAC-MAN:

- 3 • U.S. Copyright Registration No. VA 116-103 for the work entitled “Ms. PAC-
4 MAN”;
- 5 • U.S. Copyright Registration No. VA 134-951 for the work entitled “Ms. PAC-
6 MAN”;
- 7 • U.S. Copyright Registration No. VA 555-101 for the work titled “PAC-MAN
8 Characters and Log Style Guide;
- 9 • U.S. Copyright Registration No. VA 104-383 for the work entitled “Ms. PAC-
10 MAN Pal pajama bag and pillow [style no. 8507]”;
- 11 • U.S. Copyright Registration No. VA 104-386 for the work entitled “Ms. PAC-
12 MAN puppet [style no. 8506]”;
- 13 • U.S. Copyright Registration No. VA 115-909 for the work titled “Ms. PAC-
14 MAN: an activity book”;
- 15 • U.S. Copyright Registration No. TX 1-248-562 for the work titled “Ms. PAC-
16 MAN’s prize pupil”;
- 17 • U.S. Copyright Registration No. VA 134-220 for the work titled “Ms. PAC-
18 MAN game”;
- 19 • U.S. Copyright Registration No. VA 1-155-762 for the work titled “Ms. PAC-
20 MAN/Galaga operator’s manual”; and
- 21 • U.S. Copyright Registration No. VA 1-352-904 for the work titled “25th
22 Anniversary PAC-MAN/Ms. PAC-MAN/GALAGA Operator’s Manual”.

23 True and correct copies of the registration certificates for the above referenced copyright
24 registrations are attached hereto and incorporated herein by reference as **Exhibit 4**. The
25 foregoing copyright registrations collectively with the Ms. PAC-MAN Game Copyright
26 Registration are hereinafter referred to as the “**Ms. PAC-MAN Copyright Registrations**” and
27 the works embodied therein are hereinafter referred to as the “**Ms. PAC-MAN Copyrights**”.

28

1 33. BNEA has exclusive rights to use the Ms. PAC-MAN Mark and to reproduce,
2 distribute, display, perform, create derivative works of and/or use the Ms. PAC-MAN Copyrights,
3 as well as to enforce the Ms. PAC-MAN Mark and Ms. PAC-MAN Copyrights in the United
4 States.

5 **BNEA's Relationship with AtGames**

6 34. BNEA is informed and believes and on that basis alleges that AtGames develops,
7 manufactures, and sells, among other things, versions of classic video games.

8 35. BNEA is informed and believes and on that basis alleges that, in or around June
9 2012, AtGames' CEO, Ping-Kang Hsiung, first contacted BNEA seeking to obtain a license to
10 exploit BANDAI NAMCO's valuable intellectual property, through various "plug-and-play" and
11 handheld gaming consoles manufactured, distributed and sold by AtGames. After Hsiung
12 specified that his request pertained specifically to the Ms. PAC-MAN Property, BNEA expressly
13 rejected his proposal.

14 36. Since then, AtGames has sent multiple licensing proposals to BNEA, some of
15 which have been approved by BNEA.

16 37. During that time, BNEA has performed all of the significant obligations it owed to
17 AtGames, contractual and otherwise, which, in turn, allowed AtGames to capitalize on its
18 relationship with BNEA by, among other things, selling its products to consumers. While
19 AtGames was entitled to use, in limited and defined ways, certain BNEA intellectual property in
20 its products, at no time, present or past, has AtGames been legally entitled to use the Ms. PAC-
21 MAN Property in any way, anywhere in the world.

22 **AtGames' Improper and Wrongful Conduct**

23 38. Over the course of BNEA's business relationship with AtGames, AtGames has
24 engaged in improper or wrongful conduct on a number of occasions. In 2018, AtGames was
25 developing a product that incorporated, in significant part, BNEA-licensed material, including but
26 not limited to various PAC-MAN characters, marks, and a version of the PAC-MAN game
27 software (the "PAC-MAN Product").
28

1 39. BNEA is informed and believes and on that basis alleges that, without BNEA’s
2 authorization, AtGames used certain third party materials in developing the PAC-MAN Product.
3 AtGames has admitted to this conduct in correspondence with BNEA.

4 40. BNEA is informed and believes and on that basis alleges that in or around August
5 and September 2018, AtGames began distributing an approved version of the PAC-MAN Product
6 to various press and media outlets, seeking to generate positive press and reviews, prior to the
7 PAC-MAN Product’s retail release.

8 41. BNEA is informed and believes and on that basis alleges that the version of the
9 PAC-MAN Product distributed to various press and media outlets featured PAC-MAN game
10 software that was approved by BNEA, based on a video clip recorded by AtGames (the
11 **“Approved PAC-MAN Product”**). Multiple press and media recipients of the Approved PAC-
12 MAN Product published positive reviews and, in most cases, specifically highlighted the superior
13 version of the PAC-MAN game software included therein.

14 42. BNEA is informed and believes and on that basis alleges that, at least between
15 August 2018 and October 2018, AtGames distributed PAC-MAN Products to retailers and/or
16 retail distributors that featured a version of the PAC-MAN game software that materially differed
17 from the version approved by BNEA (the **“Unauthorized PAC-MAN Product”**), at least in so
18 far as the PAC-MAN game software featured therein clearly displayed the logo of a third party
19 software development company during the launch sequence for that game. In at least that respect,
20 the Unauthorized PAC-MAN Product distributed to retailers substantially deviated from the
21 Approved PAC-MAN Product.

22 43. BNEA is informed and believes and on that basis alleges that the appearance of the
23 third party software development company’s logo in the Unauthorized PAC-MAN Product was
24 the result of AtGames’ unauthorized use of materials belonging to a third party.

25 44. BNEA is informed and believes and on that basis further alleges that consumers
26 relied upon the positive reviews of the Approved PAC-MAN Product in their decision to
27 purchase the Unauthorized PAC-MAN Product at retail. BNEA is further informed and believes
28 that retailers and/or retail distributors similarly purchased the Unauthorized PAC-MAN Product

1 from AtGames for sale to the public based on their understanding that they would be receiving
2 and, in turn, selling the superior Approved PAC-MAN Product.

3 45. BNEA is informed and believes and on that basis alleges that, following various
4 media members' discovery that they had published positive reviews of a different PAC-MAN
5 Product (*i.e.*, the Approved PAC-MAN Product) from the version of the PAC-MAN Product
6 available at retail (*i.e.*, the Unauthorized PAC-MAN Product), such press and media members
7 published subsequent negative reviews of the PAC-MAN Product, in which they disowned and
8 recanted their prior, positive reviews and warned consumers against purchasing a PAC-MAN
9 Product.

10 46. AtGames' distribution of two different versions of the PAC-MAN Product,
11 coupled with the prominent use of BNEA's company name, brands, and other licensed
12 intellectual property with such products and the resulting negative response from consumers and
13 members of the press and media, has caused irreparable harm to BNEA's reputation and good
14 will.

15 **AtGames' Unauthorized Ms. PAC-MAN Product**

16 47. On or around August 19, 2019, BNEA became aware that AtGames had developed
17 a Ms. PAC-MAN "Legends Compact" home arcade machine (the "**Unauthorized Ms. PAC-**
18 **MAN Product**"). A true and correct image of the Unauthorized Ms. PAC-MAN Product is
19 depicted below and attached hereto and incorporated herein by reference as **Exhibit 5**.



1 48. The Unauthorized Ms. PAC-MAN Product applies the exact Ms. PAC-MAN
2 Mark, as well as images of the copyrighted Ms. PAC-MAN arcade decals and characters,
3 including but not limited to various iterations of the Ms. PAC-MAN and ghost characters, on the
4 machine, without BNEA's authorization, as shown in Paragraph 47 above and Exhibit 5 hereto.

5 49. Additionally, BNEA is informed and believes and on that basis alleges that the
6 Unauthorized Ms. PAC-MAN Product contains Ms. PAC-MAN game software without BNEA's
7 permission.

8 50. BNEA is further informed and believes and on that basis alleges that the
9 Unauthorized Ms. PAC-MAN Product was manufactured outside of the United States and
10 imported to AtGames' facilities in California.

11 51. BNEA is informed and believes and on that basis alleges that AtGames has
12 transported and delivered the Unauthorized Ms. PAC-MAN Product across state lines from
13 AtGames' facilities in California, to at least one of the GCC Successors, namely, Curran, who
14 BNEA is informed and believes and on that basis alleges is located on the East Coast of the
15 United States.

16 52. As mentioned, BNEA has neither given permission nor licensed to AtGames the
17 right to use the Ms. PAC-MAN Mark or the Ms. PAC-MAN Copyrights, and therefore AtGames'
18 unauthorized use of such mark and one or more copyrights is a direct violation of BNEA's
19 exclusive rights in and to the Ms. PAC-MAN Property.

20 53. AtGames has been aware since at least 2012, including at the time it developed
21 and transported the Unauthorized Ms. PAC-MAN Product to Curran, of BNEA and its rights in
22 and to the Ms. PAC-MAN Property, including but not limited to the Ms. PAC-MAN Mark and
23 the Ms. PAC-MAN Copyrights, particularly considering that AtGames' was an active PAC-MAN
24 licensee of BNEA. AtGames' actions with respect to the Unauthorized Ms. PAC-MAN Product
25 were therefore, knowing, intentional and willful.

26 54. BNEA is informed and believes and on that basis alleges that AtGames has taken
27 the aforesaid actions with the intent to trade on and associate itself with the goodwill and
28 reputation of BANDAI NAMCO, the Ms. PAC-MAN Mark, and other marks or source

1 identifying indicia relating to Ms. PAC-MAN, and to confuse actual and potential customers,
2 including but not limited to actual and potential licensees, distributors and/or retailers of Ms.
3 PAC-MAN products, into believing that AtGames has a license from BNEA to use the same.

4 55. BNEA is further informed and believes and on that basis alleges that AtGames
5 intends to continue to produce and distribute, and may well have already produced and
6 distributed, the Unauthorized Ms. PAC-MAN Product to prospective licensees, distributors and/or
7 retailers for purposes of entering into agreements with such parties for the eventual distribution
8 and resale of the unlawful Ms. PAC-MAN product.

9 56. BNEA is informed and believes and on that basis alleges that AtGames'
10 production and distribution of the Unauthorized Ms. PAC-MAN Product to at least one of the
11 GCC Successors, Curran, as well as AtGames' continued production, promotion, and distribution
12 of the Unauthorized Ms. PAC-MAN Product, has caused, or is likely to cause, confusion, mistake
13 and/or deception amongst actual and potential licensees, distributors, retailers and/or other BNEA
14 customers as to the source or sponsorship of the Unauthorized Ms. PAC-MAN Product.

15 57. If AtGames is not enjoined from the further production and distribution of the
16 Unauthorized Ms. PAC-MAN Product, as well as any subsequent variations of such product,
17 including but not limited to a final Ms. PAC-MAN product, which apply or incorporate the Ms.
18 PAC-MAN Mark, the Ms. PAC-MAN Copyrights, and/or any other marks, artwork, or
19 audiovisual works associated with the Ms. PAC-MAN Property, BNEA, as well as BANDAI
20 NAMCO more generally, will continue to suffer severe damages, not only monetarily but also to
21 its goodwill and reputation.

22 58. Specifically, AtGames' infringing actions are likely to interfere with and disrupt
23 BNEA's relationship with current and prospective licensees and its potential distribution deals
24 with distributors and/or retailers, as further explained herein.

25 **AtGames' False Statements Relating to the Licensing of the Ms. PAC-MAN Property**

26 59. In addition to producing and distributing the Unauthorized Ms. PAC-MAN
27 Product, BNEA is informed and believes and on that basis alleges that AtGames has made false
28 statements with respect to its rights to use the Ms. PAC-MAN Property. In particular, on or

1 around July 26, 2019, an affiliate of BANDAI NAMCO was contacted by a current licensee
2 advising that they were aware of someone from AtGames reaching out to indicate that they were
3 obtaining arcade rights for Ms. PAC-MAN from the GCC Successors.

4 60. AtGames has denied to at least BNEA that it has made such false statements to the
5 licensee, or similar false statements to other licensees and/or distributors and/or retailers.
6 Specifically, a few days after AtGames contacted the licensee advising that it was acquiring rights
7 to Ms. PAC-MAN, BNEA had a call with AtGames to discuss BNEA's plans to celebrate PAC-
8 MAN's 40th anniversary; however, during the call, AtGames continuously shifted the
9 conversation to Ms. PAC-MAN. After the call, AtGames sent a confirmatory email to BNEA
10 stating that it "did not claim to be licensed by Bandai Namco for Ms. Pac-Man products." A true
11 and correct copy of the foregoing email correspondence by AtGames is attached hereto and
12 incorporated by reference as **Exhibit 6**.

13 61. In response to AtGames' email, BNEA requested that AtGames confirm that it had
14 not claimed to have acquired a license for Ms. PAC-MAN for both arcade and consumer games
15 from GCC. AtGames responded stating "LOL no we didn't make such a claim. You will be the
16 first one we come to ☐. Who's this strange partner? We don't speak with anybody about this type
17 of sensitive and confidential things." See **Exhibit 6**.

18 62. Subsequently, BNEA learned from Curran himself that despite AtGames'
19 representations and assurances to the contrary, AtGames had in fact contacted Curran about
20 acquiring the GCC Successors' royalty interest in Ms. PAC-MAN. It was at this point that
21 BNEA also became aware that AtGames had delivered the Unauthorized Ms. PAC-MAN Product
22 to Curran.

23 63. On or about August 19, 2019, Curran informed BNEA that AtGames' CEO
24 Hsiung had contacted him regarding AtGames potentially acquiring the GCC Successors' royalty
25 interest in Ms. PAC-MAN. Until that time, the parties to the GCC Agreements – namely,
26 BANDAI NAMCO and the GCC Successors – had been discussing how to resolve and,
27 ultimately, terminate their longstanding contractual relationship. AtGames was not a third party
28 beneficiary or connected to the GCC Agreements in any way, yet elected to unilaterally contact

1 the GCC Successors regarding the GCC Agreements just days before those contracts were to be
2 mutually terminated by the parties thereto.

3 64. Curran further advised BNEA that AtGames told him that it has been in
4 discussions with Walmart who had expressed significant interest in selling the Unauthorized Ms.
5 PAC-MAN Product.

6 65. On August 28, 2019, BNEA received correspondence from counsel for AtGames,
7 which stated, in part: “We hereby notify BANDAI NAMCO that AtGames has acquired all the
8 right title, claim and interest of GCC in and under all agreements, contracts, licenses,
9 commitments, undertakings and other legally binding arrangements between GCC and BANDAI
10 NAMCO, as amended to date” Despite subsequent attempts, BNEA has been unable to
11 independently verify that claim.

12 66. Further, on or around September 3, 2019, BNEA received an unsolicited email
13 from an independent sales representative, copying AtGames’s CEO Hsiung, and informing
14 BNEA that the sales representative was actively working with Hsiung “on creating an opportunity
15 with Ms. Pac Man licensed product for GameStop.” The sales representative also mentioned that
16 it hoped that the “recent agreement between GCC and AtGames hopefully will provide us all a
17 way to work together on this project.” A true and correct copy of this correspondence is attached
18 hereto and incorporated by referenced herein as **Exhibit 7**.

19 67. AtGames’ CEO Hsiung immediately responded to the sales representative’s email
20 to BNEA, confirming AtGames’ interest in working with BNEA on the “project,” but making no
21 attempt to clarify that AtGames does not hold and has never held a license to exploit Ms. PAC-
22 MAN in any way. *See Exhibit 7*.

23 68. BNEA is informed and believes and on that basis alleges that AtGames is likely to
24 make, and/or has already made, similar false statements to other current or prospective BANDAI
25 NAMCO licensees and/or current or prospective retailers and/or distributors of Ms. PAC-MAN
26 products. Such statements by AtGames purportedly related to the Ms. PAC-MAN Property are
27 patently false because the GCC Successors did not at the time (nor do they currently) hold any
28 rights to license the Ms. PAC-MAN Property to AtGames, or to any other entity, and therefore, it

1 is simply not possible for AtGames to have rights to the Ms. PAC-MAN Property because BNEA
2 is exclusively authorized to, among other things, grant sublicenses to third parties to use the Ms.
3 PAC-MAN Property. And, BNEA has not licensed to AtGames any right to use the Ms. PAC-
4 MAN Property.

5 69. BNEA is informed and believes and on that basis alleges that AtGames has
6 engaged in communications and negotiations with major retailers, including but not limited to
7 Walmart and GameStop, regarding its ability to provide Ms. PAC-MAN products, such as arcade
8 machines substantially similar to the Unauthorized Ms. PAC-MAN Product. Notably, BNEA and
9 its authorized licensees derive significant revenue from their sales to Walmart and GameStop.
10 Particularly among chain retailers, GameStop is an important and valued partner of BNEA. As a
11 result, any damage to BNEA's relationship with Walmart or GameStop, among other retail
12 partners, could inflict substantial and lasting harm on BNEA and its authorized licensees.

13 70. BNEA is further informed and believes and on that basis alleges that such
14 statements are likely to and/or have actually deceived such current or prospective licensees,
15 retailers and/or distributors into entering sham agreements with AtGames to distribute and/or sell
16 such unlicensed products, believing them to have been properly licensed, while actually
17 infringing BNEA's rights.

18 71. Not only are AtGames' false statements likely to damage BNEA's relationship
19 with its current and prospective licensees, retailers and/or distributors, but they are also likely to
20 cause severe harm to BNEA's reputation and goodwill.

21 **COUNT I**

22 **Trademark Infringement under the Lanham Act (15 U.S.C. § 1114(1)(a))**

23 72. BNEA re-alleges the allegations contained in Paragraphs 1 through 71, as though
24 fully set forth herein.

25 73. BNEI is the owner of the Ms. PAC-MAN Mark and the Ms. PAC-MAN
26 Registration (*i.e.*, U.S. Trademark Registration No. 1,279,066) and it, or its affiliated companies,
27 including without limitation BNEA, and its predecessors in interest, have continuously used the
28 Ms. PAC-MAN Mark as a source identifier in connection with its products and services,

1 particularly in connection with the Ms. PAC-MAN Property and franchise, in interstate
2 commerce within the United States and around the world.

3 74. BNEA has exclusive rights to use the Ms. PAC-MAN Mark, as well as to enforce
4 the Ms. PAC-MAN Mark in the United States.

5 75. Without the authorization or consent of BNEA, AtGames was and/or still currently
6 is, marketing, advertising, promoting, selling, offering for sale, distributing and/or supplying
7 goods and/or services, such as, the Unauthorized Ms. PAC-MAN Product to distributors, retailers
8 or resellers in the United States using the Ms. PAC-MAN Mark and/or trademarks and
9 designations that are confusingly similar to the Ms. PAC-MAN Mark.

10 76. AtGames' use of the Ms. PAC-MAN Mark and/or confusingly similar
11 designations thereto in connection with the marketing, advertising, promoting, selling, offering
12 for sale, distributing and/or supplying goods and/or services, such as, the Unauthorized Ms. PAC-
13 MAN Product, is likely to cause and has actually caused confusion, mistake, and deception
14 among distributors, retailers or resellers as well as the general public as to the origin of such
15 goods and/or services, or as to whether AtGames is sponsored by/affiliated with, or otherwise
16 connected to BNEA in violation of 15 U.S.C. § 1114(1).

17 77. By using the Ms. PAC-MAN Mark and/or confusingly similar marks or
18 designations to the Ms. PAC-MAN Mark and by marketing, advertising, promoting, selling,
19 offering for sale, distributing and/or supplying goods and/or services, such as, the Unauthorized
20 Ms. PAC-MAN Product, in connection with such marks, for profit and without BNEA's
21 authorization, AtGames is depriving BNEA of its exclusive right to control, and benefit from, the
22 Ms. PAC-MAN Mark. If permitted to continue, AtGames' actions will nullify BNEA's exclusive
23 rights to the Ms. PAC-MAN Mark, free from infringement, and will have a substantial and
24 adverse effect on BNEA's existing and projected future interstate business of marketing products
25 and services identified by the Ms. PAC-MAN Mark.

26 78. BNEA has been damaged by AtGames' activities and conduct and, unless this
27 conduct is enjoined, BNEA's goodwill and reputation will continue to suffer irreparable injury
28 that cannot adequately be calculated or compensated by money damages.

1 79. By using the Ms. PAC-MAN Mark and/or confusingly similar designations, and
2 marketing, advertising, promoting, selling, offering for sale, distributing and/or supplying goods
3 and/or services, such as, the Unauthorized Ms. PAC-MAN Product, in connection with such
4 marks, AtGames has intentionally and knowingly infringed BNEA's rights.

5 80. AtGames' trademark infringement actions entitle BNEA to damages under 15
6 U.S.C. § 1117 in an amount to be determined at trial, as well as exemplary damages and
7 attorneys' fees and costs.

8 **COUNT II**
9 **Counterfeiting under the Lanham Act**
10 **(15 U.S.C. § 1114(1)(a) and § 1116(d))**

11 81. BNEA re-alleges the allegations contained in Paragraphs 1 through 80, as though
12 fully set forth herein.

13 82. As set forth herein, AtGames was and/or still currently is, using marks that are the
14 same or confusingly similar to the Ms. PAC-MAN Mark, which is set forth in the Ms. PAC-MAN
15 Registration, in connection with the marketing, advertising, promoting, selling, offering for sale,
16 distributing and/or supplying goods and/or services, such as, the Unauthorized Ms. PAC-MAN
17 Product.

18 83. Specifically, AtGames was, and/or still currently is, using counterfeit
19 reproductions of the registered Ms. PAC-MAN Mark directly on or in connection with the
20 Unauthorized Ms. PAC-MAN Product, including but without limitation, in connection with the
21 transportation of the Unauthorized Ms. PAC-MAN Product to one or more of the GCC
22 Successors.

23 84. AtGames was, and/or still currently is, using the registered Ms. PAC-MAN Mark,
24 without authorization, in connection with the Unauthorized Ms. PAC-MAN Product, which is the
25 same or substantially the same type of good to which the Ms. PAC-MAN Registration is directed,
26 in order to cause the ordinary consumer to be unable to distinguish between the registered Ms.
27 PAC-MAN Mark and AtGames' counterfeit reproductions of the same.

28 85. AtGames' use of the registered Ms. PAC-MAN Mark without authorization and in
connection with the marketing, advertising, promoting, selling, offering for sale, distributing

1 and/or supplying goods and/or services, such as the Unauthorized Ms. PAC-MAN Product, is
2 damaging the reputation and goodwill associated with BNEA and the Ms. PAC-MAN Mark.

3 86. Unless AtGames' conduct is enjoined from its use of the registered Ms. PAC-
4 MAN Mark, BNEA will continue to suffer irreparable injury that cannot be adequately calculated
5 or compensated by money damages.

6 87. AtGames' counterfeiting actions entitle BNEA to equitable remedies and damages
7 pursuant to 15 U.S.C. §§ 1116 and 1117, including but not limited to statutory damages pursuant
8 to 15 U.S.C. § 1117(c) and its reasonable attorneys' fees pursuant to 15 U.S.C. § 1117(a).

9 **COUNT III**
10 **Copyright Infringement under the Copyright Act**
11 **(17 U.S.C. § 501(a))**

12 88. BNEA re-alleges the allegations contained in Paragraphs 1 through 87, as though
13 fully set forth herein.

14 89. BNEI is the owner of the Ms. PAC-MAN Copyrights, which are embodied in the
15 Ms. PAC-MAN Copyright Registrations.

16 90. BNEA has exclusive rights to reproduce, distribute, display, perform, create
17 derivative works of and/or use the Ms. PAC-MAN Copyrights, as well as to enforce the Ms.
18 PAC-MAN Copyrights, in the United States.

19 91. AtGames has actual notice of BNEA's rights in and to the Ms. PAC-MAN
20 Copyrights and/or the Ms. PAC-MAN Copyright Registrations.

21 92. AtGames failed to obtain BNEA's consent or authorization to use, reproduce,
22 copy, display, distribute, sell, perform and/or market any of the Ms. PAC-MAN Copyrights
23 embodied in the Ms. PAC-MAN Copyright Registrations.

24 93. AtGames, without permission, knowingly and intentionally reproduced, copied,
25 displayed, distributed, sold, performed and/or marketed one or more of the Ms. PAC-MAN
26 Copyrights, and/or at a minimum, substantially similar works to one or more of the Ms. PAC-
27 MAN Copyrights, by, at a minimum, marketing, advertising, promoting, selling, offering for sale,
28 distributing and/or supplying the Unauthorized Ms. PAC-MAN Product to one or more of the
GCC Successors.

1 94. AtGames' unlawful and willful actions constitute infringement of one or more of
2 BNEA's Ms. PAC-MAN Copyrights, including BNEA's rights, at the very least, to reproduce
3 and distribute one or more of the Ms. PAC-MAN Copyrights in violation of 17 U.S.C. § 501(a).

4 95. AtGames' knowing and intentional copyright infringement of one or more of the
5 Ms. PAC-MAN Copyrights has caused substantial and irreparable harm to BNEA and unless
6 enjoined, AtGames will continue to cause substantial and irreparable harm to BNEA for which
7 BNEA has no adequate remedy at law.

8 96. BNEA is therefore entitled to injunctive relief under 17 U.S.C. § 502, BNEA's
9 actual damages, and AtGames' profits in an amount to be proven at trial, as well as enhanced
10 discretionary damages or, in the alternative, statutory damages for willful copyright infringement
11 of up to \$150,000 per infringement under 17 U.S.C. § 504, and reasonable attorneys' fees and
12 costs.

13 **COUNT IV**

14 **Unfair Competition and False Designation of Origin under the Lanham Act**
15 **(15 U.S.C. § 1125(a)(1)(A))**

16 97. BNEA re-alleges the allegations contained in Paragraphs 1 through 96, as though
17 fully set forth herein.

18 98. AtGames has used and/or continues to use marks, designations and images that are
19 likely to cause confusion, mistake, and deception among the general public as to the true origin of
20 AtGames' goods and services, or as to whether AtGames is sponsored by, affiliated with, or
21 otherwise connected with BNEA in violation of 15 U.S.C. § 1125(a).

22 99. BNEA has been damaged by AtGames' activities and conduct and, unless
23 AtGames' conduct is enjoined, BNEA's reputation and goodwill will continue to suffer
24 irreparable injury that cannot be adequately calculated or compensated by money damages.

25 100. By using the Ms. PAC-MAN Mark and/or confusingly similar marks or
26 designations to the Ms. PAC-MAN Mark, and by marketing, advertising, promoting, selling,
27 offering for sale, distributing and/or supplying goods and/or services, such as, the Unauthorized
28 Ms. PAC-MAN Product, in connection with such mark, AtGames has intentionally and
knowingly infringed BNEA's rights.

1 101. AtGames' unlawful actions entitle BNEA to damages under 15 U.S.C. § 1117 in
2 an amount to be determined at trial, as well as exemplary damages and attorneys' fees and costs.

3 **COUNT V**

4 **False Advertising under the Lanham Act**
5 **(15 U.S.C. § 1125(a)(1)(B))**

6 102. BNEA re-alleges the allegations contained in Paragraphs 1 through 101, as though
7 fully set forth herein.

8 103. AtGames has made false and misleading statements of fact with respect to its
9 licensing of the Ms. PAC-MAN Property and/or authorization to distribute and sell Ms. PAC-
10 MAN-related products.

11 104. Such false and misleading statements have actually deceived and/or have a
12 tendency to deceive BNEA's current and prospective licensees, distributors, retailers, resellers
13 and/or the general public.

14 105. AtGames' false and misleading statements are material.

15 106. AtGames has made such false and misleading statements with respect to its
16 licensing of Ms. PAC-MAN Property and/or authorization to distribute and sell Ms. PAC-MAN-
17 related products in interstate commerce to current and prospective licensees, distributors, retailers
18 and/or resellers.

19 107. BNEA has been damaged by AtGames' false and misleading statements and,
20 unless this conduct is enjoined, BNEA's goodwill and reputation will continue to suffer
21 irreparable injury that cannot adequately be calculated or compensated by money damages.

22 108. AtGames' unlawful actions constitute false advertisements, which entitles BNEA
23 to damages under 15 U.S.C. § 1117 in an amount to be determined at trial, as well as exemplary
24 damages and attorneys' fees and costs.

25 **COUNT VI**

26 **California Unfair Competition**
27 **(Cal. Bus. & Prof. Code Sections 17200 et seq.)**

28 109. BNEA re-alleges the allegations contained in Paragraphs 1 through 108, as though
fully set forth herein.

1 110. Pursuant to Cal. Bus. & Prof. Code §§ 17200 *et seq.*, “unfair competition shall
2 mean and include any unlawful, unfair or fraudulent business act or practice and unfair,
3 deceptive, untrue or misleading advertising,” among other actions.

4 111. AtGames’ acts described above constitute unfair competition in violation of
5 California Business and Professional Code §§ 17200 *et seq.*

6 112. AtGames has intentionally used and/or continues to use marks, designations and
7 images that are likely to cause confusion, mistake, and deception among the general public as to
8 the origin of the goods and services, or as to whether AtGames is sponsored by, affiliated with, or
9 otherwise connected with BNEA.

10 113. By using the Ms. PAC-MAN Mark and/or confusingly similar marks or
11 designations to the Ms. PAC-MAN Mark, and by marketing, advertising, promoting, selling,
12 offering for sale, distributing and/or supplying goods and/or services, such as, the Unauthorized
13 Ms. PAC-MAN Product, in connection with such mark, AtGames has intentionally and
14 knowingly infringed BNEA’s rights.

15 114. AtGames’ acts have been unlawful, unfair and/or fraudulent and/or constitute
16 unfair, deceptive, untrue or misleading advertising within the meaning of California Business and
17 Professions Code §§ 17200 *et seq.*

18 115. AtGames’ acts have caused and will continue to cause BNEA irreparable harm
19 including to its reputation and goodwill. BNEA has no adequate remedy at law for AtGames’
20 unlawful, unfair and/or fraudulent business practices and/or unfair, deceptive, untrue or
21 misleading advertising.

22 116. BNEA is entitled to a judgment enjoining and restraining AtGames from engaging
23 in further unfair competition, as well as restitution damages according to proof.

24
25 **COUNT VII**
26 **California False Advertising**
27 **(Cal. Bus. & Prof. Code Sections 17500 *et seq.*)**

28 117. BNEA re-alleges the allegations contained in Paragraphs 1 through 116, as though
fully set forth herein.

1 118. Pursuant to Cal. Bus. & Prof. Code §§ 17500 *et seq.*, it is unlawful to make or
2 disseminate any advertising “which is untrue or misleading, and which is known, or which by the
3 exercise of reasonable care should be known, to be untrue or misleading....”

4 119. AtGames’ acts described above constitute false advertising in violation of
5 California Business and Professional Code §§ 17500 *et seq.*

6 120. AtGames has intentionally made false and misleading statements of fact with
7 respect to its alleged license to use the Ms. PAC-MAN Property and/or authorization to distribute
8 and sell Ms. PAC-MAN-related products to prospective licensees, distributors, retailers, resellers
9 and/or the general public.

10 121. Such false and misleading statements have actually deceived and/or have a
11 tendency to deceive BNEA’s current and prospective licensees, distributors, retailers, resellers
12 and/or the general public.

13 122. AtGames’ acts of false advertising have caused and will continue to cause BNEA
14 irreparable harm including to its business reputation and goodwill.

15 123. BNEA has no adequate remedy at law for AtGames’ false advertising. BNEA is
16 entitled to a judgment enjoining and restraining AtGames from engaging in further false
17 advertising, as well as restitution and other damages according to proof.

18 **PRAYER FOR RELIEF**

19 **WHEREFORE**, Plaintiff BNEA respectfully requests that this Court:

- 20 i. Immediately, preliminarily, and permanently enjoin AtGames, and all persons
21 acting in concert with it, including without limitation its officers, directors,
22 employees, contractors, and any and all affiliates and current or potential business
23 partners, and all persons purporting to act on its behalf or in active concert or in
24 participation with it, from using or preparing to use BNEA’s trademarks, including
25 but not limited to the Ms. PAC-MAN Mark, and all of the marks set forth within
26 the Ms. PAC-MAN Trademark Registrations, as well as any confusingly similar
27 designations or marks, in any manner that violates or infringes BNEA’s rights, and
28 require AtGames and all participating persons to immediately and permanently

1 discontinue their current infringing practices.

2 ii. Immediately, preliminarily, and permanently enjoin AtGames, and all persons
3 acting in concert with it, including without limitation its officers, directors,
4 employees, contractors, and any and all affiliates and current or potential business
5 partners, and all persons purporting to act on its behalf or in active concert or in
6 participation with it, from any further development, distribution, marketing,
7 manufacturing, shipping, or any other use or preparation for use in commerce of
8 any arcade console identical or substantially similar to the Unauthorized Ms. PAC-
9 MAN Product.

10 iii. Immediately, preliminarily, and permanently enjoin AtGames, and all persons
11 acting in concert with it, including without limitation its officers, directors,
12 employees, contractors, and any and all affiliates and current or potential business
13 partners, and all persons purporting to act on its behalf or in active concert or in
14 participation with it, from making any representations, statements, or other
15 communications, in any form, that suggest, whether expressly or by implication,
16 that AtGames has any interest whatsoever in Ms. PAC-MAN, including but not
17 limited to the Ms. PAC-MAN Mark.

18 iv. Immediately, preliminarily, and permanently enjoin AtGames, and all persons
19 acting in concert with it, including without limitation its officers, directors,
20 employees, contractors, and all affiliates and any and all current or potential
21 business partners, and all persons purporting to act on its behalf or in active
22 concert or in participation with it, from using or preparing to use BNEA's
23 copyrights, including but not limited to the Ms. PAC-MAN Copyright, and all of
24 the copyrights set forth within the Ms. PAC-MAN Copyright Registrations, as
25 well as any substantially similar works, that will violate or infringe BNEA's rights,
26 and require AtGames and the participating persons to immediately and
27 permanently discontinue their current infringing practices.

28 v. Immediately, preliminarily, and permanently enjoin AtGames, and all persons

1 acting in concert with it, including without limitation its officers, directors,
2 employees, contractors, and all affiliates and any and all current or potential
3 business partners, and all persons purporting to act on its behalf or in active
4 concert or in participation with it, from making any use whatsoever of the Ms.
5 PAC-MAN Property.

- 6 vi. Order AtGames to immediately collect and provide to BNEA, at AtGames' sole
7 and exclusive expense, any and all versions of the Unauthorized Ms. PAC-MAN
8 Product, or any products, including without limitation arcade consoles,
9 substantially similar thereto, wherever in the world they are located.
- 10 vii. Enter judgment in favor of BNEA on each and every count asserted herein and
11 award BNEA all monetary damages caused by the acts forming the basis of this
12 Complaint, including, without limitation, BNEA's actual and other damages as
13 alleged herein.
- 14 viii. Order AtGames to immediately prepare and provide to BNEA, at AtGames' sole
15 and exclusive expense, a report and accounting of all uses, distributions, and
16 revenue realized, or that AtGames' expects to realize, related to or derived from
17 the Unauthorized Ms. PAC-MAN Product.
- 18 ix. Award of treble damages to BNEA pursuant to 15 U.S.C. § 1117(b) due to
19 AtGames' willful, knowing, and intentional infringement of the Ms. PAC-MAN
20 Mark.
- 21 x. Award of statutory damages to BNEA pursuant to 15 U.S.C. § 1117(c) due to
22 AtGames' counterfeiting of the Ms. PAC-MAN Mark.
- 23 xi. Award of statutory damages to BNEA pursuant to 17 U.S.C. § 504(c) due to
24 AtGames' willful, knowing, and intentional infringement of BNEA's registered
25 copyrights.
- 26 xii. Award all damages suffered by BNEA pursuant to California common law.
- 27 xiii. Order AtGames to pay BNEA the costs of this action and BNEA's reasonable
28 attorneys' fees and expenses pursuant to 15 U.S.C. § 1117(a) and any other

1 applicable statutes or authority.

2 xiv. Award BNEA such further relief as the Court deems just, proper, and equitable.

3 **JURY DEMAND**

4 BNEA hereby demands a trial by jury of all issues so triable.

5
6 DATED: September 20, 2019

Respectfully submitted,

7 **NIXON PEABODY LLP**

8
9 By: /s/ Robert A. Weikert

10 Robert A. Weikert (Bar No. 121146)
rweikert@nixonpeabody.com
11 Andrew H. Winetroub (Bar No. 291847)
awinetroub@nixonpeabody.com
12 NIXON PEABODY LLP
One Embarcadero Center, 32nd Floor
13 San Francisco, California 94111-3600

14 David L. May (*Pro Hac Vice Pending*)
dmay@nixonpeabody.com
15 Jennette W. Psihoules (*Pro Hac Vice Pending*)
jpsihoules@nixonpeabody.com
16 NIXON PEABODY LLP
799 9th Street NW
17 Washington, DC 20001-4501

18 *Attorneys for Plaintiff BANDAI NAMCO*
Entertainment America Inc.

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EXHIBIT 1



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Top 10 Biggest Video Game Companies by Revenue



Matt Morgans 5 months ago



The video game industry tends to shift year by year, especially in years when new consoles release. With a growing demand for games across the world, and growing profitability in the industry, it's no surprise that video game publishers are bringing in enormous annual revenue. The full financial reports for 2018 are not yet all available. However, we do have access to [data up to Q3 of 2018](#) (September), and we can compare how the various publishers were doing approaching the end of the year. Given that the year saw numerous record-breaking game releases with titles like God of War, it's no surprise that publishers are also bringing in record profits.

The following listing is ranked by total revenue generated by game sales. In some cases, these figures are estimated as best as possible in cases where publishers have other areas of revenue, such as Microsoft. For other Top 10 listings here at VGR, check out our listing for the [Top 10 biggest video game maps](#).





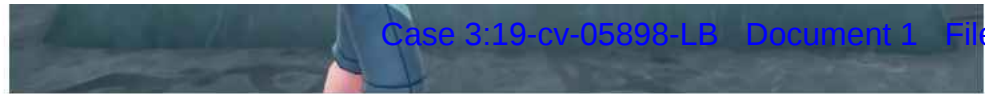
Biggest Video Game Companies #10 Bandai Namco

Bandai Namco published a total of 32 games in 2018. While plenty were relatively smaller releases, or didn't see release outside of Japan, the publisher had several hits. Foremost among those was, of course, Super Smash Bros. Ultimate. However, as that game released in December, its success actually doesn't factor into the most recent figures yet. In all likelihood, Bandai Namco will see a boost in profits to some degree in their next financial report. Instead, titles like Dragon Ball FighterZ, Dark Souls: Remastered, and Soul Calibur 6 factored into the publisher's total revenue of \$2,067 million as of September 2018.

Biggest Video Game Companies #9 Nintendo

2018 was a big year for Nintendo. The company published numerous games for the Nintendo Switch, contributing to total game revenue of around \$2,177 million, up 2% from 2017. Key titles contributing to this revenue were likely Donkey Kong Country: Tropical Freeze, Kirby: Star Allies, Mario Tennis Aces, and of course, Pokémon Let's Go. 2018 also saw the release of the Nintendo Labo, which was especially successful in Japan, where it [actually outsold God of War](#).





Biggest Video Game Companies #8 EA

EA recently [revised their 2018 projected earnings](#) due to the disappointing launch of [Battlefield 5](#), but as this listing takes into account only up to their Q3 revenue, this isn't factored in here. Suffice to say that their place on the list may shift a bit in the coming months. EA published 21 different games in 2018, and much of their \$4,005 million revenue is likely due to the persistent profitability of major EA Sports titles like FIFA 19 and Madden NFL 19. It remains to be seen exactly what impact the launch of Battlefield 5, Apex Legends, and Anthem will have on the game's revenue.

Biggest Video Game Companies #7 Activision Blizzard

Activision Blizzard recently received widespread criticism for laying off almost 800 staff, despite record annual revenue. The publisher also recently terminated their distribution contract for [Destiny 2](#), returning the game rights to Bungie. However, the available and comparable figures only go up to September 2018 at present. At that point, the publisher had total revenue of around \$4,761 million; actually 2% lower than their 2017 revenue at the same point. This figure came before the release of [Call of Duty: Black Ops 4](#), of course, and the publisher released very few other games in 2018. As such, it's likely that their next figure could be notably different.



Biggest Video Game Companies #6 Google

Although many gamers might not think of Google as being a major game publisher, the company actually had a total estimated revenue of \$4,367 million from games alone by Q3 of 2018. This revenue is likely to be drawn mostly from mobile games releasing through Google Play. While they might not

Biggest Video Game Companies #5 NetEase

A major Chinese tech company, NetEase provides all sorts of online services and is one of the biggest video game companies in the world. The company also operates the Chinese localisations for numerous Blizzard games, including Overwatch. The company also invested heavily in Bungie in 2018, taking a seat on its board of directors. By Q3 of 2018, NetEase reported around \$4,483 million of game revenue, drawn from a portfolio of mostly PC and mobile games.



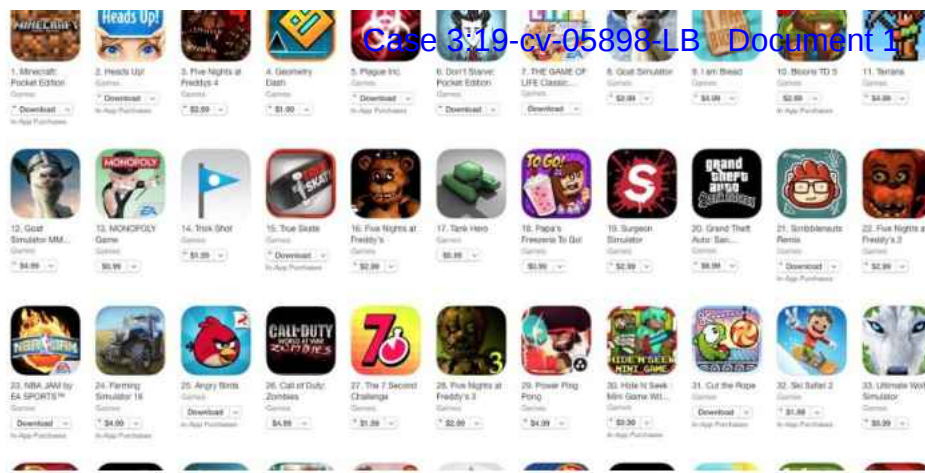
Biggest Video Game Companies #4 Microsoft

As a video game publisher, Microsoft controls a wide variety of game studios; 343 Industries, Obsidian Entertainment, Mojang, Rare, and many others, for example. Just in terms of game revenue, Microsoft made an estimated \$6,225 million by Q3 of 2018. Of course, Microsoft draws in revenue from many different sources on almost every platform. However, some of its biggest releases of 2018 were Sea of Thieves, Forza Horizon 4, and State of Decay 2.

Biggest Video Game Companies #3 Apple

Like Google, Apple makes huge profits every year from mobile game publishing through the App Store. In fact, by Q3 of 2018 the company made an estimated \$6,918 million from game revenue alone; notably more than Google. This suggests that the App Store sees much more use as a gaming platform for mobile gaming than does Google Play.





Biggest Video Game Companies #2 Sony

Ahead of its competitor Microsoft by a significant margin, Sony made an estimated \$9,859 million in game revenue by Q3 2018. Given that some of the biggest releases of the year were PlayStation exclusive titles published by Sony Interactive Entertainment, this should come as no surprise. Sony benefited from the enormous success of [God of War](#) and [Detroit: Become Human](#), for example, as well as Spider-Man.

Biggest Video Game Companies #1 Tencent

It should come as no surprise that Tencent takes the top spot on this list with ease. They boast total game revenue of \$15,092 million, more than 50% higher than that of Sony. As the largest video game company in the world, Tencent dominates the Chinese gaming industry. WeGame, Tencent’s online gaming platform, has more than 200 million users (Steam has around 125 million by comparison). The company also hosts a variety of Chinese localisations, including for the Call of Duty franchise, [PUBG](#), [Fortnite](#), and more, while they wholly own League of Legends.



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cards are all of the Pink Diamond variety based on recent performances from players. Leading the way are two stars involved in a recent Chicago Bulls vs. Atlanta Hawks game that went four overtimes. Here are more details on the new NBA 2K19 MyTeam cards in the game.

NBA 2K19 MyTeam Moments Cards: Trae Young & Zach LaVine

THE GOODS • VIDEO GAMES

The 50 Best Video Games of All Time



50 Best Video Games of All Time MobyGames; Photo Illustration by Marisa Gertz for TIME

BY ALEX FITZPATRICK, JOHN PATRICK PULLEN, JOSH RAAB, LEV GROSSMAN, LISA EADICICCO, MATT PECKHAM AND MATT VELLA AUGUST 23, 2016

Whether you play video games or not, they've become an integral part of our culture. For some, it's hard to imagine a world without video games—the *chup-chup-boop* of an arcade legend like *Space Invaders* or the growling "Finish Him!" in *Mortal Kombat* can be as evocative as a Michael Jackson or Beatles tune.

Representing multiple generations of gamers, TIME's tech team put more than 150 nominees through a multistage ranking process to compile a cross-section of gaming's best ideas across nearly four decades. Here are our picks for the 50 greatest video games of all time.

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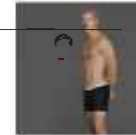
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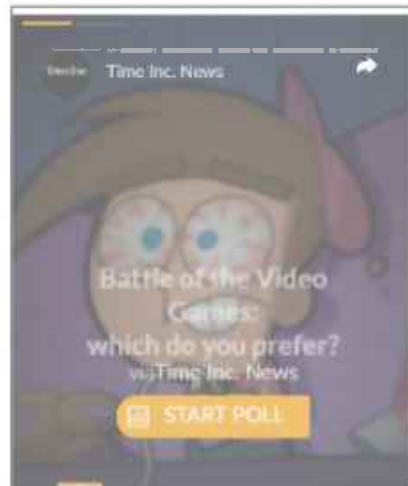
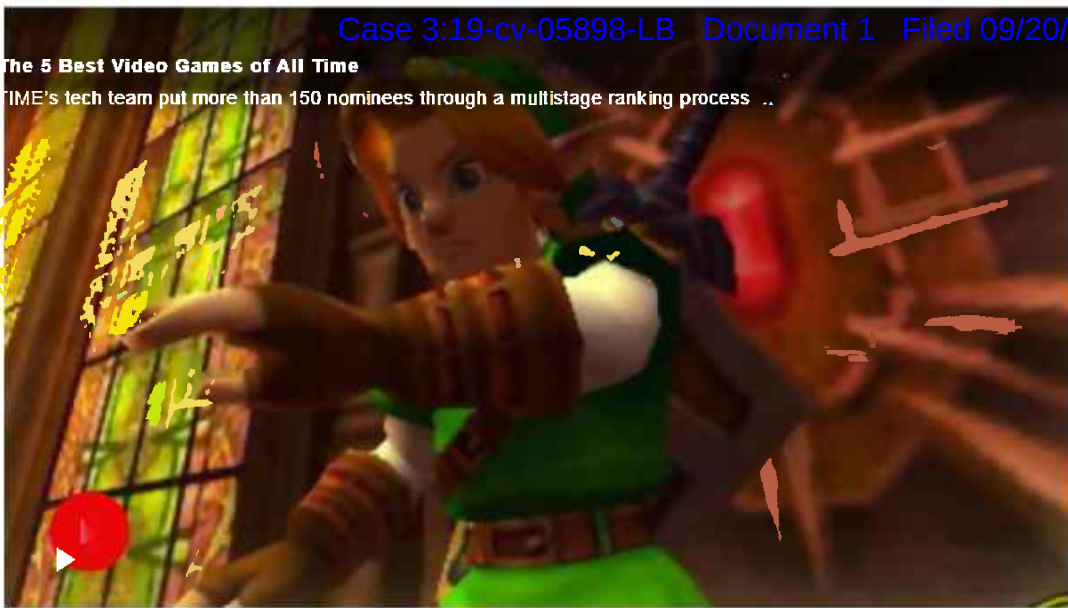
by TIME



In 2010, in an effort to prevent the closure of the "Halo 2" servers, a group of gamers refused to log out, playing constantly in

The 5 Best Video Games of All Time

TIME's tech team put more than 150 nominees through a multistage ranking process ...



Read more: [How the Super Nintendo still influences video games](#)

Write to Alex Fitzpatrick at alex.fitzpatrick@time.com and Matt Peckham at matt.peckham@time.com.

50. King's Quest III: To Heir Is Human



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In the 1980s, the years that led up to Nintendo's reign were dominated by PC titles, and of these none were better imagined than Sierra's. When honoring their adventure line, critics typically laud the original *King's Quest*. But it's the third installment released in 1986 that deserves the most acclaim, because it was also twice as big as the first two installments, and as clever as any in the series. Following the adventures of Davenry's 17-year-old Prince Alexander, the game hit closer to home with its primary players, who like it or not were pretty much boys. Yet despite the outmoded graphics (or maybe because of them), the keyboard-controlled adventure is still a joy to play (try it yourself). From amassing all the ingredients to make potions, to avoiding the wizard's evil black cat, to stealing the pirate's treasure, it's pure magic.

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49. Dota 2

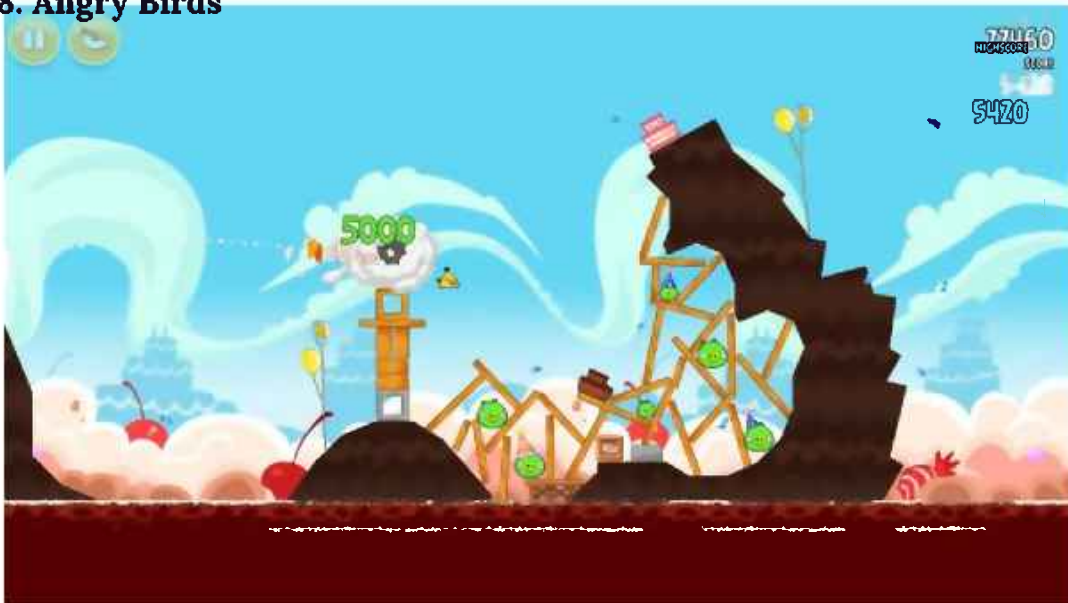




The improbable sequel to a fan mod for a Blizzard game that came out in 2002, *Dota 2* stormed the e-sports scene in 2013 with its sophisticated twist on real-time resource management and turf control. Arguably the pinnacle of the multiplayer online battle arena genre (or MOBA, which is just another way of saying “competitive real-time strategy game”), it sees two teams of five jockey for sway over lush, jungled terrain beset by ever-spawning computer armies, locking horns at a river that cuts diagonally across a symmetric map. Difficult to master but thrilling to watch, *Dota 2* matches unfold like frenetic attention-deficit sprees, camera views pinballing around battlefields flush with antagonists converging on dozens of flashpoints, as players battle to demolish the other team’s “ancient.”

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48. Angry Birds



Rovio’s debut 2009 mobile game, now one of the most recognizable franchises in the world, definitely benefitted from being one of the earliest titles for the iPhone. But the studio’s quirky

avian-flinging physics puzzler—players have to slingshot roly-poly birds at likewise rotund, entrenched pigs—also honed in on key elements of smartphone gaming’s then-nascent purview: bite-sized levels for on-the-go play, easy to pickup (if grueling to master) gameplay, and eventually a free-to-play biz model built on micro-transactions. It’s safe to say *Angry Birds* established the template for all the untold numbers of mobile games vying for our e-wallets since.

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47. *Guitar Hero*



Guitar Hero reanimated the music video game genre when it launched in 2005, magically transmogrifying players into bona fide fret-shredding, tremolo-slapping Rock Gods. Sure, you had to provide your own sweatbands, eyeliner and hair extensions. But for the price of the game and its eponymous accessory, players hammering buttons on faux guitars were able to rhythmically glimpse what it might feel like to be a Stevie Ray Vaughan or Jake E. Lee. While games like *Dance Dance Revolution* had proven popular with smaller audiences, it was *Guitar Hero*’s rolling collection of classic and modern rock anthems that drove it to mainstream accolades (to say nothing of all the impromptu house parties).

Get it now

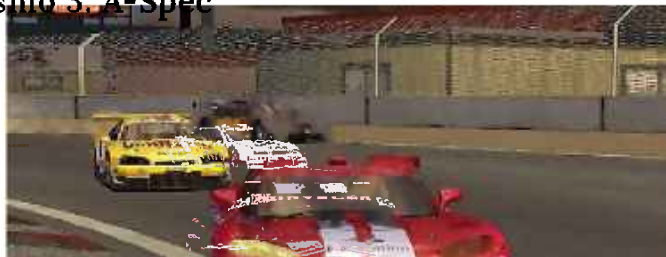
46. Resident Evil 4



Who can forget the moment they first shot the face off a possessed farmer in *Resident Evil 4*, only to conjure a lively Lovecraftian horror with tentacles squirming from its neck? This was *Resident Evil* reborn, its creaky fixed perspectives and klutzy directional controls supplanted by a freer over-the-shoulder, shoot-first perspective that felt at once elegant and intuitive. Instead of cheap haunted house scares in claustrophobic spaces, the story shifted to organic exploration of delightfully creepy areas, punctuated by frenzied scrambles to fend off the series' most inspired adversaries. Capcom's timely embrace in 2005 of action-oriented principles stole nothing from the game's cheerless ambience, and actually amplified the sense of trudging through a phantasmagoric nightmare.

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45: Gran Turismo 3: A-Spec





As *Microsoft Flight Simulator* to the flight sim genre, so Polyphony Digital's *Gran Turismo* series to hi-fi motorsport hot-rodding. Of all the *Gran Turismo* games, 2001's *Gran Turismo 3: A-Spec* for the PlayStation 2 remains the series' apotheosis, a madly ambitious encyclopedia of lovingly modeled vehicles and vistas surpassing the wildest gear nut fantasies. Here was a racing game to rule all others, that on its surface promised endless championship events framed by thrillingly realistic physics and painstakingly replicated visuals, but that also catered to armchair grease monkeys, who might spend hours fine-tuning then gawking at their drop-dead gorgeous rides.

Get it now

44. Super Smash Bros.



Since the original launched on the Nintendo 64 in 1999, the *Super Smash Bros. games* have become no-brainers for Nintendo fans. The game, which borrows from Nintendo's stable of iconic characters, introduced something radical to the fighter genre: Rather than pounding the bejesus out of your opponents until they bow out, you're basically playing an elaborate variant of King of the Hill, trying to successfully knock your enemies off platforms in a given stage. What's more, players could romp through stages freely, expanding the canvas upon which to doll out whuppings. And unlike other fighters that require players memorize arcane buttons combos to execute a character's special maneuvers, *Super Smash Bros.* employs the same button template for everyone, making pickup simpler, and mastery about learning how best to synthesize all of the above.

Get it now

43. Call of Duty 2



The *Call of Duty* franchise epitomizes everything a modern first-person shooter ought to be: A game with a compelling, story-driven single-player campaign along with a multiplayer mode that can steal hours of your life. The newer incarnations are more complex and prettier, of course. But they owe a great debt to *Call of Duty 2*, which in 2005 took what made the original title great and doubled down. Grand cinematic sequences gave players a sense of scope, while the realism—fallen soldiers would sometimes try fruitlessly to crawl to safety—drove home the horrors of war. Iron sights on the guns, meanwhile, made this a favorite of hyper-accurate PC gamers.

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42. BioShock





BioShock's gripping metaphysical plot, over-the-top art deco levels and motley cast of hauntingly broken personas intermingle to furnish an experience so riveting and simultaneously disturbing that it fueled (at the time perfectly reasonable) conversations about games as more than dopamine-fueled diversions. Studio Irrational Games' 2007 first-person shooter takes the player on an imaginative journey through the fictional undersea city of Rapture, built by fanatical industrialist Andrew Ryan (whose name references *Atlas Shrugged* novelist and self-described objectivist Ayn Rand). The game set new standards for video games on so many levels, from its horrifying forms of self-augmentation, to its ecology of intersectional enemy behaviors and its sublime ways of channeling what amounted to a withering deconstruction of extremist modes of thought.

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41. ESPN NFL 2K5

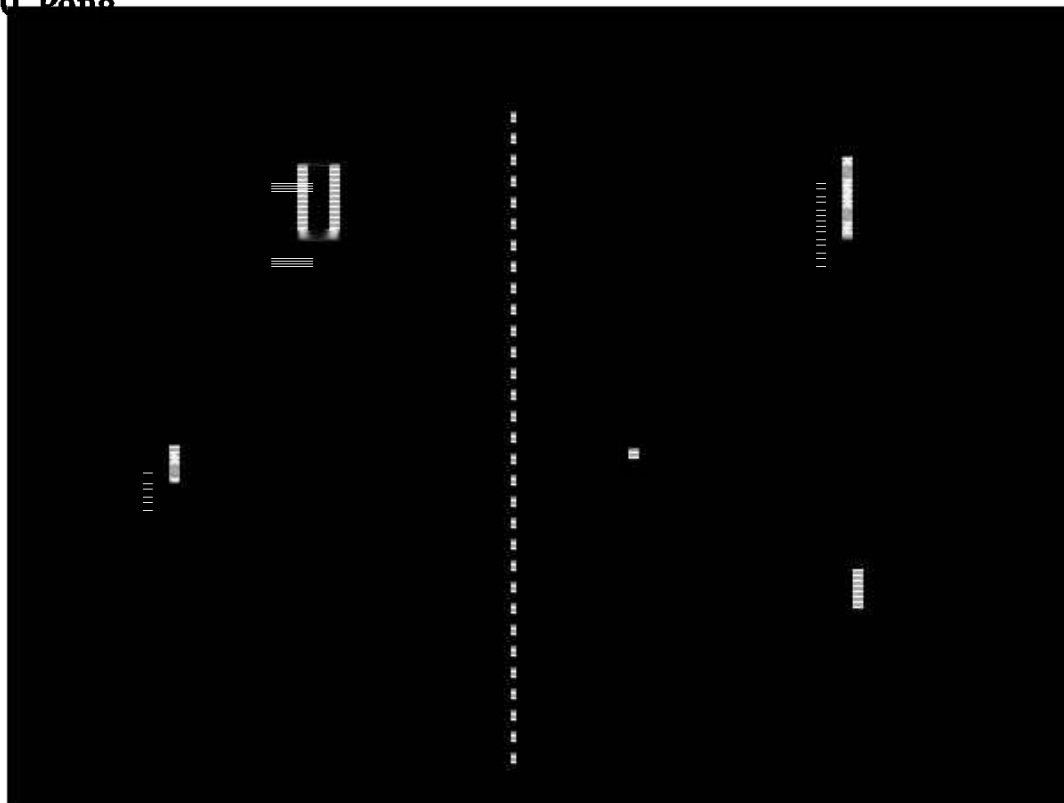




Sorry, *Madden NFL* fans, true football gaming fanatics know this is the best gridiron game ever made. Released in 2004 for the PlayStation 2 and Xbox, *ESPN NFL 2K5* featured a standout franchise-building mode and in-game on-air talent from the eponymous sports network. It also marked a watershed moment in sports gaming lore: Publisher Sega priced the game at just \$19.99, a fraction of what EA was charging for *Madden NFL* at the time. A frightened EA later scooped up the exclusive rights to the NFL and its players, making Madden the only name in town.

Get it now

40. *Pong*



Snickering all you want about its two-dimensional graphics, *Pong* deserves a slot on this list because

as the first arcade cabinet to catch fire with the mainstream, it's arguably most responsible for the modern video gaming phenomenon. A table tennis simulator developed by Atari and first released in 1972, the multiplayer game consisted of a pair of dial-controlled paddles and a bouncing ball—just enough to qualify it as the first sports video game. The popularity of the arcade version led to an in-home setup that was sold by Sears in 1975. And when imitators including Coleco and Nintendo followed, the first shots were fired in the console wars. Sure, by today's standards it's not as riveting as others on this list, but then that largely depends on who you're playing against.

Get it now

39. Castlevania



Pushing the limits of the NES's 8-bit architecture, 1987's *Castlevania* was a monster of a game, with stirring graphics, sophisticated physics (for such an early platformer) and unforgettable music that perfectly matched the title's creepy feel. While nowhere as frightening as the yet-to-surface survival horror genre, it offered an experience in stark contrast to Nintendo's whimsical *Super Mario* games. Exploring Dracula's castle as vampire hunter Simon Belmont, players ran into some pretty haggard stuff. Bloodstained gates greet players off the bat, holy water and crosses were throwing weapons, and, oh yeah, you have to beat Death—and that's not even the final boss.

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38. Portal 2





Portal's unexpected balance of wit, dark comedy and captivating, reality-bending puzzles made it a surprise hit in 2007. Its sequel, *Portal 2*, built on that success by adding additional polish and puzzles that were more involved and complex when it launched in 2011. 3 million copies of *Portal 2* were reportedly sold within three months of the game's launch, proving that the franchise had turned into much more than just a casual puzzle game.

Get it now

37. *Braid*



Jonathan Blow's elliptical time-bending 2008 side-scroller was for many a tale of heartbreak and disruption that touched on various cultural grievances. Blow pushed back, suggesting such interpretations were too simplistic. Whatever the case, *Braid* plays like nothing else, the act of a mind capable of magisterially subverting conventional design ideas and player expectations while embedding concepts as grand as the nature of reality in the gameplay itself. *No Man's Sky* co-creator Sean Murray compares *Braid* to a time machine: "It's like Blow went back to the aesthetic of

the late '80s and created a rift in time, like an alternate universe where we'd have gone in a different direction. Because *Braid* could have existed on the Amiga, and at the time it would have blown people's minds. It would have completely changed how games developed."

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36. *Fallout 3*

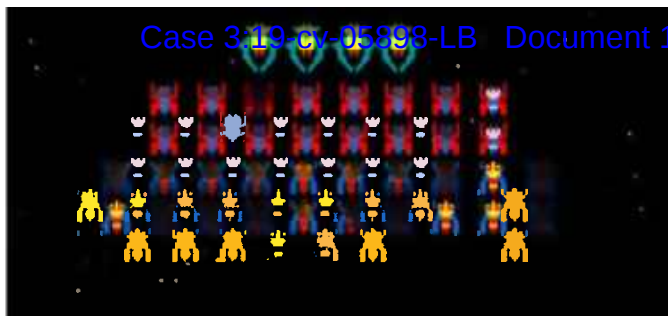


Interplay's original *Fallout* arrived like a cloudburst after a PC roleplaying drought in the mid-1990s. But it took IP newcomer Bethesda's application of exhaustive, obsessively traditional roleplaying ideals tempered in its fantasy *Elder Scrolls* games to craft an experience in 2008 that surpassed the original in virtually every way. Both vast yet densely textured, packed with unforgettable characters and ethical nuance, sonically bleak yet whimsically tuneful once you found the right radio station—*Fallout 3* showed us what a haunting and freewheeling post-apocalyptic masterpiece could look like.

Get it now

35. *Galaga*





What's the plot of *Galaga*? Who cares: You've got a bunch of quarters, and you want to blast a bunch of aliens. Released stateside in 1981, *Galaga* is the exemplar of the arcade's golden age, a simple shoot-em-up where the only objective is to beat the other jerks' high scores. (Serious players know the trick is to let the aliens tractor-beam your ship, then blast it free with another life, thereby getting double the firepower.) It's one of the few old-school arcade games that's still just as much fun to play today, thereby passing the often cruel test of time.

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34. Red Dead Redemption



Red Dead Redemption's gorgeous high plains and scrub-filled landscapes, multilayered missions and sprawling story told with both the verve of a Leone and introspection of a Peckinpah, are just a few of the reasons Rockstar's 2010 open-world opus deserves top honors on this list. The player follows former outlaw John Marston through an imagined, at times hallucinatory version of the

West (circa 1911), where sudden gun duels and galloping chases ensue, counterbalanced by less treacherous diversions like herding cattle or playing mini-games like five finger fillet. Yes, it was *Grand Theft Auto* meets a Western, but in a way that proved Rockstar's mettle as far more than mere mischievous satire-slinger.

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33. Super Mario Kart

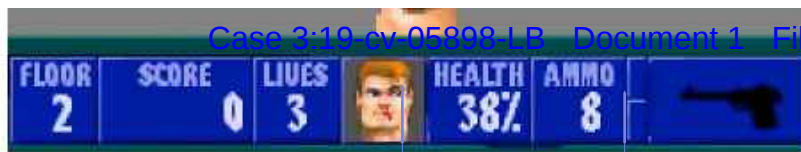


Transforming competitive racing into zany fruit-tossing fun, *Super Mario Kart* was much more than one of the smartest-looking games on the Super Nintendo. As the first in what would become a dynastic line of racers, this 1992 gem was full of kart-racing firsts: a circuit mode with varying degrees of difficulty, a split-screen versus mode so you could take on your friends and a battle mode to break up the monotony of straightforward sprints. And *Super Mario Kart* launched the series to a rocket start with memorable tracks like Rainbow Road, expert tactics like drifting and maddening equalizers like the lightning bolt.

Get it now

32. Wolfenstein 3D





Achtung! If *Doom* is the father of modern first-person shooters, *Wolfenstein 3D* is their granddaddy. Made by id Software and released shortly before *Doom* in May 1992, *Wolfenstein 3D* cast players as William “B.J.” Blazkowicz, an Allied spy captured by Nazis in World War II. As Blazkowicz, your job is simple: Escape from Castle Wolfenstein and shoot a bunch of bad guys in the process, which was (and remains) the definition of “thoughtless catharsis”—words that to this day define so much of *Wolfenstein 3D*’s progeny.

Get it now

31. The Sims



Game designer Will Wright has said *The Sims*, first released in 2000, was intended as a satire of American consumer culture. Millions of players seem to have missed the joke, happily occupying themselves with the mundane tasks of running a digital minion’s life—from kitting out a new pad to managing bathroom breaks (or else). It innovated both the “sandbox” category of game in which “goals” are loosely (or not at all) defined, as well as the kind of minutely detailed task management that’s a common feature of so many games today.

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30. Pokémon Red & Blue



For many growing up in the 1990s, the Pokémon craze was unavoidable. And when *Pokémon Red* and *Blue* launched in 1998, those franchise-obsessed kids were given the chance to start a critter-filled adventure of their own—one they'd only to that point experienced through TV shows, toys and trading card games. *Red* and *Blue* also had all the hallmarks of a strong roleplaying game: addictive turn-based battles, a seemingly endless goal (to catch 'em all), plenty of attainable yet rewarding goals (earning gym badges, leveling up) and an expansive, uncharacteristically friendly world. The games also managed a feat all-too-rare in the games industry: a setup simple enough to appeal to children, but with layers of strategic depth sufficient to hook adults as well.

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29. Myst





Myst is a perfect example of a monumentally influential game that would be almost excruciatingly painful to play today. The 1993 graphical adventure famously let players loose—sort of, since it consisted of a slow-loading series of beautifully rendered photos—on a mysterious island. Despite its now-clunky mechanics, it established an entirely new kind of fiction whose influence can be felt in everything from mythic sci-fi novels to the ABC television show *Lost*. Its vast popularity also helped establish the then-nascent CD-ROM format.

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28. *Donkey Kong*



The first title designed by Nintendo mastermind Shigeru Miyamoto, 1981's *Donkey Kong* not only brought Mario into being, it also popularized the platformer—games in which a character has to climb or jump onto platforms. After dominating the golden age of arcades, *Donkey Kong* went on to have a massive influence on future Nintendo titles, ranging from the NES's *Ice Climber* to the Wii U's *New Super Mario Bros. U*. Even today, demanding expert timing and patience, it remains a timeless joy to play. (What's more, *Donkey Kong* was arguably the first game to feature hazardous

barrels.)

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27. Mortal Kombat



Mortal Kombat has always distinguished itself from the excess of fighting games that made their way from arcade cabinets to players' living rooms with its unapologetically sadistic violence. Gore isn't an afterthought to your blows in this 1992 brawler, it's the main spectacle. *Mortal Kombat* and the controversy it stirred were crucial in shifting the video game market from one that was evidently aimed at kids, to one that could appeal to teens and young adults. But it wasn't thanks to the game's bloodiness alone: Its smooth controls, rewarding combinations and imaginative roster of characters earn it a top spot on our list.

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26. StarCraft II: Wings of Liberty





Like so many Blizzard games, this long-awaited *StarCraft* sequel released in 2010 was less about rolling out wildly new real-time strategy mechanics than honing the traditional rock-paper-scissors dynamic to perfection. Has there been a more finely tuned asymmetry between three discrete factions in an RTS series? Its enduring legacy can be summed up in three letters: MLG. As in “major league gaming,” or just “e-sports,” a form of competitive video gameplay that’s come to encompass a now very wide variety of genres.

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25. Halo: Combat Evolved



Fun fact: It was Steve Jobs who first introduced Bungie’s *Halo: Combat Evolved* to the public, promising in 1999 that it would arrive simultaneously on Windows and Mac. That, of course, was before Microsoft acquired the studio and turned *Halo* into the definitive 2001 Xbox launch title, simultaneously proving shooters could work brilliantly on gamepads. Set on a mysterious artificial ring-world, players take up as Master Chief, a faceless, futuristic soldier fighting the alien Covenant and, later, the zombie-like Flood. The single-player campaign offered a gripping storyline that brought plot to the fore for one of the first times in a mainstream shooter, though some grumbled about its repetitive level design. The multiplayer, meanwhile, offered one of the finest such experiences of any shooter in history, replete with sniper rifles, sticky grenades, vehicles and other twists.

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24. Final Fantasy VII



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While some would vote *Final Fantasy VI* the better game, 1997's *Final Fantasy VII* is arguably the bolder one in this anything-but-final roleplaying series. Laying complex polygonal graphics over beautiful pre-rendered backgrounds, Japanese developer Squaresoft took advantage of the PlayStation's compact-disc drive to craft an experience Sony rival Nintendo—who'd rejected Sony's



from corporate energy raiders proved the most popular in the series, selling over 10 million copies worldwide and prompting perennial cries for a remake (that's finally happening).

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23. Microsoft Flight Simulator X





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Next time you're on a commercial flight, ask your pilot if they ever played *Flight Simulator* growing up. Odds are the answer will be "yes." The hyper-realistic series puts players in the cockpit of everything from tiny Cessnas to massive jumbo jets. Obsessed flight simmers have built gigantic, multi-screen rigs in basements worldwide to better imitate the real thing. 2006's *Flight Simulator X*, meanwhile, let players into the control tower, giving birth to a diehard community of simmers who to this day spend hours flying and directing mock routes.

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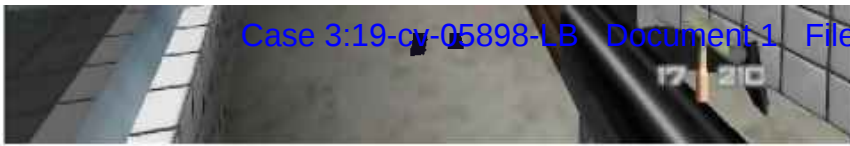
22. GoldenEye 007



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For whatever reason, it's not often you get a decent video game based on a movie. Rare's 1997 Nintendo 64 shooter *GoldenEye 007*, which ties into the 1995 James Bond film, is a glorious exception. A heart-pounding single-player campaign let gamers slip on the (doubtless immaculately tailored) shoes of the man with a license to kill. But as with other shooters on this list, multiplayer is where *GoldenEye* truly shines. Grenades bounce off walls, golden guns perform single shot kills, and cheaters prefer *Oddjob* because he's a smaller target. It was, for many, the reason to buy a Nintendo 64. One word of advice: Don't even bother with the Klobb.

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21. Diablo II



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Diablo II is arguably the best role-playing game of all time, the best dungeon-crawler of all time and the best PC game of all time. And that's before you get to everything it influenced. Released in 2000, *Diablo II* evolved the clickfest, hack-n-slash gameplay of its predecessor in numerous ways (all of which go into its best-of-the-best-of-the-best case file). Most important for future games—especially today's widely popular free-to-play mobile games—was how *Diablo II* seemed to perfect the feedback loop of effort and reward to keep the dopamine jolts flowing through its endless, randomly generated levels.



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20. Zork



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Revision 88 / Serial number 840726

West of House
You are standing in an open field west of a white house,
with a boarded front door.
There is a small mailbox here.

>open mailbox
Opening the small mailbox reveals a leaflet.
>

```

Zork was an early text-only adventure game, though it wasn't the first—that honor goes to *Colossal Cave Adventure*. Released in 1980, it delivered the player into an extraordinarily rich and vivid universe, despite its total lack of graphics. To this day the opening lines induce waking hallucinations in old-school gamers: “You are standing in an open field west of a white house, with a boarded front door. There is a small mailbox here.” What made *Zork* work, aside from its homespun, minimalist eloquence and self-referential wit (it was full of sly references to, among other things, *Colossal Cave Adventure*), was its eerily advanced text parser, which accepted commands from the player in plain English and turned them into actions in the game. *Zork's* influence on later adventure games can't be overstated—as an homage, the entirety of *Zork* was inserted into *Call of Duty: Black Ops* as an Easter egg.

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Influenced by the outer space-obsessed late 1970s, this early arcade shooter was a landmark in the early video game invasion. Designed in 1978, it rode the Atari 2600 into American homes in 1980, letting people blast rows of marching aliens from the comfort of their couches. In pop culture terms, it captivated a public weened on *War of the Worlds*, wowed by *Star Wars* and waiting for *E.T.* But as a game, *Space Invaders*' pixelated baddies moved closer and faster—with crazy-making sound effects to match—players' nuses kept pace. Playing the classic version today is like watching



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Space Invaders, there'd be no *Halo*, making it a worthy quarter spent, even today.

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18. Rise of the Tomb Raider





With its expansive environments and crafty puzzles, this 2015 installment of Crystal Dynamics' vaunted *Tomb Raider* series is easily its best (read TIME's review [here](#)). It transcends the tired run-

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tethered to shimmering walls framing glacial cathedrals, or explore optional booby-trapped tombs, each a study in the art of not repeating puzzles or level design. It's survivalism at its best, and a stunning exemplar in the studio's reinvention of an iconic 1990s franchise.

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17 *Half-Life 2*



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Half-Life 2 showed us in 2004 how a developer could approach a genre (the first-person shooter) given to bang and bluster, and dignify it with a mind-bending dystopian tale that at times rivaled the literary. Taking up as a weaponized theoretical physicist, players explored a paranoid's world, questioning the nature of everything as they cut through waves of alien Combine before taking hold of an ingenious tool that made gravity itself a plaything. Alas, like Chaucer's *Canterbury*



Tales, Charles Dickens' *The Mystery of Edwin Drood* or Mervyn Peake's *Gormenghast*, we may never know how protagonist Gordon Freeman's tale ends. But it's a measure of how deeply studio Valve's work resonated, that when it comes to lists of most anticipated sequels, gamers talk of little else.

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16. Grand Theft Auto III



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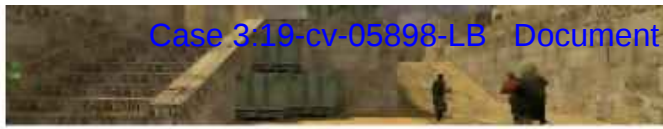


Before *Grand Theft Auto III*, game levels were essentially designed as a series of boxes. Rockstar's crime epic broke that pattern in 2001, ushering in a golden age of go-anywhere, do-anything open worlds. Designers since have been trying to recapture the sense of freedom and possibility created by *GTA III*'s gritty take on New York City, which allowed players to amass a criminal empire—or simply manage a mundane day job, like schlepping citizens around in taxis or putting out fires.

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15. Counter-Strike





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If you've ever had trouble wrapping your head around the fact that e-sports is on pace to become a billion-dollar industry by decade's end, just spend half an hour watching world-class teams play Counter-Strike. Originally designed in 1999 as a modification of Half-Life, Counter-Strike and its modern incarnations are some of the top e-sports games in the world. Players are divided into two teams, "terrorists" and "counter-terrorists," then the former tries to bomb an objective or kidnap hostages while the latter labors to stop them. Watching the world's best Counter-Strike players is often more fun than actually playing yourself—hence the rise of game-streaming sites like Twitch, acquired by Amazon in 2014 in a roughly billion-dollar deal.

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14. Quake



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where *Doom* first popularized the first-person shooter, 1996's *Quake* opened the genre to a more spatially plausible, performance-hungry 3D world. The single-player campaign, which again pits players against the forces of evil (though with a Lovecraftian twist) is perfectly fine. But *Quake's* real contribution was in blowing the lid off multiplayer combat. Thanks in part to speedier Internet connections, *Quake* players—who formed “clans” of like-minded ballistic tacticians—could find deathmatch opponents over the web. And the game’s new fully polygonal engine allowed for techniques now a staple of the genre, like bunny-hopping (constant jumping to avoid enemy fire) and rocket-jumping (using a rocket launcher to propel yourself to advantageous positions).

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13. SimCity 2000



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By no means the first city-builder, *SimCity 2000* undoubtedly influenced all those that succeeded it. The 1994 game established a near-perfect balance between the inputs and outputs of running a (virtual) metropolis. Graphics that rendered the corner-view of each building, bridge, road, hill and valley made the series look more true-to-life. And the constant chatter from policy advisers as well as feedback from the local newspaper—precursors to modern notifications—made players’ roles as mayors feel particularly realistic.

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Super Nintendo players knew *Final Fantasy VI* as *Final Fantasy III* for years after its release in 1994, because no one expected this Japanese series to become so popular stateside that the original *II* and *III* would be localized and the series renumbered. What made *Final Fantasy VI* one of the exemplars—not just of console roleplaying, but the genre in general—was how pitch-perfectly it synthesized so many different tangents: real-time battles, summonable magic-bestowing creatures, indelible characters, party-swapping, heartrending plot twists, an unforgettably iniquitous villain, a four-minute play-along opera and its artful inflection of dark fantasy steampunk.

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11 Sid Meier's Civilization IV



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History buff Sid Meier had played and admired both Maxis's *SimCity* and Bullfrog's *Populous* when he set out to design something grander that intermingled warfare, exploration, diplomacy, city-building and elements of political philosophy. 1991's *Civilization* launched a series of widely played, deeply loved turn-based strategy epics in which players lead a society from the stone age far into the distant future. *Civilization IV*, released in 2005, was the apotheosis of the series, and universally acclaimed for its many innovations—from its 3D graphics to its much-improved artificial intelligence. It's arguably the greatest strategy game ever made, and remains a reference design for developers today.

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10. World of Warcraft



Blizzard's bracing 2004 fantasy simulation *World of Warcraft* introduced millions of players to the concept (and joys and frustrations) of massively multiplayer online worlds. Like so many influential products, it didn't invent so much as refine and perfect—from the way gamers meet-up and socialize online to how to populate large digital worlds with satisfying stuff to do. It was one of the

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stigmatized and normalized online gaming by, over time, revealing that its millions of players

(some 12 million at its peak in 2010) were no different from non-players. The massive revenue it generated for years also spurred legions of game designers to try to create similar online playgrounds.

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9. The Oregon Trail



“You have died of dysentery.” *The Oregon Trail’s* notorious proclamation of ultimate doom was only part of the software’s brutal charm. As a simulation of Westward Expansion consisting of choose-your-own-adventure strategy and hunt-to-survive gameplay, it was rudimentary. But in part because it was originally developed in 1971 by three student teachers at Carleton College in Minnesota as an educational tool, *The Oregon Trail* found a captive—and willing—audience in thousands of classrooms across the country equipped with Apple II computers in the 1980s. There, it helped introduce an entire generation (several, in fact) to video games.

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8. Super Mario Bros.





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It's 1985, the Nintendo Entertainment System has invaded American living rooms, and brothers Mario and Luigi are running rampant through the Mushroom Kingdom. They're stomping on goombas, de-shelling winged turtles, bashing question mark blocks and lobbing fireballs—like this is totally normal plumber behavior. (Clearly the 1970s drugs worked.) Yet however bizarre this side-scroller seems at face value, it's also as insanely fun to play today as it was three decades ago. And in the wake of Mario's nonstop running, this platformer par excellence turned the NES into a must-have appliance, Mario into a beloved gaming franchise and Nintendo into a household name. Talk about grabbing the flag.

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7. The Legend of Zelda



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Sure, there's undeniable nostalgia associated with this 1986 NES classic, but there's no arguing how engrossing the original *Zelda* was to play. Mixing upgradable weapons with a (then) sprawling map and some pretty good puzzles, Link's original adventure delivered an experience unlike anything console players had experienced. Shigeru Miyamoto, the game's legendary designer, set out to create a world that felt like a "miniature garden that [players] can put inside their drawer." And through the cartridge's ability to save games (the first console title to offer the option) they could do exactly that. Instead of toiling to beat *Zelda* in a single sitting, players could instead pace themselves, scrutinizing every last nook and cranny of Hyrule at leisure—an obsession that's continued through all 18 games (and counting) in this storied series.

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Swedish studio Mojang's indie bolt from the blue turns out to be that rare example of a game whose

title perfectly sums up its gameplay: you mine stuff, then you craft it. At its simplest, *Minecraft* is a procedurally generated exercise in reorganizing bits of information—all those cubes of dirt and rock and ore strewn about landscapes plucked from 1980s computers—into recognizable objects and structures and mechanisms. Or put another way: part spreadsheet, part Bonsai pruning. Since its launch in November 2011, it's sold over 100 million copies, colonized virtually every computing platform, spawned an official "Education Edition" tailored for classrooms and inspired feats of mad grandeur like this attempt to model staggering swaths of George R. R. Martin's *Song of Ice and*



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5. Ms. Pac-Man



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this 1982 game was initially called "Crazy Otto"—until the developers sold it to Midway, which branded it *Ms. Pac-Man* to lure female gamers. But *Ms. Pac-Man* did much more than put a bow on an already wildly popular game. With four mazes (compared to *Pac-Man*'s one), smarter ghosts and on-the-move fruit bonuses, it quickly obsoleted the original. The fact that it's still fun to play gives it a high perch on this list. Admit it—if you came across a *Ms. Pac-Man* cabinet in the wild, you'd drop a quarter in. Heck, you'd probably have to wait in line.

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4. Doom



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Quick, name your favorite modern first-person shooter. Maybe it's *Call of Duty*, or *Halo*, or *Counter-Strike*. All of those games—and dozens, if not hundreds more—owe an immense debt to *Doom*. Developer id Software's 1993 classic pit an unnamed space Marine against the forces of Hell, plunging gamers into a high-intensity battle for Earth. Another id title, *Wolfenstein 3D*, may have arrived a year earlier. But *Doom* became a true phenomenon, introducing millions of gamers to what have become bedrock principles of the genre, from frenzied multiplayer deathmatches to player-led mods that can alter or completely overhaul a game's look and feel.

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3. The Legend of Zelda: Ocarina of Time





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Longtime pointy-eared and green-trousered protagonist Link's 1998 Nintendo 64 odyssey through a vast, three-dimensionally exquisite version of Hyrule routinely tops "best" games lists for several reasons. Its approach to letting players explore a 3D world was so consummate and sublime, that it felt less like Nintendo shoehorning eureka concepts into a new paradigm, than the paradigm bending to Nintendo whims. Its clockwork puzzles, artful area and dungeon levels, and breakthrough interface—we can thank Nintendo for intuitive lock-on targeting that preserves our freedom to execute other actions—were so groundbreaking, they're reverently hat-tipped by just about every designer, prompting some to call the game a "walking patent office."

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2. Super Mario 64



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Mario's brick-breaking, Goomba-stomping antics were enough to mesmerize the world's gamers in Nintendo's idiosyncratic side-scrolling *Super Mario Bros.* games. But 1996's *Super Mario 64* transported Nintendo fans into Mario's universe as no other game in the series had, simultaneously laying out a grammar for how to interact with 3D worlds (and in its case, divinely zany ones). At more than 11 million copies sold, it was one of the bestselling games for the Nintendo 64, but its real impact was arguably off-platform, where it tectonically shifted the design imperatives of an entire industry. As Rockstar co-founder and *Grand Theft Auto V* cowriter Dan Houser put it: "Anyone who makes 3-D games who says they've not borrowed something from Mario or Zelda [on Nintendo 64] is lying."

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Designed by a Russian computer scientist, mass-distributed by a Japanese company and devoured by gamers—casual or compulsive—around the world, *Tetris* has been a global phenomenon since its arrival in 1984. In 1989, Nintendo put the legendary tile-matching puzzler on the NES and Game Boy, where it catapulted the latter to meteoric success. It's been available on nearly every platform since, a testament to our never-ending zeal for stacking blocks. However addictive, *Tetris* also



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speaking of Zen, the game's also generated its share of life lessons, including this apocryphal truism: "If Tetris has taught me anything, it's that errors pile up and accomplishments disappear."

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Pac-Man remains the highest-grossing arcade cabinet 39 years after it gobbled the world

by Andrew Minegar | Newschannel 3 | Wednesday, May 22nd 2019



Iconic arcade video game Pac-Man turns 39. (WWMT/MGN Online)



KALAMAZOO, Mich. — Released to the public May 22, 1980, the gobbling yellow circle and his nemeses, the blinking blue ghosts - stars in a digital arcade game called Pac-Man - would soon devour American culture.

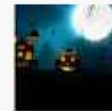
Now, 39 years later, Pac-Man remains the highest-grossing arcade cabinet of all time, generating \$3.5 billion in sales by 1990, according to [US Gamer.net](#). It also holds a [Guinness world record](#) of the most successful coin-operated arcade game.

Few video games have had a cultural impact significant enough to be included at the [Smithsonian Institute](#) and the [Museum of Modern Art](#); but Pac-Man accomplished both feats, permeating the American psyche

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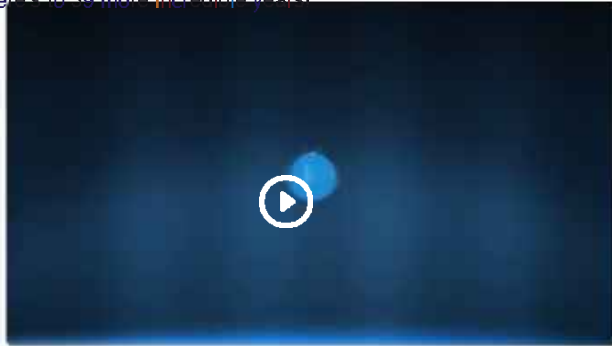


Amid rising number of cases, family says Battle Creek man hospitalized with EEE



On this day in 1980 the first PAC-MAN cabinets landed in arcades. Today we celebrate the birth of our hungry hero!

Here's to 39 more incredible years!



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The origins of the iconic video game rest in Japan. Toru Iwatani worked for a company by the name of Namco and came up with the idea for "Pakku-Man," or PUCKMAN, while eating pizza, according to an interview with Iwatani on PacMan.com.

Iwatani, Shigeo Funaki and Toshio Kai created the arcade cabinet that was a huge success in Japan.

Nearly a year later, Midway, an American arcade-game manufacturer, bought the rights to release the game in America. However, according to Iwatani, Midway owners were worried that people would vandalize the machines if they kept the name Puckman; so they settled instead on Pac-Man. The change caught on: Namco then re-introduced the game in Japan under the Pac-Man moniker.

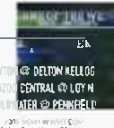
It was the first major video game mascot to hit the zeitgeist of the 1980s. The small yellow circle gobbling dots, fruit and ghosts on a dark screen, accompanied by a waka-waka-waka sound effect are still embedded in the collective consciousness of U.S. culture.



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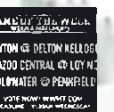
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Within a year, by October 1981, the United States was overrun by "Pac-Man Fever," even garnering a Billboard Top 10 song of the same name by Buckner & Garcia.



The franchise also spawned several animated television series and spin-offs, including Ms. Pac-Man which was released in 1981, and inspired a new generation of video game developers, such as John Romero, who would go on to shape the modern video game industry.

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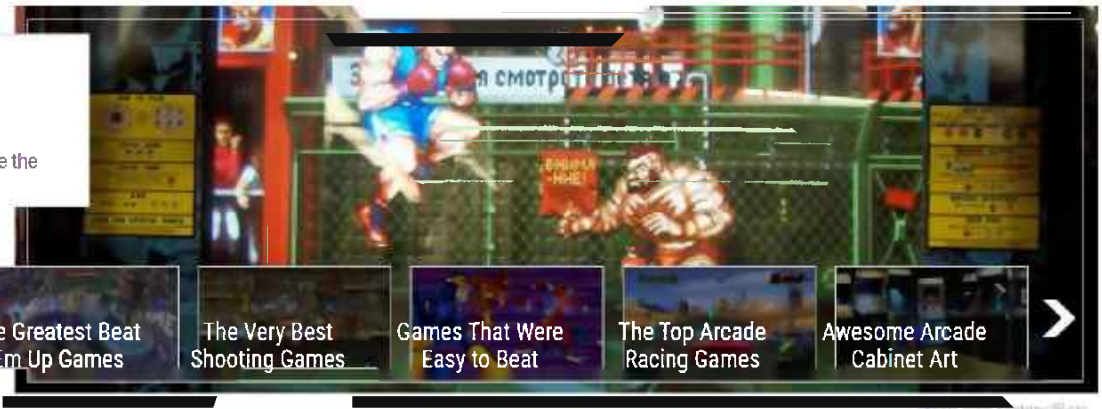
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#16 Street Fighter III: 3rd Strike on The Best Fighting Games of All Time #12 StarCraft II: Heart of the Swarm on The Best Real-Time Strategy Games of All Time

12 LISTS

COLLECTION The Classic Arcade

Arcades may not be as popular as they used to be, but they used to dominate the gaming scene. In fact, some of your favorite game franchises started in the arcade.



- The Best Classic Arcade Games
- The Best Games of the 1990s
- The Best Games of the 1980s
- The Greatest Beat 'Em Up Games
- The Very Best Shooting Games
- Games That Were Easy to Beat
- The Top Arcade Racing Games
- Awesome Arcade Cabinet Art

Button Mash

The Best Classic Arcade Games



Originally by Ranker Community

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are still around today - albeit in updated forms - in game centers and arcades.

These are the games that many of us remember pumping quarters into as a child as we vowed to beat that high score in the likes of 80s arcade games like Frogger or Ms. Pac-Man or sought to reach the final castle in arcade games of the 90s like Super Mario Bros.

Many of the classic games here left such a lasting impression from their time in the giant arcade versions that they were later released on smaller platforms like the original Nintendo Entertainment System or remade decades later for platforms like the Nintendo Wii.

Similarly, many top arcade game titles like Paperboy and Donkey Kong spawned sequels or full series of games. Though 1980s arcade games were a far cry from today's games with 3D graphics and graphic violence, these classic games remind us of a simpler time when titles like Pong or Asteroids were enough to entertain us for a few hours. Ah, the good old days!

Vote for the famous arcade games that

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list ordered by all

1  
1,962 434



Galaga

1981

Galaga is a fixed shooter arcade game developed and published by Namco in Japan and published by Midway in North America in 1981. It is the sequel to Galaxian, released in 1979. The gameplay of [more](#)



2  
2,081 729



Pac-Man

1980

Pac-Man is an arcade game developed by Namco and first released in Japan on May 22, 1980. It was licensed for distribution in the United States by Midway and released in October 1980. Immensely [more](#)

3  
1,838 589





Donkey Kong

1981

Donkey Kong is an arcade game released by Nintendo in 1981. It is an early example of the platform game genre, as the gameplay focuses on maneuvering the main character across a series of [.more](#)

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4  
1,564 614



Space Invaders

1978

Space Invaders is an arcade video game developed by Tomohiro Nishikado and released in 1978. It was originally manufactured and sold by Taito in Japan, and was later licensed for production in [.more](#)

5  
1,084 504



Centipede

1980

Centipede is a vertically oriented shoot 'em up arcade game produced by Atari, Inc. in 1981. The game was designed by Ed Logg and Dona Bailey. The player defends against centipedes, spiders, [.more](#)

6  
1,323 563

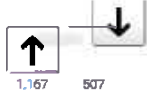


Ms. Pac-Man

1982

Ms. Pac-Man is an arcade video game from the Golden Age. It was produced by Illinois-based Midway Manufacturing corporation, the North American publisher of Pac-Man. Ms. Pac-Man was released in [more](#)

7

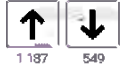


Dig Dug

1982

Dig Dug is an arcade game developed and published by Namco in Japan in 1982. It runs on Namco Galaga hardware, and was later published outside of Japan by Atari, Inc.. A popular game based on a [more](#)

8



Asteroids

1979

Asteroids is an arcade space shooter released in November 1979 by Atari, Inc. and designed by Lyle Rains and Ed Logg. The player controls a spaceship in an asteroid field which is periodically [more](#)

9



Defender

1980

Defender is an arcade video game developed and released by Williams Electronics in February 1981. A shooting game featuring two-dimensional graphics, the game is set on a fictional planet where [more](#)

10



Mario Bros.

1983

Mario Bros. is a platform game published and developed for arcades by Nintendo in 1983. It was created by Shigeru Miyamoto. It has been featured as a minigame in the Super Mario Advance series [more](#)

11



Galaxian

1979

Galaxian is an arcade game that was developed by Namco and released in October 1979. It was published by Namco in Japan and imported to North America by Midway that December. A fixed shooter [more](#)

12



Pole Position

1982

Pole Position is an arcade racing video game which was released by Namco in 1982 and licensed to Atari, Inc. for US manufacture and distribution, running on the Namco Pole Position arcade system [more](#)

13



Street Fighter

1987

Street Fighter is a 1987 arcade game developed by Capcom. It is the first competitive fighting game produced by the company and the inaugural game in the Street Fighter series. While it did not [more](#)

14



Missile Command

1980

Missile Command is a 1980 arcade game by Atari, Inc that was also licensed to Sega for European release. It is considered one of the most notable games from the Golden Age of Video Arcade

15

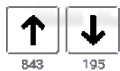


1942

1984

1942 is a vertically scrolling shoot 'em up made by Capcom that was released for the arcade in 1984. It was the first game in the 19XX series. It was followed by 1943: The Battle of Midway. 1942 more

16



Street Fighter II

1991

Street Fighter II: The World Warrior is a competitive fighting game originally released for the arcades in 1991. It is the second entry in the Street Fighter series and the arcade sequel to the . more

17

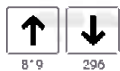


Q*bert

1982

Q*bert is an arcade video game developed and published by Gottlieb in 1982. It is a 2D action game with puzzle elements that uses "isometric" graphics to create a pseudo-3D effect, and .more

18



Double Dragon

1987

Double Dragon is a 1987 beat 'em up video game developed by Technōs Japan and distributed in North America and Europe by Taito. The game is a spiritual and technological successor to Technos'.more

19



Donkey Kong Jr.

1982

Donkey Kong Jr. is a 1982 arcade-style platform video game by Nintendo. It first appeared in arcades, and, over the course of the 1980s, was later released for a variety of platforms, most .more

20



Gauntlet

1985

Gauntlet is a fantasy-themed hack and slash 1985 arcade game by Atari Games. Released in October 1985, Atari ultimately sold a total of 7,848 Gauntlet video game arcade cabinets. It is noted as .more

21



Pong

1972



Pong is one of the earliest arcade video games, it is a tennis sports game featuring simple two-dimensional graphics. While other arcade video games such as Computer Space came before it, Pong [more](#)

22



630 320



Paperboy

1984

Paperboy is a 1985 arcade game by Atari Games. The players take the role of a paperboy who delivers newspapers along a suburban street on his bicycle. The game was ported to numerous video game [more](#)

23



497 67



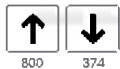
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Frogger

1978

Frogger is a 1978 arcade game by Atari Games. The player controls a frog that must cross a road with cars and a river with crocodiles. [more](#)

24



800 374

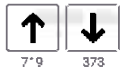


Joust

1982

Joust is an arcade game developed by Williams Electronics and released in 1982. It is a platform game that features two-dimensional graphics. The player uses a button and joystick to control a [more](#)

25



719 373



Punch-Out!!

1984

Punch-Out!! is a boxing arcade game by Nintendo, released in Japan in 1983 and worldwide in 1984. It was the first in a series of successful Punch-Out!! games that produced an arcade sequel. [more](#)



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The Best Classic Arcade Games



Arcades may not be as popular as they used to be, but they used to dominate the gaming scene. In fact, some of your favorite game franchises started in the arcade.



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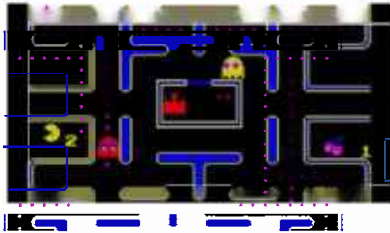
Punch-Out!!

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The Best Classic Arcade Games



11 More The Classic Arcade

Arcades may not be as popular as they used to be, but they used to dominate the gaming scene. In fact, some of your favorite game franchises started in the arcade.



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The Best Sega Genesis Games of All Time



List of All Arcade Games



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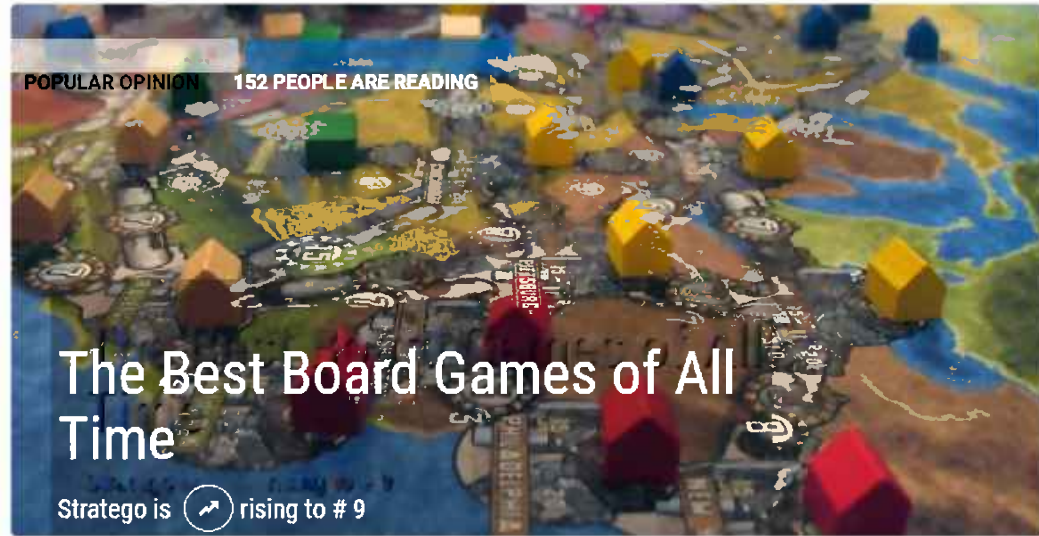
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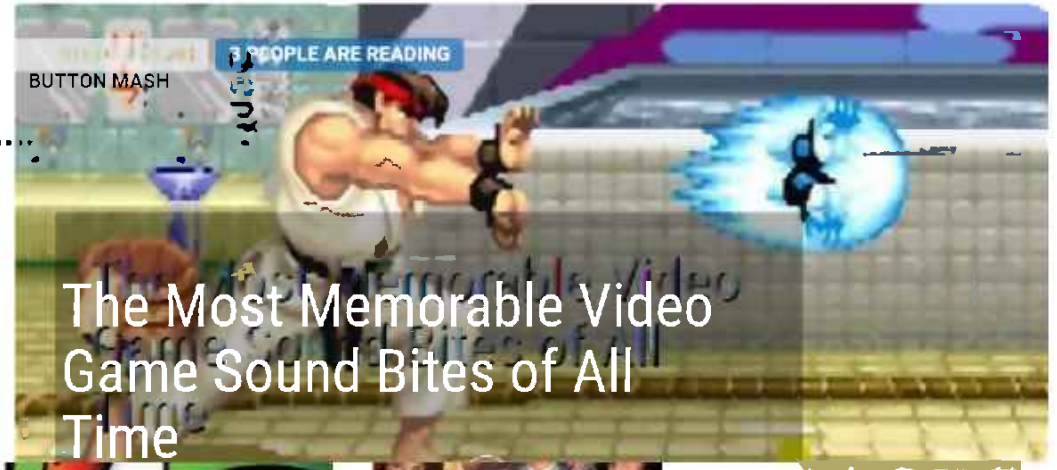
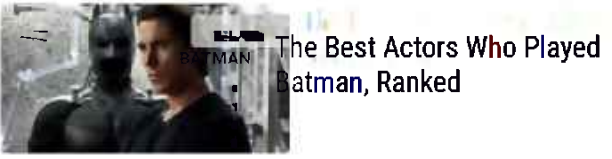
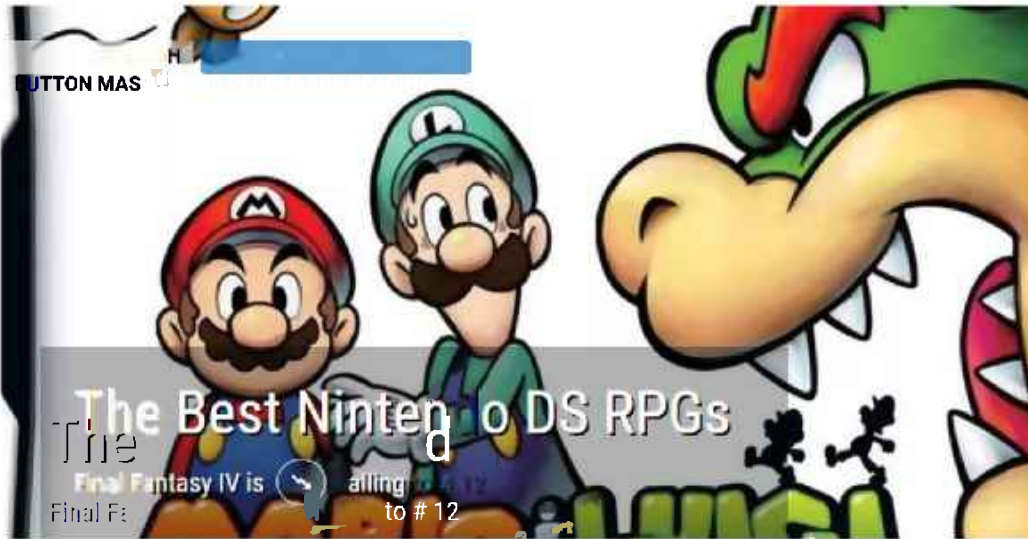
Steve Urkel is falling to #10

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Little Miss Muffet is rising to #17

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The Best Actors Who Played Batman, Ranked



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Super Street Fighter II Turbo

The Best PlayStation Fighting Games

PLAYSTATION



Bonk's Adventure

The Best TurboGrafx-16 Games

ENTERTAINMENT



Dustin Hoffman

The Best Actors in Film History

ENTERTAINMENT



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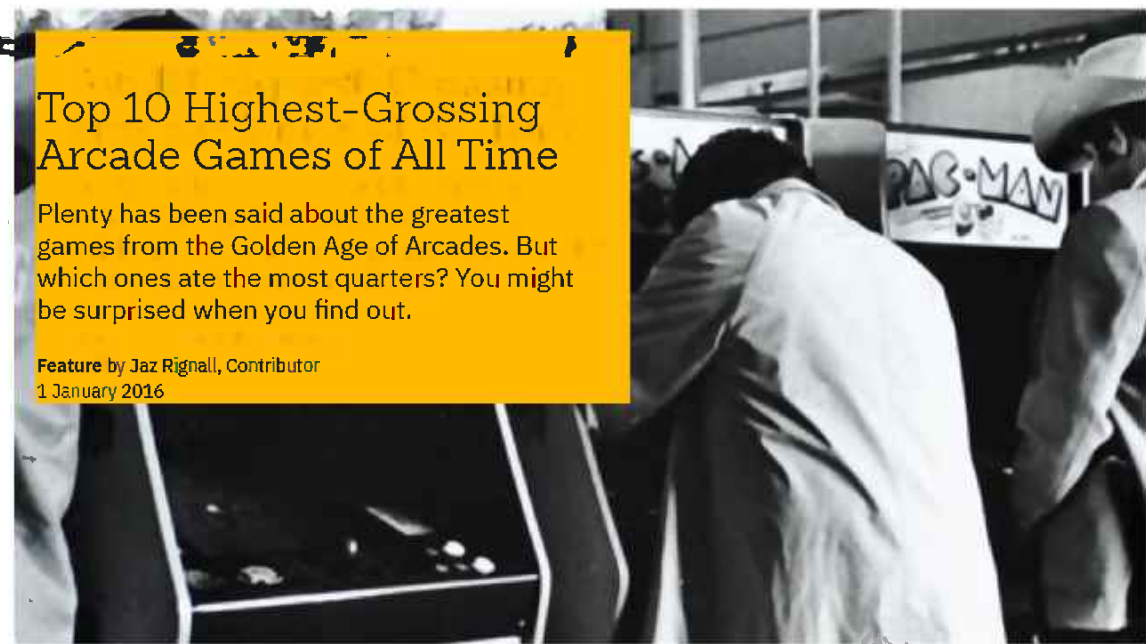


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Top 10 Highest-Grossing Arcade Games of All Time

Plenty has been said about the greatest games from the Golden Age of Arcades. But which ones ate the most quarters? You might be surprised when you find out.

Feature by Jaz Rignall, Contributor
1 January 2016



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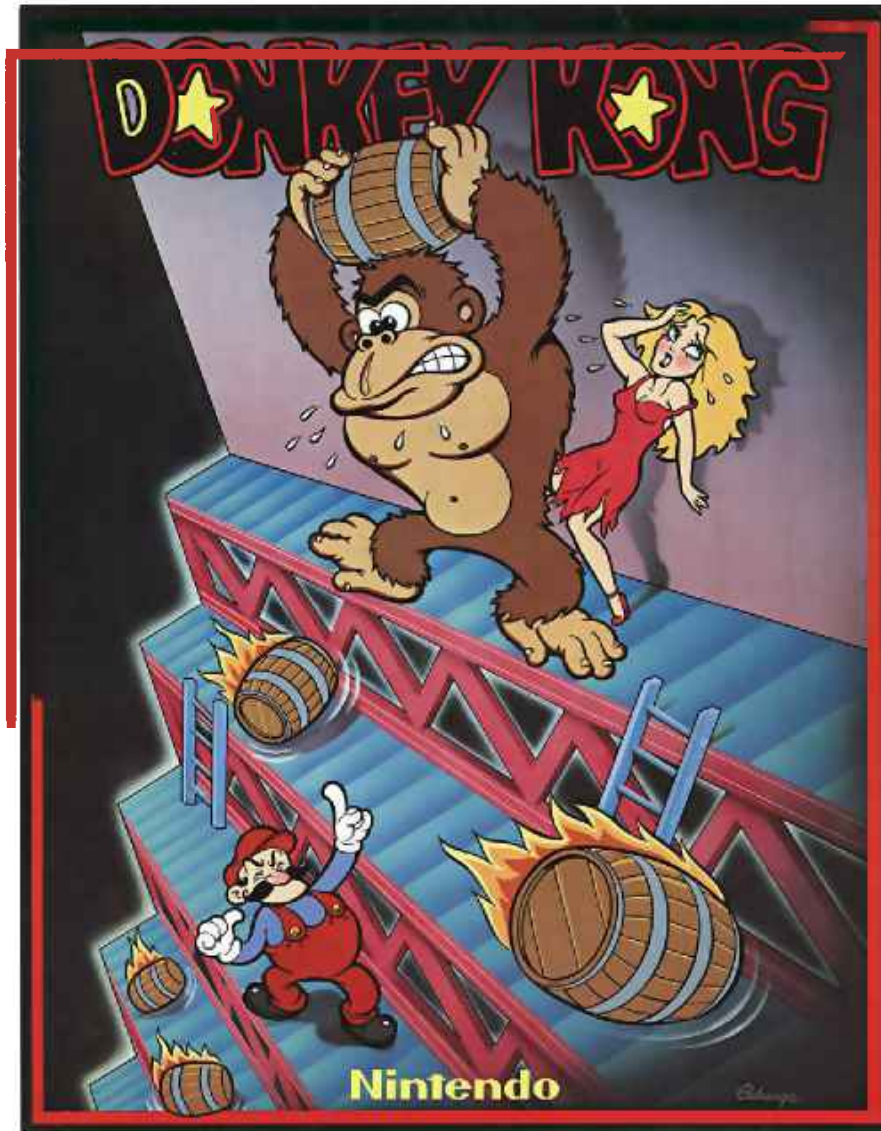
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Much attention is often lavished upon the vast profits generated by the latest editions of today's biggest franchises. So much so, you'd think that this sort of financial success is something new. Actually, it isn't. Even during the very earliest days of video gaming, there were products that made mountains of money. The difference between now and then, however, is that back in the day, that revenue was earned one quarter at a time.

This is the third revision of this list, which I originally published in 2010, and then updated in 2013. Since then, additional data has been uncovered that has enabled me to further

improve the accuracy of the numbers, plus rotate in new games whose data was previously unavailable. This has resulted in a more accurate list, although it's still not complete, with some estimates being made on revenue numbers – most notably, Street Fighter II and Mortal Kombat II.



10 - Donkey Kong

Nintendo

- Cabinets Sold: 132,000
- Revenue by 1982: \$280,000,000

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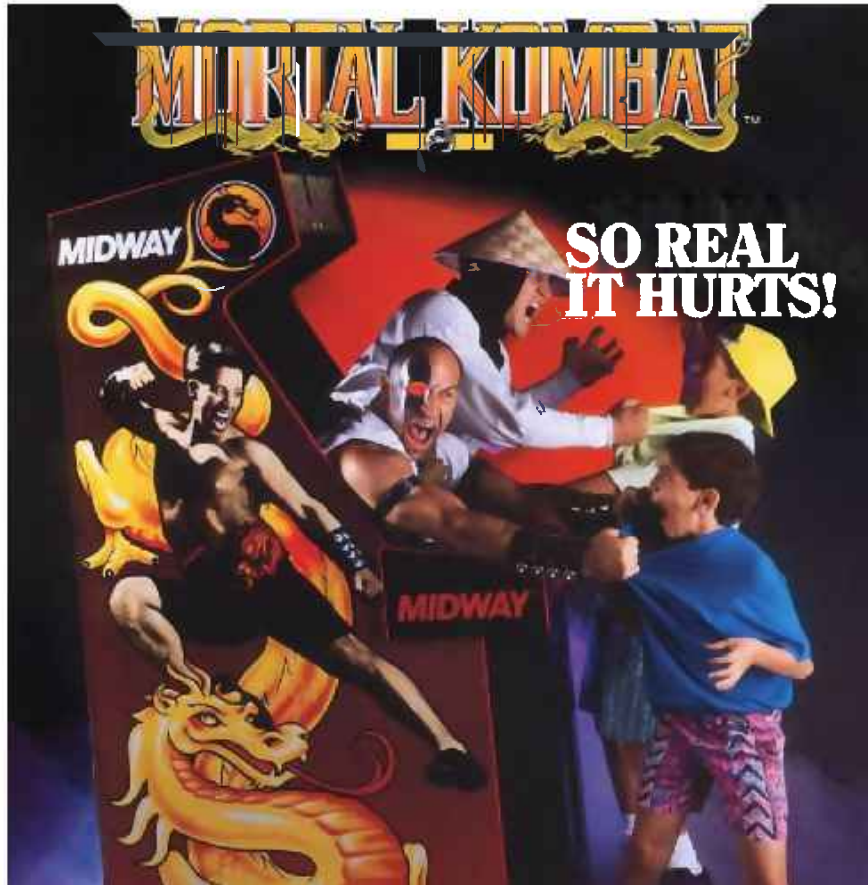
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- Inflation adjusted: \$686,262,000

One of the earliest platformers, and the first game created by legendary designer Shigeru Miyamoto, Nintendo's 1981 classic coin-op was a massive hit with gamers thanks to its innovative gameplay that played out over four different screens.

Often cited as the first game to feature Mario, this is actually a somewhat revisionary fact. When the game was launched in Japan, the hero was a carpenter called Jumpman who was on a mission to rescue his girlfriend, Lady, from the clutches of his escaped pet gorilla, Donkey Kong. When the coin-op was released in America, however, Nintendo US employees weren't keen on the original Japanese names, and chose their own. Lady became known as Pauline, and Jumpman became Mario, who also gave up the carpentry business and became a plumber. A move that was evidently a good one, as it helped him go on to become one of gaming's best-known characters.

When it was first launched, Donkey Kong was seen by some as a very strange game – which is understandable when you consider that space shooters and early maze-chase games were the most common types of game during that era. However, this new concept soon caught on, and the game became a huge smash hit.



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9 – Mortal Kombat

Midway

- Cabinets Sold: 24,000
- Revenue by 2002: \$570,000,000
- Inflation adjusted: \$748,462,000

Developed by Ed Boon and John Tobias, the legendary Mortal Kombat mightn't be the most finessed fighter out there, but when it came to pulling in the quarters, it's second only to the even-more-legendary Street Fighter series for making money.

Featuring digitized sprites, rather than the hand-drawn animation of other contemporary fighters, Mortal Kombat's big selling point is its fatalities – end-of-fight moves that often finish off the opponent in a spectacularly gory and bloody fashion. Needless to say, this didn't exactly go down well with the political establishment, and the subsequent furor and US Congressional hearing ultimately resulted in the establishment of the Entertainment Software Rating Board (ESRB) in response to calls for video games to be policed by government regulations. Considering the alternative, that's a definite silver lining to what would otherwise have been a very dark cloud.



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8 – Mortal Kombat II

Midway

- Cabinets Sold: 27,000
- Revenue by 2002: \$600,000,000
- Inflation adjusted: \$787,607,559

The second Mortal Kombat game arrived a year after the first, and sported major graphical upgrades and five new characters. The gameplay was also significantly updated, with improved combo capabilities, new moves, and a host of Fatalities, including non-lethal Friendship and Babality finishers.

By the time this second arcade game was released, the Mortal Kombat franchise was beginning to become a juggernaut that would ultimately spin off comics, a "Kard" game, movies, and of course a boatload of home versions – which would go on to sell some 26 million games over the years. Indeed, such is the success of the franchise, by 2011 it held 10 Guinness world records, including "most successful fighting game series," "largest promotional campaign for a fighting video game" (Mortal Kombat 3), "highest grossing film based on a fighting video game" (Mortal Kombat 1996), and "most successful video game spin-off soundtrack album" (Mortal Kombat: Original Motion Picture Soundtrack).

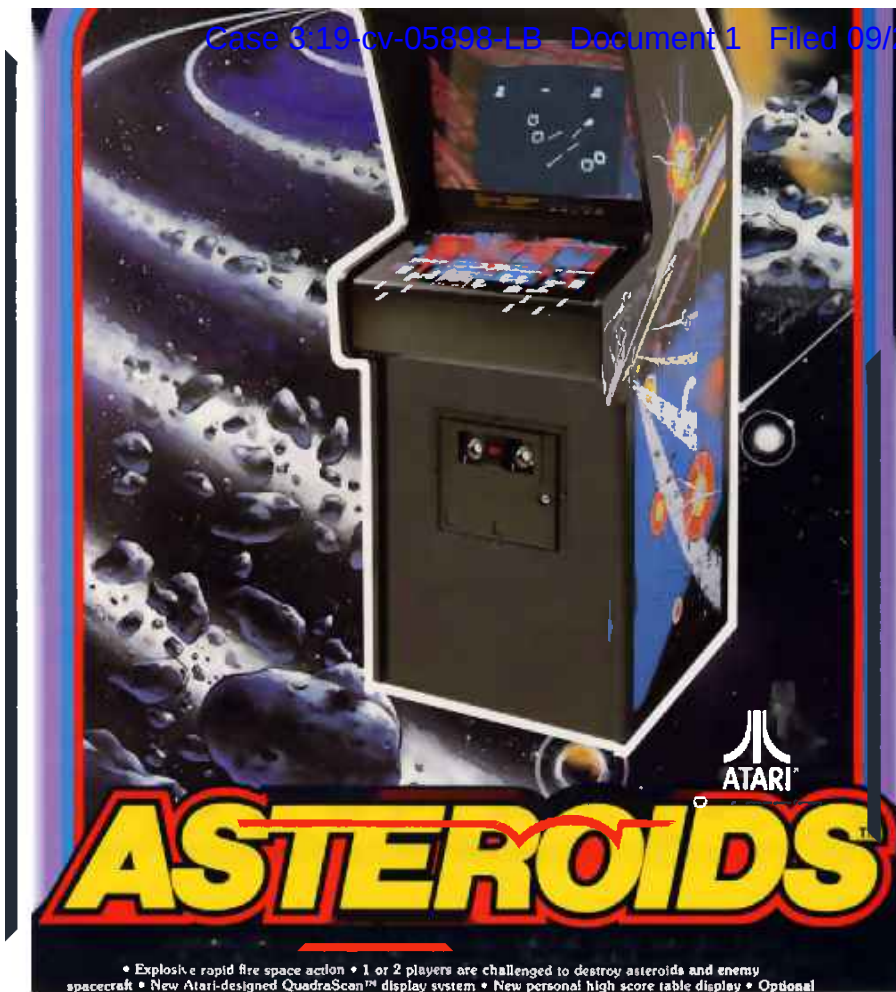


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7 – Asteroids

Atari

- Cabinets Sold: 100,000
- Revenue by 1991: \$800,000,000
- Inflation adjusted: \$1,346,548,823

Atari's Asteroids is a vector graphic classic from 1979. Inspired by the first fully-fledged video game, Space War, Asteroids was built using hardware from the earlier Atari vector coin-op, Lunar Lander.

The end result was a game that was far more sophisticated than the more static Space Invaders-type format that tended to have limited movement, and gameplay based around a defensible position at the bottom of the screen. In Asteroids, the player had to deal with

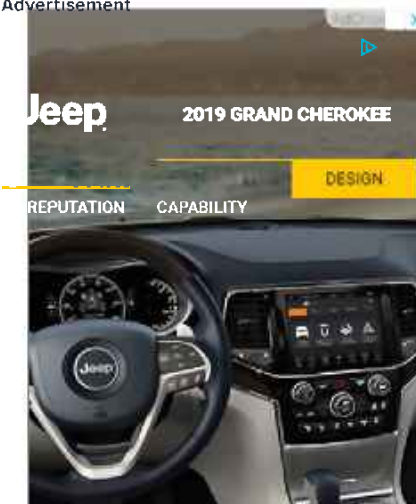
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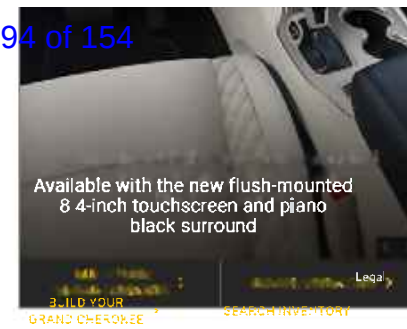


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threats from all sides, plus missile-arming space ships.

Despite its similarities to Space Wars, most players wouldn't have seen that rare coin-op when Asteroids was launched, and therefore Atari's rock-breaking game was received largely as a new concept – and quite a challenge. Thanks to that, players poured money into the machine, of which 70,000 were sold across America, and 30,000 units were sold abroad.



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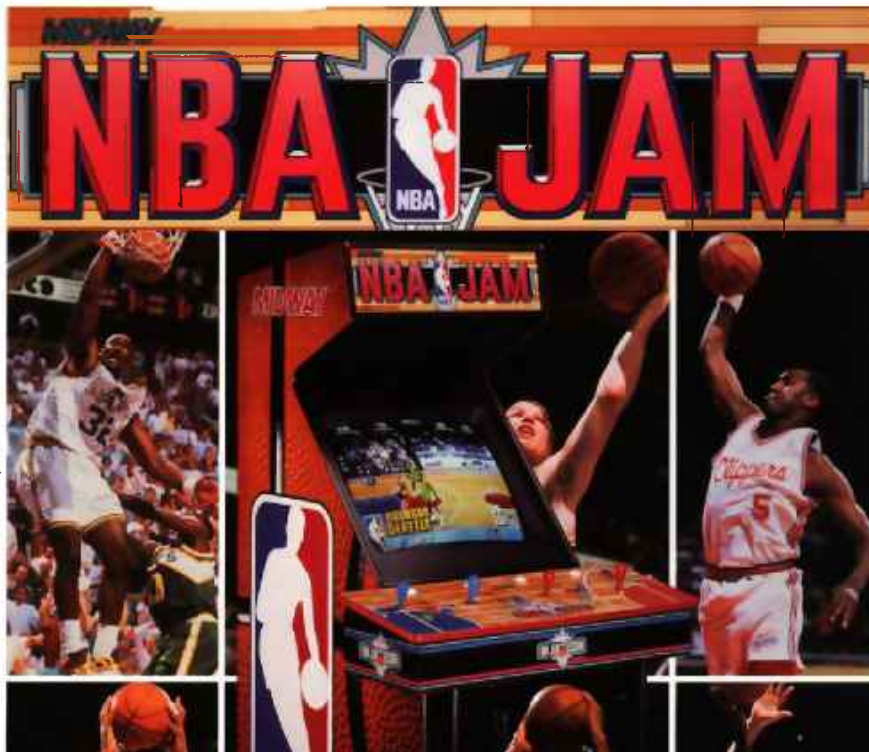
Williams

- **Cabinets Sold:** 60,000
- **Revenue by 1993:** \$1,000,000,000
- **Inflation adjusted:** \$1,588,463,873

Featuring an intimidating number of buttons, and enemy ships whose behavior patterns were extremely sophisticated for the period, Defender was one of the most memorable shooters of the early 80's.

It was the creation of Eugene Jarvis and Larry DeMar, who'd previously been pinball machine designers at Williams. They spent months iterating a design for a new video game inspired by their favorite aspects of Space Invaders and Asteroids. The end product was a revelation. Featuring search-and-rescue gameplay, a variety of different alien types, and the threat of a planet exploding, Defender provided players with a high-energy, relentless, colorful, and loud shoot 'em up experience that made other contemporaries of the era look positively pedestrian.

Defender's high level of challenge helped it devour hundreds of millions of quarters as gamers got to grips with its complex gameplay – and of course the game would go on to become one of the enduring icons of the Golden Age of Arcades.



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5 – NBA Jam

Midway

- Cabinets Sold: 20,000
- Revenue by 1994: \$1,100,000,000
- Inflation adjusted: \$1,704,501,968

Released when arcades were having a second wind in 1993, NBA Jam follows in the footsteps of the 1989 basketball Arch Rivals, which also features 2-on-2 action. However, where Arch Rivals never really achieved truly critical mass, NBA Jam was hugely popular largely thanks to its official license enabling it to feature real team names and the digital likenesses of famous players.

Gameplay was larger than life, and had few rules, resulting in a fast and furious pace of action that often featured spectacular net shots and slam dunks – accompanied by iconic NBA Jam catch phrases like "He's on fire" and "Boomshakalaka!"

Rather amusingly, in 2008, designer Mark Turmell confirmed that, as many NBA Jam players had thought, the game had a slight bias against the Chicago Bulls. If you were playing the Detroit Pistons, the Bulls would miss last-second shots in close games. Boomshakalaka indeed.



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4 – Ms. Pac-Man

Bally Midway

- Cabinets Sold: 125,000
- Revenue by 1987: \$1,200,000,000
- Inflation adjusted: \$2,494,552,816

The original Pac-Man's largely non-violent gameplay had already proved appealing to females, so Illinois-based Midway Manufacturing corporation decided to go the whole hog and make a Pac-Man game specifically designed to attract them. The result was Ms. Pac-Man, essentially Pac-Man with a pink bow.

As well as featuring four new maze designs, the ghosts were programmed to occasionally move randomly. This was a deliberate move to prevent players from learning and using patterns to beat every level, as was the tactic in the original Pac-Man. Because of that, the game was considerably more challenging than its predecessor. However, that didn't stop players from eventually clocking the machine and discovering that, like Pac-Man, the game's 256th level was glitched and impossible to complete.

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3 - Street Fighter II/Champion Edition

Capcom

- Cabinets Sold: 200,000 (60,000 SF II, 140,000 CE)
- Revenue by 1995: \$2,312,000,000
- Inflation adjusted: \$3,582,553,228

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Capcom's sequel to its 1987 arcade hit was one of the defining milestones of the 90's. While

Capcom's sequel to the original Street Fighter introduced many of the series' fundamental design elements, Street Fighter II evolved them a quantum leap forward, creating a benchmark fighting game design that still stands true today. Thanks to its ultra-competitive gameplay, the machine was an instant hit, selling some 60,000 units globally. Its rapid player turnover helped keep the coins flowing – a welcome relief to many arcade operators, who'd seen revenues decline since their peak in the mid-80's.

With Street Fighter II bringing in substantial revenues, it didn't take Capcom long to produce an updated version (which for the purposes of this list isn't considered a standalone sequel because it's essentially an upgrade kit). In April 1992, Champion Edition hit the arcades with rebalanced gameplay, four playable Grand Masters, and the ability for players to engage in mirror matches for the first time. Despite being cosmetically very similar to Street Fighter II, CE sold an incredible 140,000 boards and new cabinets.

Several reports cite Street Fighter II as earning \$1.5 billion by 1993, and that in turn has been erroneously attributed to coin-op revenue. However, the root source – Children, Adolescents and Media Violence by Steven J Kirsh – is actually referring to home console versions and merchandising. The reality is, there is no current definitive source for revenue of the machine. Arcade owners often reported "Street Fighter II" on revenue sheets, rather than citing a specific version, and many arcades updated to the new Hyper Fighting board within a year. Also, by the early 90's, arcades were in decline, and revenue records were often not published. At that point, it was much more about shifting hardware, than their actual cash yield. Therefore, the figures here are estimated, based on the fact that 200,000 combined cabinets and boards were sold, and taking into account player engagement and turnover. These numbers are also conservative. Due to the relative ease of making illegal versions of Capcom's CP System boards, many pirated copies of the arcade game also existed, which would likely boost the revenue number above considerably. But for obvious reasons, the actual sum will never be known.



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2 - Space Invaders

Taito

- Cabinets Sold: 360,000
- Revenue by **1982**: \$2,702,000,000
- **Inflation adjusted**: \$6,612,228,000

One of video gaming's all-time classics, Space Invaders kicked off what is now called the Golden Age of Arcades, a period of history spanning the late 70's to the mid 80's that saw unprecedented advances in gaming design and technology.

The machine was launched in Japan in June 1978 and swiftly became a cultural phenomenon. By the end of the year, an incredible 100,000 coin-ops had been installed across the country. Such was its immense popularity, the sheer volume of people shoveling money into its coin slots created a temporary shortage of the 100-yen coin.

Space Invaders swiftly became a major export, and was soon rejuvenating arcades around the world, whose mechanical machines and, at that point, only basic technological innovation had seen them in consistent decline since the 50's. This literal reversal of fortune was fueled by millions of players, who queued time and time again to test their mettle against the invading hordes. The revenue generated in the states in its first year was greater than that of the highest-grossing movie of the period – Star Wars. Not bad for an industry that had only just turned five years old.



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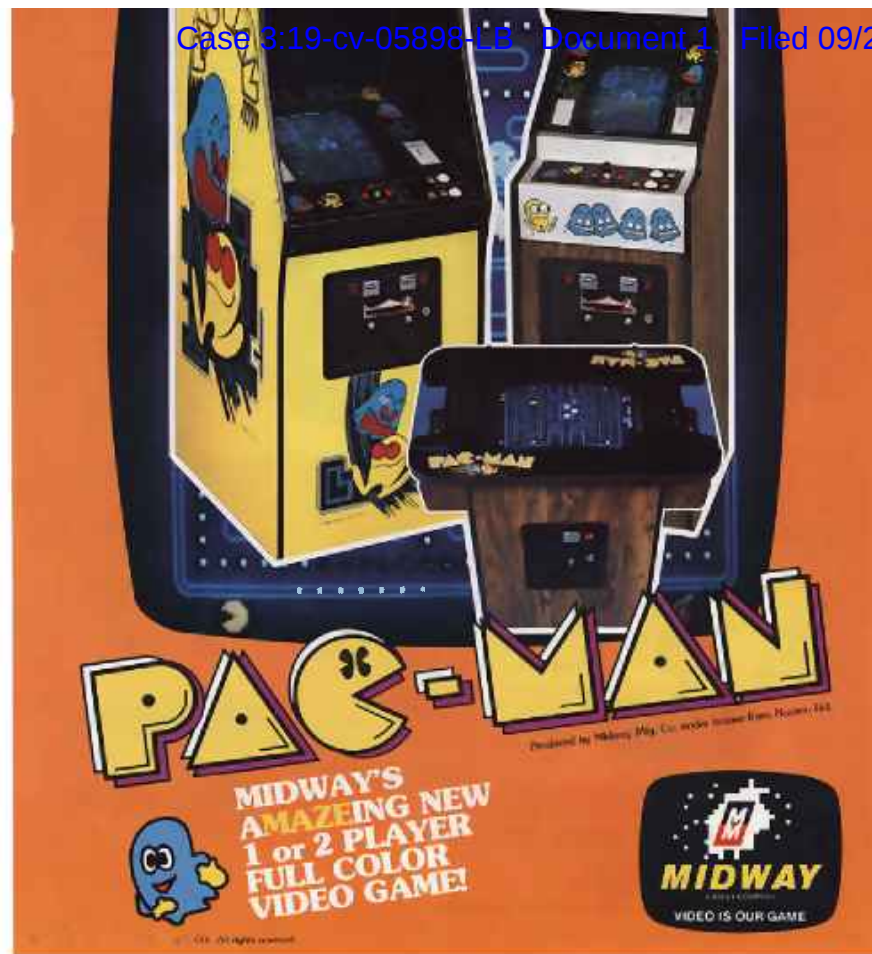


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1 - Pac-Man

Namco

- Cabinets Sold: 400,000
- Revenue by 1990: \$3,500,000,000
- Inflation adjusted: \$7,681,491,635

Since Space Invaders has come and gone, the number one quarter eater of all time should be no surprise at all. Well, unless you didn't grow up playing arcade games.

Gaming's first major mascot, and perhaps its most recognizable and enduring character, Pac-Man burst onto the scenes in 1980 and became an overnight sensation. In an era where almost all games were space-themed shooters, Pac-Man's non-violent, maze-chase gameplay presented something fresh and new. It also did something else few other games did at that time – and that was appeal to female gamers.

This universal attraction helped bring an unprecedented number of players into arcades around the world, who shoveled billions of quarters into its slots. This popularity turned Pac-Man into an icon, giving rise to the first generation of gaming merchandise, with everyone's favorite yellow dot-gobbler emblazoned on everything from t-shirts and hats to lunchboxes and dinking glasses.

Since then, Pac-Man has gone on to star in more than 30 other games – but most gamers will always associate him with this iconic machine.

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Int. Cl.: 28

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PREVIOUS REGISTRATION: • Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office? Yes No <input checked="" type="checkbox"/> • If your answer is "Yes," why is another registration being sought? (Check appropriate box) <ul style="list-style-type: none"> <input type="checkbox"/> This is the first published edition of a work previously registered in unpublished form. <input type="checkbox"/> This is the first application submitted by this author as copyright claimant. <input type="checkbox"/> This is a changed version of the work, as shown by line 6 of the application. * If your answer is "Yes," give: Previous Registration Number _____ Year of Registration _____	<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">5</div> Previous Registration
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COMPILATION OR DERIVATIVE WORK: (See instructions) <div style="border-left: 1px solid black; border-right: 1px solid black; padding: 5px; margin-top: 10px;"> PREEXISTING MATERIAL: (Identify any preexisting work or works that the work is based on or incorporates.) Portions of the current work incorporate material from a published audiovisual work entitled "Crazy Otto" which is a derivative work based on a previously published audiovisual work entitled PAC-MAN, registered November 13, 1980, Reg. No. PA 83-768. </div> <div style="border-left: 1px solid black; border-right: 1px solid black; padding: 5px; margin-top: 10px;"> MATERIAL ADDED TO THIS WORK: (Give a brief, general statement of the material that has been added to this work and in which copyright is claimed.) The visual expression of the central figure as Crazy Otto was changed to MS. PAC-MAN, the visual expression of the pursuit figures in Crazy Otto was changed, and other changes were made in the visual images. </div>	<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">6</div> Compilation or Derivative Work
---	---

DEPOSIT ACCOUNT: (If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.) Name: _____ Account Number: _____	CORRESPONDENCE: (Give name and address to which correspondence about this application should be sent.) Name: Kathleen D. Kennedy, Esq. Brownstein Zeidman and Schomer Address: 1025 Conn. Ave., N.W. Washington, D.C. 20036 ^(Apt.) <small>(City) (State) (ZIP)</small>	<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">7</div> Fee and Correspondence
---	---	---

CERTIFICATION: * I, the undersigned, hereby certify that I am the: (Check one) <ul style="list-style-type: none"> <input type="checkbox"/> author <input type="checkbox"/> other copyright claimant <input type="checkbox"/> owner of exclusive right(s) <input checked="" type="checkbox"/> authorized agent of: <u>Bally Midway Mfg. Co.</u> <small>(Name of author or other copyright claimant, or owner of exclusive right(s))</small> of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge. <div style="margin-top: 10px;"> Handwritten signature: (X) _____ Typed or printed name: Kathleen D. Kennedy, Esq. Date: 6/29/82 </div>	<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">8</div> Certification (Application must be signed)
---	---

<div style="border: 1px solid black; border-radius: 15px; padding: 10px; margin-bottom: 10px;"> Kathleen D. Kennedy, Esq. Brownstein Zeidman and Schomer Suite 900, 1025 Connecticut Avenue, N.W. <small>(Number, Street and Apartment Number)</small> Washington, D.C. 20036 <small>(City) (State) (ZIP code)</small> </div>	MAIL CERTIFICATE TO (Certificate will be mailed in window envelope)	<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">9</div> Address For Return of Certificate
--	---	--

* 17 U.S.C. §506(e) FALSE REPRESENTATION—Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.
 * U.S. GOVERNMENT PRINTING OFFICE: 1981-341-278/2

EXHIBIT 4



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

Form VA
For a Work of the Visual Arts
UNITED STATES COPYRIGHT OFFICE

VA 1-352-904



EFFECTIVE DATE OF REGISTRATION

JAN 26 2006
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

Title of This Work ▼ **25TH ANNIVERSARY PAC-MAN/MS.PAC-MAN/GALAGA OPERATOR'S MANUAL**

NATURE OF THIS WORK ▼ See Instructions **text and drawings**

Previous or Alternative Titles ▼

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2

a NAME OF AUTHOR ▼ **Namco America Inc.**

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? Yes No

Author's Nationality or Domicile
Name of Country OR Citizen of _____ Domiciled in **USA**

Was This Author's Contribution to the Work
Anonymous? Yes No
Pseudonymous? Yes No

NOTE
Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

Nature of Authorship Check appropriate box(es). See Instructions

3-Dimensional sculpture Map Technical drawing
 2-Dimensional artwork Photograph Text
 Reproduction of work of art Jewelry design Architectural work

b Name of Author ▼

Dates of Birth and Death
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? Yes No

Author's Nationality or Domicile
Name of Country OR Citizen of _____ Domiciled in _____

Was This Author's Contribution to the Work
Anonymous? Yes No
Pseudonymous? Yes No

Nature of Authorship Check appropriate box(es). See Instructions

3-Dimensional sculpture Map Technical drawing
 2-Dimensional artwork Photograph Text
 Reproduction of work of art Jewelry design Architectural work

3

a Year in Which Creation of This Work Was Completed **2000**

b Date and Nation of First Publication of This Particular Work
Month **June** Day **14** Year **2005**
Nation **USA**

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Namco America Inc.
1740 Technology Dr., Suite 320, San Jose, CA 95110

Transfer If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

APPLICATION RECEIVED
JAN 26 2006

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED
JAN 26 2006

FUNDS RECEIVED

DO NOT WRITE HERE OFFICE USE ONLY

EXAMINED BY STI FORM VA

CHECKED BY Mj DW

CORRESPONDENCE
Yes

FOR COPYRIGHT OFFICE USE ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼

- a. This is the first published edition of a work previously registered in unpublished form.
- b. This is the first application submitted by this author as copyright claimant.
- c. This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼ VA 1-555-762 Year of Registration ▼ 2002

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

MS.PAC-MAN/GALAGA OPERATION MANUAL and PAC-MAN 25TH ANNIVERSARY LOGO

6
a See instructions before completing this space.

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

Newly created text and drawings

b

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
Name ▼ Account Number ▼

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

Hideki Yoshimoto, Namco Bandai Games America Inc.
1740 Technology Dr., Suite 320, San Jose, CA 95110

b

Area code and daytime telephone number (408) 200-7700 Fax number (408) 200-7707

Email

CERTIFICATION[®] I, the undersigned, hereby certify that I am the

check only one ► {

- author
- other copyright claimant
- owner of exclusive right(s)
- authorized agent of Namco America Inc.

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Hideki Yoshimoto, Director, Intellectual Property, Namco Bandai Games America Inc. Date January 23, 2006

Handwritten signature (X) ▼

X [Handwritten Signature]

Certificate will be mailed in window envelope to this address:

Name ▼ Hideki Yoshimoto, NAMCO BANDAI Games America Inc., San Jose Office

Number/Street/Apt ▼ 1740 Technology Dr., Suite 320

City/State/ZIP ▼ San Jose, CA 95110

YOU MUST

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL ELEMENTS OF THE SAME PACKAGE

1. Application form
2. Nonrefundable filing fee in check or money order payable to *Register of Copyrights*
3. Deposit material

MAIL TO

Library of Congress
Copyright Office
101 Independence Avenue, S.E.
Washington, D.C. 20559-6000

9

¹⁷ U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

CERTIFICATE OF COPYRIGHT REGISTRATION

FORM VA

UNITED STATES COPYRIGHT OFFICE



OFFICIAL SEAL

This certificate, issued under the seal of the Copyright Office in accordance with the provisions of section 410(a) of title 17, United States Code, attests that copyright registration has been made for the work identified below. The information in this certificate has been made a part of the Copyright Office records.

Handwritten signature of the Register of Copyrights.

REGISTER OF COPYRIGHTS United States of America

REGISTRATION NUMBER

VA

115-909

EFFECTIVE DATE OF REGISTRATION

4 JAN 1983

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

TITLE OF THIS WORK

MS PAC-MAN_{TM}

An Activity Book

2801

NATURE OF THIS WORK

Pictorial illustrations

PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared.

If published in a periodical or serial give: Volume Number Issue Date On Pages

2

NAME OF AUTHOR Bally Midway Mfg. Co.

DATES OF BIRTH AND DEATH

Was this contribution to the work a "work made for hire"?

Yes

No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

Citizen of U.S.A.

Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? Yes No

Pseudonymous? Yes No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

Pictorial illustrations

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see in-

b

NAME OF AUTHOR

DATES OF BIRTH AND DEATH

Was this contribution to the work a "work made for hire"?

Yes

No

AUTHOR'S NATIONALITY OR DOMICILE

Name of country

Citizen of

Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? Yes No

Pseudonymous? Yes No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

c

NAME OF AUTHOR

DATES OF BIRTH AND DEATH

Was this contribution to the work a "work made for hire"?

Yes

No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

Citizen of

Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? Yes No

Pseudonymous? Yes No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

3

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED 1982

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK August 26 1982 U.S.A.

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2.

Bally Midway Mfg. Co. 10601 W. Belmont Avenue Franklin Park, Illinois 60131

APPLICATION RECEIVED 04 JAN 1983 ONE DEPOSIT RECEIVED TWO DEPOSITS RECEIVED 4 JAN 1983 REMITTANCE NUMBER AND DATE

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

MORE ON BACK Complete all applicable spaces (numbers 5-9) on the reverse side of this page. See detailed instructions. Sign the form at line 8.

DO NOT WRITE HERE Page 1 of 2 pages.

DA 3 012 1609



EXAMINED BY

JK
Law

FORM VA

CHECKED BY

- CORRESPONDENCE Yes
- DEPOSIT ACCOUNT FUNDS USED

FOR COPYRIGHT OFFICE USE ONLY

VA 115-909

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

- Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼
 - This is the first published edition of a work previously registered in unpublished form.
 - This is the first application submitted by this author as copyright claimant.
 - This is a changed version of the work, as shown by space 6 on this application.
- If your answer is "Yes," give: **Previous Registration Number** ▼ **Year of Registration** ▼

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.

a. **Preexisting Material** Identify any preexisting work or works that this work is based on or incorporates. ▼

b. **Material Added to This Work** Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

6

See instructions before completing this space.

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼ **Western Publishing Company, Inc.** Account Number ▼ **DAO 18139**

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

Mrs. Jalaine Tennesen
Western Publishing Company, Inc.
1220 Mound Avenue
Racine, Wisconsin 53404
Area Code & Telephone Number ▶ **(414) 633-2431 Ext. 3599**

Be sure to give your daytime phone number.

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▼

- author
- other copyright claimant
- owner of exclusive right(s)
- authorized agent of **Bally Midway Mfg. Co.**
Name of author or other copyright claimant, or owner of exclusive right(s) ▲

8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this is a published work, this date must be the same as or later than the date of publication given in space 3.

Mrs. Jalaine Tennesen date ▶ **12/14/82**



Handwritten signature (X) ▼

Jalaine Tennesen

MAIL CERTIFICATE TO

Certificate will be mailed in window envelope

Name ▼	Mrs. Jalaine Tennesen
	Western Publishing Company, Inc.
Number/Street/Apartment Number ▼	1220 Mound Avenue
City/State/ZIP ▼	Racine, Wisconsin 53404

Have you:

- Completed all necessary spaces?
 - Signed your application in space 8?
 - Enclosed check or money order for \$10 payable to Register of Copyrights?
 - Enclosed your deposit material with the application and fee?
- MAIL TO:** Register of Copyrights, Library of Congress, Washington, D.C. 20559.

9

* 17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

CERTIFICATE OF COPYRIGHT REGISTRATION

FORM VA

UNITED STATES COPYRIGHT OFFICE



OFFICIAL SEAL

This certificate, issued under the seal of the Copyright Office in accordance with the provisions of section 410(a) of title 17, United States Code, attests that copyright registration has been made for the work identified below. The information in this certificate has been made a part of the Copyright Office records.

Handwritten signature of the Register of Copyrights.

REGISTER OF COPYRIGHTS
United States of America

REGISTRATION NUMBER

VA

134-220

VA

VAU

EFFECTIVE DATE OF REGISTRATION

13 JUL 1983

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

TITLE OF THIS WORK

Ms. Pac-Man Game #4317

NATURE OF THIS WORK

cover label, game board, buildup, label sheet

PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared.

If published in a periodical or serial give: Volume Number Issue Date On Pages

NAME OF AUTHOR

Milton Bradley Company

DATES OF BIRTH AND DEATH

Was this contribution to the work a "work made for hire"? Yes No

AUTHOR'S NATIONALITY OR DOMICILE Name of Country U.S.A.

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK Anonymous? Pseudonymous?

NATURE OF AUTHORSHIP All pictorial matter

NAME OF AUTHOR

DATES OF BIRTH AND DEATH

Was this contribution to the work a "work made for hire"? Yes No

AUTHOR'S NATIONALITY OR DOMICILE Name of country Citizen of Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK Anonymous? Pseudonymous?

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

NAME OF AUTHOR

DATES OF BIRTH AND DEATH

Was this contribution to the work a "work made for hire"? Yes No

AUTHOR'S NATIONALITY OR DOMICILE Name of Country Citizen of Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK Anonymous? Pseudonymous?

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED 1982

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK Month January Day 3 Year 1983 U.S.A.

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2.

Bally Midway Mfg. Co. 10601 West Belmont Avenue Franklin Park, IL 60131

APPLICATION RECEIVED 13 JUL 1983 ONE DEPOSIT RECEIVED 13 JUL 1983 TWO DEPOSITS RECEIVED

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

By written agreement

REMITTANCE NUMBER AND DATE 267742 JUL 13 83

MORE ON BACK Complete all applicable spaces (numbers 5-9) on the reverse side of this page. See detailed instructions. Sign the form at line 8.

DO NOT WRITE HERE Page 1 of 2 pages

1

2

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

3

4

See instructions before completing this space.

*Year date in notice: 1982.

FORM VA

VA 134-220

CHECKED BY *W. Taft, Jr.*

CORRESPONDENCE Yes

DEPOSIT ACCOUNT FUNDS USED

FOR COPYRIGHT OFFICE USE ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼

This is the first published edition of a work previously registered in unpublished form.

This is the first application submitted by this author as copyright claimant.

This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼ Year of Registration ▼

DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account. Name ▼ Account Number ▼

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt./City/State/Zip ▼

Millens W. Taft, Jr.

Milton Bradley Company

111 Maple Street

Springfield, MA 01105

Area Code & Telephone Number ▶

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▼

author

other copyright claimant

owner of exclusive right(s)

authorized agent of Milton Bradley Company

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this is a published work, this date must be the same as or later than the date of publication given in space 3.

Millens W. Taft, Jr.

date ▶ 6/28/83

Handwritten signature (X) ▼

Millens W. Taft, Jr.

MAIL CERTIFICATE TO

Certificate will be mailed in window envelope

Name ▼
Millens W. Taft, Jr., Milton Bradley Company
Number/Street/Apartment Number ▼
111 Maple Street
City/State/ZIP ▼
Springfield, MA 01105

Have you:

- Completed all necessary spaces?
- Signed your application in space 8?
- Enclosed check or money order for \$10 payable to Register of Copyrights?
- Enclosed your deposit material with the application and fee?

MAIL TO: Register of Copyrights, Library of Congress, Washington, D.C. 20559.

* 17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

CERTIFICATE OF COPYRIGHT REGISTRATION

FORM VA

UNITED STATES COPYRIGHT OFFICE



OFFICIAL SEAL

This certificate, issued under the seal of the Copyright Office in accordance with the provisions of section 410(a) of title 17, United States Code, attests that copyright registration has been made for the work identified below. The information in this certificate has been made a part of the Copyright Office records.

Handwritten signature of the Register of Copyrights.

REGISTER OF COPYRIGHTS
United States of America

REGISTRATION NUMBER	
VA	104-386
VA	VAU
EFFECTIVE DATE OF REGISTRATION	
4	AUG 1982
(Month)	(Day) (Year)

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE CONTINUATION SHEET (FORM VA/CON)

1 Title	TITLE OF THIS WORK: MS. PAC-MAN HAND PUPPET Style No. 8506	NATURE OF THIS WORK: (See instructions) sculpture and art work
	Previous or Alternative Titles:	
	PUBLICATION AS A CONTRIBUTION: (If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared.) Title of Collective Work: Vol. No. Date. Pages	

2 Author(s)	IMPORTANT: Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). If any part of this work was "made for hire," check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates blank.										
	1	<table border="1"> <tr> <td>NAME OF AUTHOR: Commonwealth Toy & Novelty Co., Inc. Was this author's contribution to the work a "work made for hire"? Yes. <input checked="" type="checkbox"/> No.</td> <td>DATES OF BIRTH AND DEATH: Born Died (Year) (Year)</td> </tr> <tr> <td>AUTHOR'S NATIONALITY OR DOMICILE: Citizen of } or { Domiciled in USA (Name of Country) (Name of Country)</td> <td> <table border="1"> <tr> <td>WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK:</td> </tr> <tr> <td>Anonymous? Yes. No. Pseudonymous? Yes. No.</td> </tr> <tr> <td>If the answer to either of these questions is "Yes," see detailed instructions attached.</td> </tr> </table> </td> </tr> <tr> <td>AUTHOR OF: (Briefly describe nature of this author's contribution) sculpture and art work</td> <td></td> </tr> </table>	NAME OF AUTHOR: Commonwealth Toy & Novelty Co., Inc. Was this author's contribution to the work a "work made for hire"? Yes. <input checked="" type="checkbox"/> No.	DATES OF BIRTH AND DEATH: Born Died (Year) (Year)	AUTHOR'S NATIONALITY OR DOMICILE: Citizen of } or { Domiciled in USA (Name of Country) (Name of Country)	<table border="1"> <tr> <td>WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK:</td> </tr> <tr> <td>Anonymous? Yes. No. Pseudonymous? Yes. No.</td> </tr> <tr> <td>If the answer to either of these questions is "Yes," see detailed instructions attached.</td> </tr> </table>	WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK:	Anonymous? Yes. No. Pseudonymous? Yes. No.	If the answer to either of these questions is "Yes," see detailed instructions attached.	AUTHOR OF: (Briefly describe nature of this author's contribution) sculpture and art work	
	NAME OF AUTHOR: Commonwealth Toy & Novelty Co., Inc. Was this author's contribution to the work a "work made for hire"? Yes. <input checked="" type="checkbox"/> No.	DATES OF BIRTH AND DEATH: Born Died (Year) (Year)									
	AUTHOR'S NATIONALITY OR DOMICILE: Citizen of } or { Domiciled in USA (Name of Country) (Name of Country)	<table border="1"> <tr> <td>WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK:</td> </tr> <tr> <td>Anonymous? Yes. No. Pseudonymous? Yes. No.</td> </tr> <tr> <td>If the answer to either of these questions is "Yes," see detailed instructions attached.</td> </tr> </table>	WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK:	Anonymous? Yes. No. Pseudonymous? Yes. No.	If the answer to either of these questions is "Yes," see detailed instructions attached.						
	WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK:										
	Anonymous? Yes. No. Pseudonymous? Yes. No.										
	If the answer to either of these questions is "Yes," see detailed instructions attached.										
	AUTHOR OF: (Briefly describe nature of this author's contribution) sculpture and art work										
	2	<table border="1"> <tr> <td>NAME OF AUTHOR: Was this author's contribution to the work a "work made for hire"? Yes. No.</td> <td>DATES OF BIRTH AND DEATH: Born Died (Year) (Year)</td> </tr> <tr> <td>AUTHOR'S NATIONALITY OR DOMICILE: Citizen of } or { Domiciled in (Name of Country) (Name of Country)</td> <td> <table border="1"> <tr> <td>WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK:</td> </tr> <tr> <td>Anonymous? Yes. No. Pseudonymous? Yes. No.</td> </tr> <tr> <td>If the answer to either of these questions is "Yes," see detailed instructions attached.</td> </tr> </table> </td> </tr> <tr> <td>AUTHOR OF: (Briefly describe nature of this author's contribution)</td> <td></td> </tr> </table>	NAME OF AUTHOR: Was this author's contribution to the work a "work made for hire"? Yes. No.	DATES OF BIRTH AND DEATH: Born Died (Year) (Year)	AUTHOR'S NATIONALITY OR DOMICILE: Citizen of } or { Domiciled in (Name of Country) (Name of Country)	<table border="1"> <tr> <td>WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK:</td> </tr> <tr> <td>Anonymous? Yes. No. Pseudonymous? Yes. No.</td> </tr> <tr> <td>If the answer to either of these questions is "Yes," see detailed instructions attached.</td> </tr> </table>	WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK:	Anonymous? Yes. No. Pseudonymous? Yes. No.	If the answer to either of these questions is "Yes," see detailed instructions attached.	AUTHOR OF: (Briefly describe nature of this author's contribution)	
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Anonymous? Yes. No. Pseudonymous? Yes. No.											
If the answer to either of these questions is "Yes," see detailed instructions attached.											
AUTHOR OF: (Briefly describe nature of this author's contribution)											

3 Creation and Publication	YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED: 1982 Year. (This information must be given in all cases.)	DATE AND NATION OF FIRST PUBLICATION: Date. February 10, 1982 (Month) (Day) (Year) Nation U.S.A. (Name of Country) (Complete this block ONLY if this work has been published.)
-------------------------------	---	---

4 Claimant(s)	NAME(S) AND ADDRESS(ES) OF COPYRIGHT CLAIMANT(S): Bally Midway Mfg. Co. 10601 West Belmont Ave. Franklin Park, Illinois 60131
	TRANSFER: (If the copyright claimant(s) named here in space 4 is different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.) By Assignment

VA 104-386

EXAMINED BY: <i>[Signature]</i>	APPLICANT RECEIVED: <i>[Signature]</i>	FOR COPYRIGHT OFFICE USE ONLY
CHECKED BY: <i>[Signature]</i>	04 AUG 1982	
CORRESPONDENCE: <input type="checkbox"/> Yes	DEPOSIT RECEIVED: 4 AUG 1982	
DEPOSIT ACCOUNT FUNDS USED: <input type="checkbox"/>	REMITTANCE NUMBER AND DATE: 323001 U.S. special	

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED ADDITIONAL SPACE, USE CONTINUATION SHEET (FORM VA/CON)

<p>PREVIOUS REGISTRATION:</p> <ul style="list-style-type: none"> Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office? Yes No <input checked="" type="checkbox"/> If your answer is "Yes," why is another registration being sought? (Check appropriate box) <ul style="list-style-type: none"> <input type="checkbox"/> This is the first published edition of a work previously registered in unpublished form. <input type="checkbox"/> This is the first application submitted by this author as copyright claimant. <input type="checkbox"/> This is a changed version of the work, as shown by line 6 of the application. If your answer is "Yes," give: Previous Registration Number. Year of Registration. 	<p>5</p> <p>Previous Registration</p>
---	--

<p>COMPILATION OR DERIVATIVE WORK: (See instructions)</p> <p>PREEXISTING MATERIAL: (Identify any preexisting work or works that this work is based on or incorporates.) This work is based on a preexisting audiovisual work entitled MS. PAC-MAN which was registered on June 25, 1982, PA 140-275.</p> <p>MATERIAL ADDED TO THIS WORK: (Give a brief, general statement of the material that has been added to this work and in which copyright is claimed.) This work contains new sculptural and pictorial material.</p>	<p>6</p> <p>Compilation or Derivative Work</p>
---	---

<p>DEPOSIT ACCOUNT: (If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.)</p> <p>Name:</p> <p>Account Number:</p>	<p>CORRESPONDENCE: (Give name and address to which correspondence about this application should be sent.) 457-6664</p> <p>Name: Kathleen D. Kennedy, Esq. Brownstein Zeidman and Schomer</p> <p>Address: Suite 900, 1025 Conn. Ave., N.W. Washington, D.C. 20036</p> <p>(City) (State) (ZIP)</p>	<p>7</p> <p>Fee and Correspondence</p>
--	---	---

<p>CERTIFICATION: * I, the undersigned, hereby certify that I am the: (Check one)</p> <p><input type="checkbox"/> author <input type="checkbox"/> other copyright claimant <input type="checkbox"/> owner of exclusive right(s) <input checked="" type="checkbox"/> authorized agent of <u>Bally Midway Mfg. Co.</u></p> <p>(Name of author or other copyright claimant, or owner of exclusive right(s))</p> <p>of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.</p> <p>Handwritten signature: (X) <i>[Signature]</i></p> <p>Typed or printed name: Kathleen D. Kennedy</p> <p>Date: 8/4/82</p>	<p>8</p> <p>Certification (Application must be signed)</p>
--	---

<p>Kathleen D. Kennedy, Esq. Brownstein Zeidman and Schomer Suite 900, 1025 Connecticut Avenue, N.W. (Number, Street and Apartment Number) Washington, D.C. 20036 (City) (State) (ZIP code)</p>	<p>MAIL CERTIFICATE TO</p> <p>(Certificate will be mailed in window envelope)</p>	<p>9</p> <p>Address for Return of Certificate</p>
---	--	--

CERTIFICATE OF COPYRIGHT REGISTRATION

FORM VA

UNITED STATES COPYRIGHT OFFICE



OFFICIAL SEAL

This certificate, issued under the seal of the Copyright Office in accordance with the provisions of section 410(a) of title 17, United States Code, attests that copyright registration has been made for the work identified below. The information in this certificate has been made a part of the Copyright Office records.

Handwritten signature of the Register of Copyrights.

REGISTER OF COPYRIGHTS
United States of America

REGISTRATION NUMBER

VA 134-951 VAU

EFFECTIVE DATE OF REGISTRATION

SEP 06 1983

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

TITLE OF THIS WORK MS. PAC MAN™ 4450B NATURE OF THIS WORK Pictorial illustrations

PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared.

If published in a periodical or serial give: Volume Number Issue Date On Pages

2

NAME OF AUTHOR Bally Midway Mfg. Co. DATES OF BIRTH AND DEATH

Was this contribution to the work a "work made for hire"? AUTHOR'S NATIONALITY OR DOMICILE WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

NOTE Under the law.

NATURE OF AUTHORSHIP Pictorial illustrations

b

NAME OF AUTHOR DATES OF BIRTH AND DEATH

Was this contribution to the work a "work made for hire"? AUTHOR'S NATIONALITY OR DOMICILE WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

NATURE OF AUTHORSHIP

c

NAME OF AUTHOR DATES OF BIRTH AND DEATH

Was this contribution to the work a "work made for hire"? AUTHOR'S NATIONALITY OR DOMICILE WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

NATURE OF AUTHORSHIP

3

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED 1982 DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK October 5 1982 U.S.A.

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2.

Bally Midway Mfg. Co. 10601 W. Belmont avenue Franklin Park, Illinois 60131

APPLICATION RECEIVED 06 SEP 1983 ONE DEPOSIT RECEIVED TWO DEPOSITS RECEIVED SEP 06 1983 REMITTANCE NUMBER AND DATE

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

MORE ON BACK Complete all applicable spaces (numbers 5-9) on the reverse side of this page. See detailed instructions. Sign the form at line 8.

DO NOT WRITE HERE Page 1 of 2 pages

EXAMINED BY

FORM VA

CHECKED BY

JE

CORRESPONDENCE
Yes

DEPOSIT ACCOUNT
FUNDS USED

FOR
COPYRIGHT
OFFICE
USE
ONLY

VA 134-951

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

- Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼
 - This is the first published edition of a work previously registered in unpublished form.
 - This is the first application submitted by this author as copyright claimant.
 - This is a changed version of the work, as shown by space 6 on this application.
- If your answer is "Yes," give: **Previous Registration Number** ▼ **Year of Registration** ▼

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.

a. **Preexisting Material** Identify any preexisting work or works that this work is based on or incorporates. ▼

b. **Material Added to This Work** Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

6

See instructions before completing this space.

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼ Western Publishing Company, Inc. Account Number ▼ DAO 18139

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

Mrs. Jalaine Tennesen
Western Publishing Company, Inc.
1220 Mound Avenue
Racine, Wisconsin 53404
Area Code & Telephone Number ▶ (414) 633-2431, Ext. 3599

Be sure to give your daytime phone number.

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▼

- author
- other copyright claimant
- owner of exclusive right(s)
- authorized agent of Bally Midway Mfg. Co.
Name of author or other copyright claimant, or owner of exclusive right(s) ▲

8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this is a published work, this date must be the same as or later than the date of publication given in space 3.

Mrs. Jalaine Tennesen date ▶ 8/29/83

Handwritten signature (X) ▼ *Jalaine Tennesen*

MAIL CERTIFICATE TO

Certificate will be mailed in window envelope

Name ▼	Mrs. Jalaine Tennesen Western Publishing Company, Inc.
Number/Street/Apartment Number ▼	1220 Mound Avenue
City/State/ZIP ▼	Racine, Wisconsin 53404

Have you:

- Completed all necessary spaces?
- Signed your application in space 8?
- Enclosed check or money order for \$10 payable to Register of Copyrights?
- Enclosed your deposit material with the application and fee?

MAIL TO: Register of Copyrights, Library of Congress, Washington, D.C. 20559.

9

* 17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

CERTIFICATE OF COPYRIGHT REGISTRATION

FORM TX

UNITED STATES COPYRIGHT OFFICE



OFFICIAL SEAL

This certificate, issued under the seal of the Copyright Office in accordance with the provisions of section 410(a) of title 17, United States Code, attests that copyright registration has been made for the work identified below. The information in this certificate has been made a part of the Copyright Office records.

[Handwritten Signature]

REGISTER OF COPYRIGHTS
United States of America

REGISTRATION NUMBER
TX 1-248-562

EFFECTIVE DATE OF REGISTRATION
TX TXU
DEC 20 1983
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

TITLE OF THIS WORK ▼
MS. PAC-MAN Ms. Pac-Man's Prize Pupil 61791*

PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

NAME OF AUTHOR ▼ Bally Midway Mfg. Co. DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? Yes No
AUTHOR'S NATIONALITY OR DOMICILE Name of Country U.S.A.
OR { Citizen of ► Domiciled in ►
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. ▼
Art & Text

NAME OF AUTHOR ▼ DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? Yes No
AUTHOR'S NATIONALITY OR DOMICILE Name of country
OR { Citizen of ► Domiciled in ►
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. ▼

NAME OF AUTHOR ▼ DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? Yes No
AUTHOR'S NATIONALITY OR DOMICILE Name of Country
OR { Citizen of ► Domiciled in ►
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. ▼

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED This information must be given in all cases. 1983 Year
DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK Complete this information ONLY if this work has been published. Month ► September Day ► 6 Year ► 1983 U.S.A. Nation

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼
Bally Midway Mfg. Co.
10601 W. Belmont Avenue
Franklin Park, Illinois 60131

DO NOT WRITE HERE OFFICE USE ONLY
APPLICATION RECEIVED 20 DEC 1983
ONE DEPOSIT RECEIVED
TWO DEPOSITS RECEIVED 20 DEC 1983
REMITTANCE NUMBER AND DATE

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

MORE ON BACK ► • Complete all applicable spaces (numbers 5-11) on the reverse side of this page.
• See detailed instructions. • Sign the form at line 10.

DO NOT WRITE HERE



NOTE Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

*On copy: 61971.

FORM TX

TX 1-248-562

CHECKED BY

CORRESPONDENCE Yes

DEPOSIT ACCOUNT FUNDS USED

FOR COPYRIGHT OFFICE USE ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

- Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼
 This is the first published edition of a work previously registered in unpublished form.
 This is the first application submitted by this author as copyright claimant.
 This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼ Year of Registration ▼

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

See instructions before completing this space.

6

MANUFACTURERS AND LOCATIONS If this is a published work consisting preponderantly of nondramatic literary material in English, the law may require that the copies be manufactured in the United States or Canada for full protection. If so, the names of the manufacturers who performed certain processes, and the places where these processes were performed must be given. See instructions for details.

Names of Manufacturers ▼ Places of Manufacture ▼

Western Publishing Company, Inc.

Racine, Wisconsin

7

REPRODUCTION FOR USE OF BLIND OR PHYSICALLY HANDICAPPED INDIVIDUALS A signature on this form at space 10, and a check in one of the boxes here in space 8, constitutes a non-exclusive grant of permission to the Library of Congress to reproduce and distribute solely for the blind and physically handicapped and under the conditions and limitations prescribed by the regulations of the Copyright Office: (1) copies of the work identified in space 1 of this application in Braille (or similar tactile symbols); or (2) phonorecords embodying a fixation of a reading of that work; or (3) both.

- a Copies and Phonorecords b Copies Only c Phonorecords Only

See instructions.

8

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼ Western Publishing Company, Inc. Account Number ▼ DAO 18139

9

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

Mrs. Jalaine Tennesen

Western Publishing Company, Inc.

1220 Mound Avenue Racine, Wisconsin 53404

Area Code & Telephone Number ▶ (414) 633-2431 Ext. 3599

Be sure to give your daytime phone number.

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check one ▶

- author
 other copyright claimant
 owner of exclusive right(s)

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

authorized agent of Bally Midway Mfg. Co. Name of author or other copyright claimant, or owner of exclusive right(s) ▲

10

Typed or printed name and date ▼ If this is a published work, this date must be the same as or later than the date of publication given in space 3.

Jalaine Tennesen

12/14/83

Handwritten signature (X) ▼

Jalaine Tennesen

MAIL CERTIFICATE TO

Certificate will be mailed in window envelope

Name ▼ Mrs. Jalaine Tennesen
Western Publishing Company, Inc.
Number/Street/Apartment Number ▼ 1220 Mound Avenue
City/State/ZIP ▼ Racine, Wisconsin 53404

- Have you:
• Completed all necessary spaces?
• Signed your application in space 10?
• Enclosed check or money order for \$10 payable to Register of Copyrights?
• Enclosed your deposit material with the application and fee?
MAIL TO: Register of Copyrights, Library of Congress, Washington, D.C. 20559.

11

* 17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

CERTIFICATE OF COPYRIGHT REGISTRATION

FORM VA

UNITED STATES COPYRIGHT OFFICE



OFFICIAL SEAL

This certificate, issued under the seal of the Copyright Office in accordance with the provisions of section 410(a) of title 17, United States Code, attests that copyright registration has been made for the work identified below. The information in this certificate has been made a part of the Copyright Office records.

Handwritten signature of the Register of Copyrights

REGISTER OF COPYRIGHTS United States of America

REGISTRATION NUMBER

VA 116-103

EFFECTIVE DATE OF REGISTRATION

JAN 04 1983

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

TITLE OF THIS WORK MS. PAC-MAN Paint with Water # 1756

NATURE OF THIS WORK Pictorial illustrations

PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared.

If published in a periodical or serial give: Volume Number Issue Date On Pages

2

NAME OF AUTHOR Bally Midway Mfg. Co.

DATES OF BIRTH AND DEATH

Was this contribution to the work a "work made for hire"? Yes No

AUTHOR'S NATIONALITY OR DOMICILE U.S.A.

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK Anonymous? Pseudonymous?

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer.

NATURE OF AUTHORSHIP Pictorial illustrations

NAME OF AUTHOR

DATES OF BIRTH AND DEATH

Was this contribution to the work a "work made for hire"? Yes No

AUTHOR'S NATIONALITY OR DOMICILE

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK Anonymous? Pseudonymous?

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

NAME OF AUTHOR

DATES OF BIRTH AND DEATH

Was this contribution to the work a "work made for hire"? Yes No

AUTHOR'S NATIONALITY OR DOMICILE

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK Anonymous? Pseudonymous?

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

3

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED 1982

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK August 25 1982 U.S.A.

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2.

Bally Midway Mfg. Co. 10601 W1 Belmont Avenue Franklin Park, Illinois 60131

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

APPLICATION RECEIVED 04 JAN 1983 ONE DEPOSIT RECEIVED TWO DEPOSITS RECEIVED JAN 04 1983 REMITTANCE NUMBER AND DATE

MORE ON BACK Complete all applicable spaces (numbers 5-9) on the reverse side of this page. See detailed instructions. Sign the form at line 8.

DO NOT WRITE HERE Page 1 of 2 pages

DA 3 012 1602



301216029

EXAMINED BY *Jc*

FORM VA

CHECKED BY *Jm*

CORRESPONDENCE
Yes

FOR
COPYRIGHT
OFFICE
USE
ONLY

VA

116-103

DEPOSIT ACCOUNT
FUNDS USED

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

- Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼
 - This is the first published edition of a work previously registered in unpublished form.
 - This is the first application submitted by this author as copyright claimant.
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- If your answer is "Yes," give: **Previous Registration Number** ▼ **Year of Registration** ▼

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.

a. **Preexisting Material** Identify any preexisting work or works that this work is based on or incorporates. ▼

6

See instructions
before completing
this space.

b. **Material Added to This Work** Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼ **Western Publishing Company, Inc.** Account Number ▼ **DAO 18139**

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

Mrs. Jalaine Tennesen
Western Publishing Company, Inc.
1220 Mound Avenue
Racine, Wisconsin 53404

Area Code & Telephone Number ▶ **(414) 633-2431 Ext. 3599**

Be sure to
give your
daytime phone
number.

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▼

- author
- other copyright claimant
- owner of exclusive right(s) **Bally Midway Mfg. Co.**
- authorized agent of **Name of author or other copyright claimant, or owner of exclusive right(s) ▲**

8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this is a published work, this date must be the same as or later than the date of publication given in space 3.

Mrs. Jalaine Tennesen date ▶ **12/14/82**

Handwritten signature (X) ▼ *Jalaine Tennesen*

MAIL
CERTIFI-
CATE TO

Certificate
will be
mailed in
window
envelope

Name ▼	Mrs. Jalaine Tennesen Western Publishing Company, Inc.
Number/Street/Apartment Number ▼	1220 Mound Avenue
City/State/ZIP ▼	Racine, Wisconsin 53404

Have you:

- Completed all necessary spaces?
- Signed your application in space 8?
- Enclosed check or money order for \$10 payable to Register of Copyrights?
- Enclosed your deposit material with the application and fee?

MAIL TO: Register of Copyrights, Library of Congress, Washington, D.C. 20559.

9

* 17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

CERTIFICATE OF COPYRIGHT REGISTRATION

FORM VA

UNITED STATES COPYRIGHT OFFICE



OFFICIAL SEAL

This certificate, issued under the seal of the Copyright Office in accordance with the provisions of section 410(a) of title 17, United States Code, attests that copyright registration has been made for the work identified below. The information in this certificate has been made a part of the Copyright Office records.

Handwritten signature of the Register of Copyrights.

REGISTER OF COPYRIGHTS
United States of America

REGISTRATION NUMBER: VA 104-383
EFFECTIVE DATE OF REGISTRATION: AUG 1982

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE CONTINUATION SHEET (FORM VA/CON)

1 Title: MS. PAC-MAN PAL PAJAMA BAG AND PILLOW
Style No. 8507
NATURE OF THIS WORK: sculpture and art work

2 Author(s): IMPORTANT: Under the law, the "author" of a "work made for hire" is generally the employer...
1 NAME OF AUTHOR: Commonwealth Toy & Novelty Co., Inc.
2 NAME OF AUTHOR:
3 NAME OF AUTHOR:

3 Creation and Publication: YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED: 1982
DATE AND NATION OF FIRST PUBLICATION: February 10, 1982, U.S.A.

4 Claimant(s): NAME(S) AND ADDRESS(ES) OF COPYRIGHT CLAIMANT(S):
Bally Midway Mfg. Co.
10601 West Belmont Ave.
Franklin Park, Illinois 60131
TRANSFER: By Assignment

Complete all applicable spaces (numbers 5-9) on the reverse side of this page
Follow detailed instructions attached Sign the form at line 8

EXAMINED BY: <i>[Signature]</i> CHECKED BY: <i>[Signature]</i> CORRESPONDENCE: <input type="checkbox"/> Yes DEPOSIT ACCOUNT FUNDS USED: <input type="checkbox"/>	RECEIVED: 04 AUG 1982 DEPOSIT RECEIVED: <i>in Parts</i> 4 AUG 1982 9 AUG 1982 REMITTANCE NUMBER AND DATE: 323 001 U.B. special	FOR COPYRIGHT OFFICE USE ONLY
---	---	---

VA 104-383

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED ADDITIONAL SPACE, USE CONTINUATION SHEET (FORM VA/CON)

PREVIOUS REGISTRATION: <ul style="list-style-type: none"> • Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office? Yes No <input checked="" type="checkbox"/> • If your answer is "Yes," why is another registration being sought? (Check appropriate box) <ul style="list-style-type: none"> <input type="checkbox"/> This is the first published edition of a work previously registered in unpublished form. <input type="checkbox"/> This is the first application submitted by this author as copyright claimant. <input type="checkbox"/> This is a changed version of the work, as shown by line 6 of the application. • If your answer is "Yes," give: Previous Registration Number. Year of Registration. 	<div style="border: 1px solid black; border-radius: 50%; width: 30px; height: 30px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">5</div> <p style="text-align: center; font-weight: bold; margin: 0;">Previous Registration</p>
--	--

COMPILATION OR DERIVATIVE WORK: (See instructions) <p style="margin-top: 10px;"> PREEXISTING MATERIAL: (Identify any preexisting work or works that this work is based on or incorporates.) This work is based on a preexisting audiovisual work entitled MS. PAC-MAN which was registered on June 25, 1982, PA 140-275. </p> <p style="margin-top: 10px;"> MATERIAL ADDED TO THIS WORK: (Give a brief, general statement of the material that has been added to this work and in which copyright is claimed.) This work contains new sculptural and pictorial material. </p>	<div style="border: 1px solid black; border-radius: 50%; width: 30px; height: 30px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">6</div> <p style="text-align: center; font-weight: bold; margin: 0;">Compilation or Derivative Work</p>
--	---

DEPOSIT ACCOUNT: (If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.) Name: Account Number:	CORRESPONDENCE: (Give name and address to which correspondence about this application should be sent.) 457-6664 Name: Kathleen D. Kennedy, Esq. Brownstein Zeidman and Schomer Address: Suite 900, 1025 Conn. Ave., N.W. Washington, D.C. 20036 <small>(City) (State) (ZIP)</small>	<div style="border: 1px solid black; border-radius: 50%; width: 30px; height: 30px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">7</div> <p style="text-align: center; font-weight: bold; margin: 0;">Fee and Correspondence</p>
---	---	---

CERTIFICATION: * I, the undersigned, hereby certify that I am the: (Check one) <ul style="list-style-type: none"> <input type="checkbox"/> author <input type="checkbox"/> other copyright claimant <input type="checkbox"/> owner of exclusive right(s) <input checked="" type="checkbox"/> authorized agent of: Bally Midway Mfg. Co. <p style="margin-left: 20px;">(Name of author or other copyright claimant, or owner of exclusive right(s))</p> <p>of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.</p> <p style="margin-top: 10px;"> Handwritten signature: (X) <i>[Signature]</i> Typed or printed name: Kathleen D. Kennedy Date: 8/4/82 </p>	<div style="border: 1px solid black; border-radius: 50%; width: 30px; height: 30px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">8</div> <p style="text-align: center; font-weight: bold; margin: 0;">Certification (Application must be signed)</p>
--	---

<div style="border: 1px solid black; border-radius: 15px; padding: 10px;"> Kathleen D. Kennedy, Esq. Brownstein Zeidman and Schomer Suite 900, 1025 Connecticut Ave., N.W. <small>(Number, Street and Apartment Number)</small> Washington, D.C. 20036 <small>(City) (State) (ZIP code)</small> </div>	<p style="font-weight: bold; margin: 0;">MAIL CERTIFICATE TO</p> <p style="font-size: small; margin: 5px 0;">(Certificate will be mailed in window envelope)</p>	<div style="border: 1px solid black; border-radius: 50%; width: 30px; height: 30px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">9</div> <p style="text-align: center; font-weight: bold; margin: 0;">Address for Return of Certificate</p>
---	--	--

CERTIFICATE OF REGISTRATION

FORM VA
For a Work of the Visual Arts
UNITED STATES COPYRIGHT OFFICE



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters



EFFECTIVE DATE OF REGISTRATION
7-31-02
Month Day Year

OFFICIAL SEAL

REGISTER OF COPYRIGHTS
United States of America SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼ **NATURE OF THIS WORK ▼** See Instructions

MS.PAC-MAN/GALAGA Operator's Manual text and drawings

PREVIOUS OR ALTERNATIVE TITLES ▼

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2 a NAME OF AUTHOR ▼ **DATES OF BIRTH AND DEATH**
Year Born ▼ Year Died ▼

Namco America, Inc.

Was this contribution to the work a "work made for hire"? Yes No

Author's Nationality or Domicile Name of Country OR Citizen of USA Domiciled in USA

Was This Author's Contribution to the Work
Anonymous? Yes No
Pseudonymous? Yes No

NATURE OF AUTHORSHIP Check appropriate box(es). See Instructions

3-Dimensional sculpture Map Technical drawing
 2-Dimensional artwork Photograph Text
 Reproduction of work of art Jewelry design Architectural work

2 b NAME OF AUTHOR ▼ **DATES OF BIRTH AND DEATH**
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? Yes No

Author's Nationality or Domicile Name of Country OR Citizen of _____ Domiciled in _____

Was This Author's Contribution to the Work
Anonymous? Yes No
Pseudonymous? Yes No

NATURE OF AUTHORSHIP Check appropriate box(es). See Instructions

3-Dimensional sculpture Map Technical drawing
 2-Dimensional artwork Photograph Text
 Reproduction of work of art Jewelry design Architectural work

3 a Year in Which Creation of This Work Was Completed 2000

3 b Date and Nation of First Publication of This Particular Work
Month September Day 22 Year 2000
USA

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Namco America, Inc.
2055 Junction Avenue
San Jose, CA 95131

Transfer If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

APPLICATION RECEIVED
JUL 31 2002

ONE DEPOSIT RECEIVED


TWO DEPOSITS RECEIVED
JUL 31 2002

FUNDS RECEIVED

DO NOT WRITE HERE OFFICE USE ONLY

MORE ON BACK ► • Complete all applicable spaces (numbers 5-9) on the reverse side of this page.
• See detailed instructions. • Sign the form at line 8.

DO NOT WRITE HERE
Page 1 of _____ pages

EXAMINED  FORM VA

CHECKED BY _____

CORRESPONDENCE
Yes

FOR
COPYRIGHT
OFFICE
USE
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼

- a. This is the first published edition of a work previously registered in unpublished form.
- b. This is the first application submitted by this author as copyright claimant.
- c. This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼ Year of Registration ▼

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

MS.PAC-MAN and GALAGA logos

a. See instructions before completing this space.

6

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

new text and technical drawing

b

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼ Account Number ▼

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

Hideki Yoshimoto
Namco Holding Corp.
2055 Junction Avenue
San Jose, CA 95131

a
b

Area code and daytime telephone number ▶ () Fax number ▶ ()
Email ▶

CERTIFICATION* I, the undersigned, hereby certify that I am the

- check only one ▶
- author
 - other copyright claimant
 - owner of exclusive right(s)
 - authorized agent of _____
Name of author or other copyright claimant, or owner of exclusive right(s)

8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Kevin Hayes President, Namco America, Inc. Date▶ 7-29-02

Handwritten signature (X) 

Certificate will be mailed in window envelope to this address:

Name ▼ Hideki Yoshimoto
Namco Holding Corp.

Number/Street/Apt ▼
2055 Junction Avenue

City/State/ZIP ▼
San Jose, CA 95131

- Complete all necessary spaces
- Sign your application in space 8

9

1. Application form
2. Nonrefundable filing fee in check or money As of July 1, 1999, the filing fee for Form VA is \$30.
3. Deposit material

Library of Congress
Copyright Office
101 Independence Avenue, S.E.
Washington, D.C. 20559-6000

FORM VA
For a Work of the Visual Arts
UNITED STATES COPYRIGHT OFFICE



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

REGISTER OF COPYRIGHTS
United States of America

REGISTRATION NUMBER
VA 555 101
EFFECTIVE DATE OF REGISTRATION
Dec 21 1992
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼ **NATURE OF THIS WORK ▼** See instructions
PAC-MAN Characters and Log Style Guide Text and Drawing

PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION if this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2 NAME OF AUTHOR ▼ **DATES OF BIRTH AND DEATH**
NAMCO LIMITED Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? Yes No
AUTHOR'S NATIONALITY OR DOMICILE Name of Country OR Citizen of Japan Domiciled in Japan
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK Anonymous? Yes No Pseudonymous? Yes No

NATURE OF AUTHORSHIP Check appropriate box(es). See instructions
 3-Dimensional sculpture Map Technical drawing
 2-Dimensional artwork Photograph Text
 Reproduction of work of art Jewelry design Architectural work
 Design on sheetlike material

NOTE
Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

b NAME OF AUTHOR ▼ **DATES OF BIRTH AND DEATH**
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? Yes No
AUTHOR'S NATIONALITY OR DOMICILE Name of Country OR Citizen of Domiciled in
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK Anonymous? Yes No Pseudonymous? Yes No

NATURE OF AUTHORSHIP Check appropriate box(es). See instructions
 3-Dimensional sculpture Map Technical drawing
 2-Dimensional artwork Photograph Text
 Reproduction of work of art Jewelry design Architectural work
 Design on sheetlike material

3 YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED **DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK**
1991 Year May 8 1991 Month Day Year U.S.A. Nation

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼
NAMCO LIMITED
2-1-21 Yaguchi, Ota-ku
Tokyo 146, Japan
TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

APPLICATION RECEIVED FEB 16 1993
ONE DEPOSIT RECEIVED
TWO DEPOSITS RECEIVED Dec 21 1992
REMITTANCE NUMBER AND DATE

EXAMINED BY

FORM VA

CHECKED BY

CORRESPONDENCE

Yes

FOR COPYRIGHT OFFICE USE ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼

- a. This is the first published edition of a work previously registered in unpublished form.
b. This is the first application submitted by this author as copyright claimant.
c. This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼ Year of Registration ▼

DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

Numerous graphics of audiovisual work, photographic illustrations and text entitled PAC-MAN owned by NAMCO LIMITED.

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

Newly created text and drawings

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼ Account Number ▼

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

Attn. Hideki Yoshimoto
NAMCO-AMERICA, INC.
150 Charcot Avenue
San Jose, CA 95131

Area Code & Telephone Number ▶

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▼

- author
other copyright claimant
owner of exclusive right(s)
authorized agent of

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Masahiro Tachibana Managing Director, Namco Ltd. date February 3, 1993

Handwritten signature (X) ▼

Masahiro Tachibana

MAIL CERTIFICATE TO

Name ▼ Attn. Hideki Yoshimoto
NAMCO-AMERICA, INC.

Number/Street/Apartment Number ▼ P.O.Box 641630

City/State/ZIP ▼ San Jose, CA 95164-1630

Certificate will be mailed in window envelope

YOU MUST:

- Complete all necessary spaces
Sign your application in space 8

SEND ALL 3 ELEMENTS IN THE SAME PACKAGE.

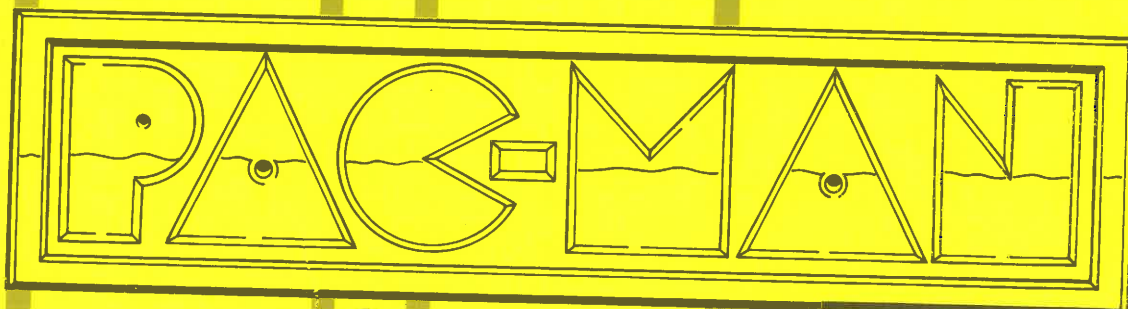
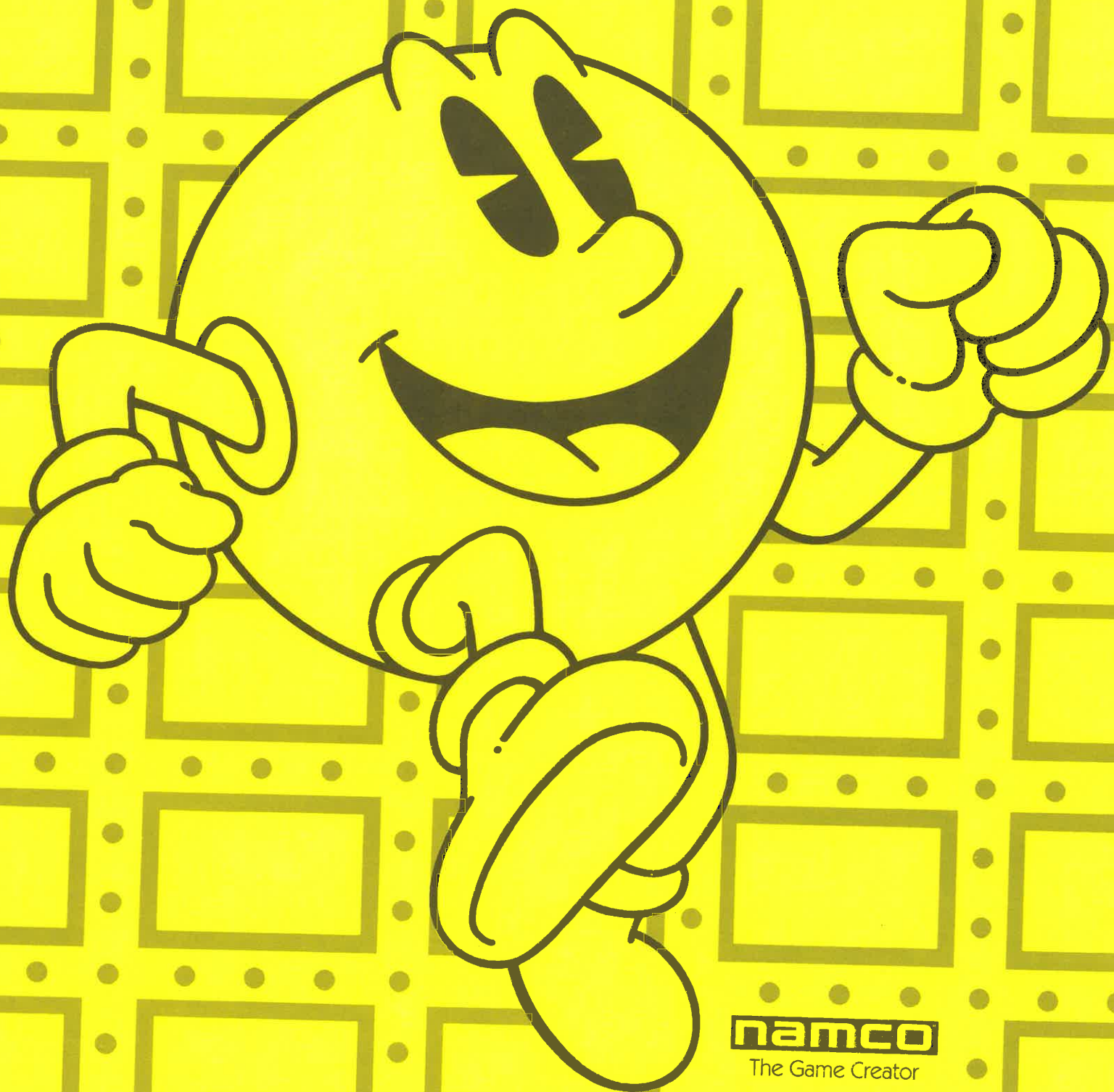
- 1. Application form
2. Nonrefundable \$20 filing fee in check or money order payable to Register of Copyrights
3. Deposit material

MAIL TO: Register of Copyrights, Library of Congress, Washington, D.C. 20559

The Copyright Office has the authority to adjust fees at 5-year intervals, based on changes in the Consumer Price Index. The next adjustment is due in 1995. Please contact the Copyright Office after July 1995 to determine the actual fee schedule.

*17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

Characters and Logo Style Guide



TM

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PAC-BABY **9**

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PAC-MAN AND MS. PAC-MAN **13**

HEIGHT GUIDE **14**

• • • • • **INTRODUCTION** • • • • •

To ensure consistency of the use of these characters, please follow the guidelines in this manual.

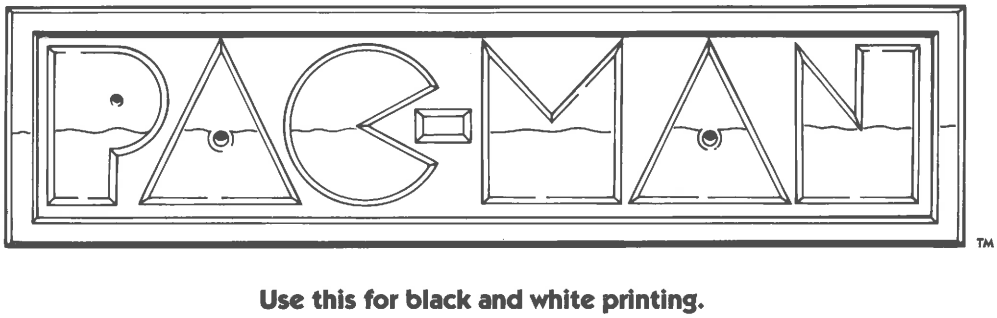
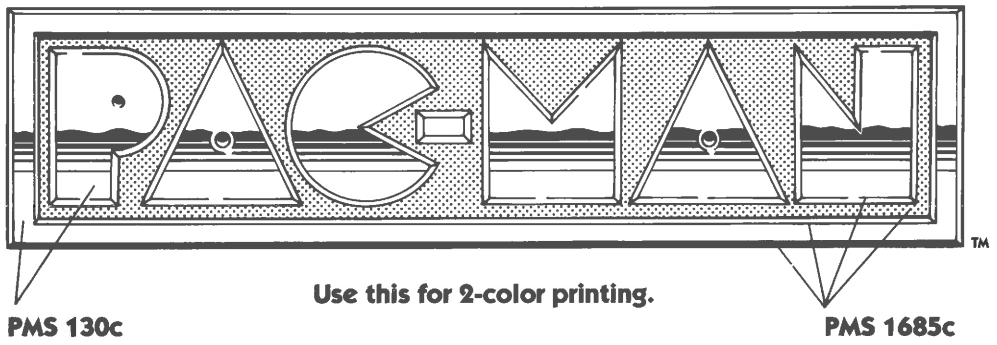
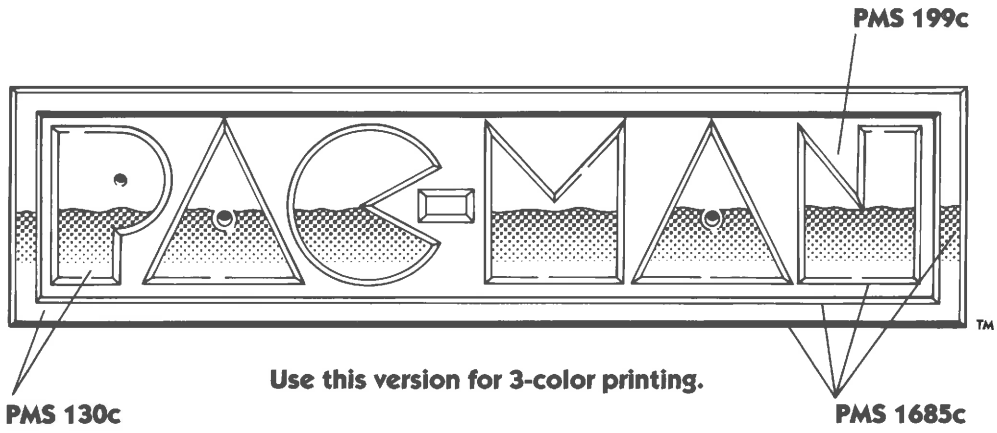
• • •

1. When using the PAC-MAN family characters, do not make any connotation with sex, violence, or illegal drugs.

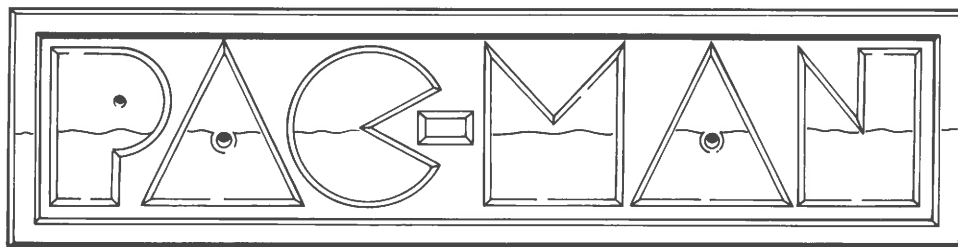
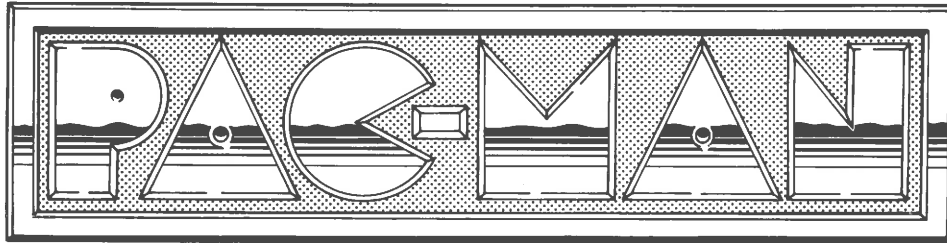
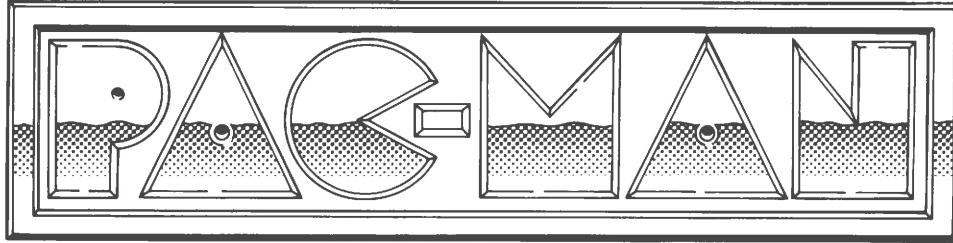
2. Indicate legal copy as: © Namco Ltd.

Please call or write to our office for the correct legal text appropriate to your needs.

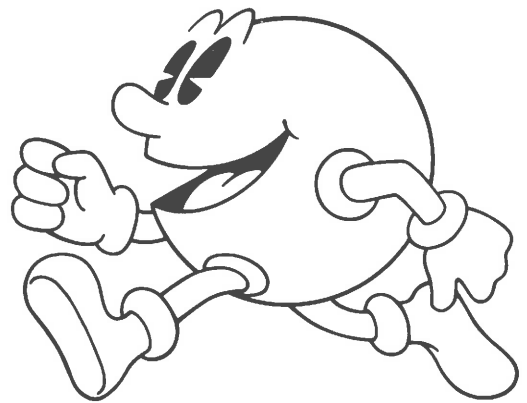
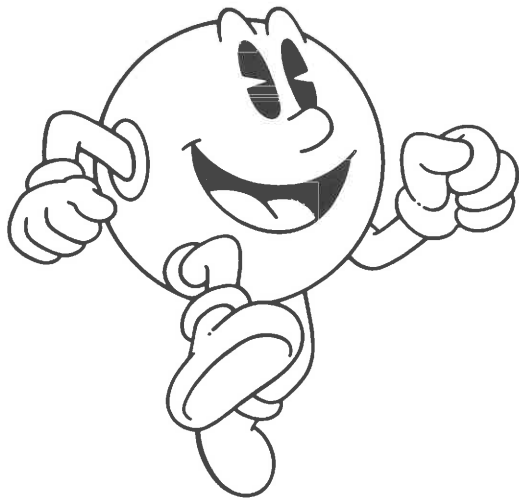
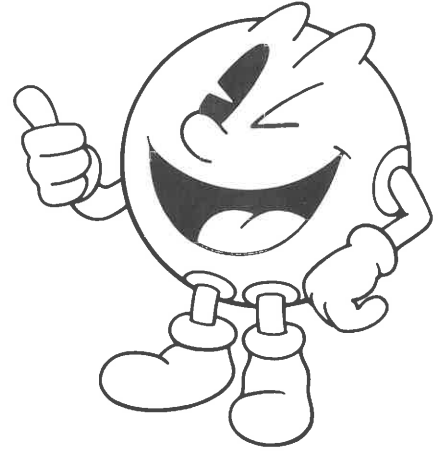
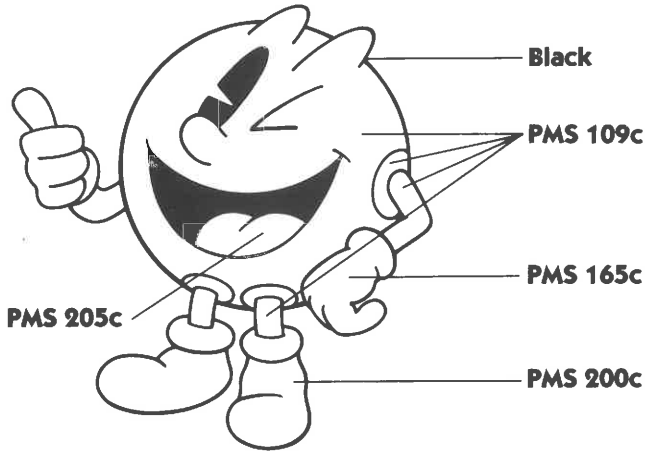
PAC-MAN LOGOS



PAC-MAN LOGOS

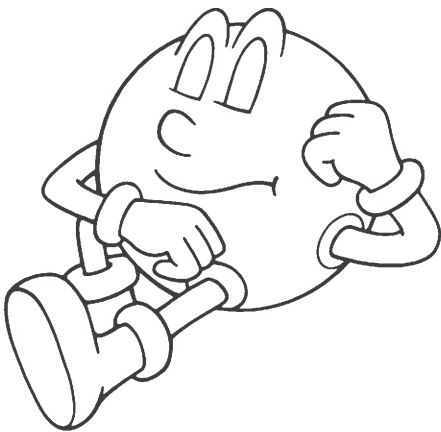
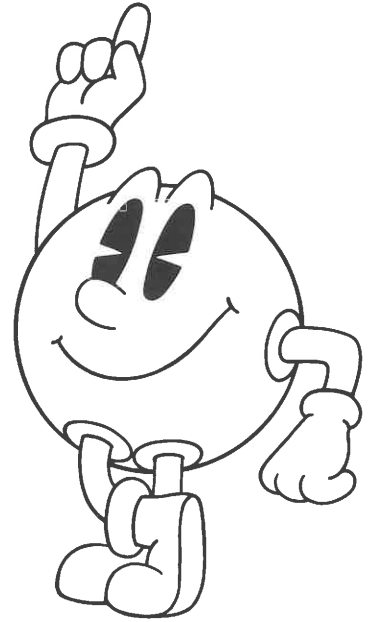
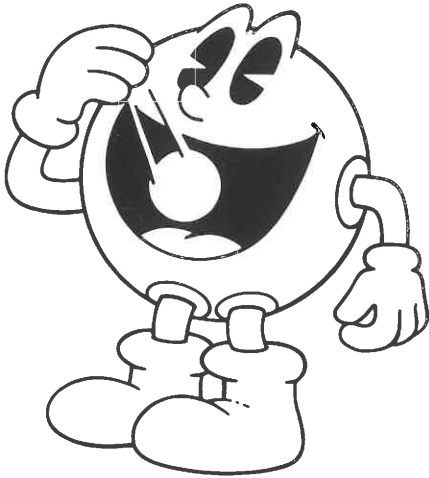


PAC-MAN



Note: Eyes and open mouth for PAC-MAN will always be Black

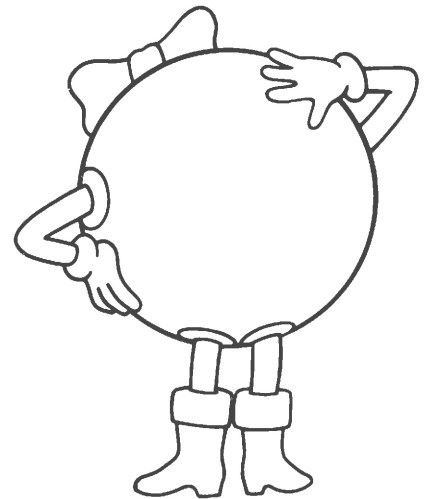
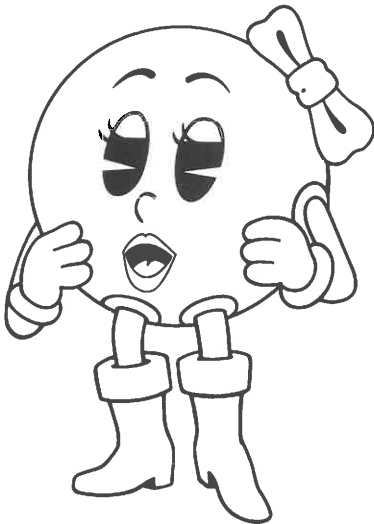
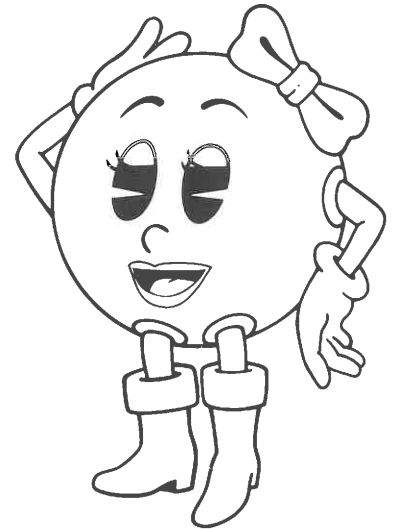
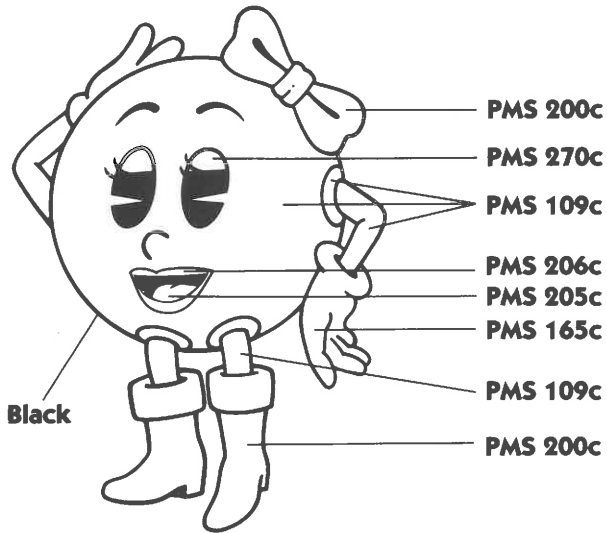
PAC-MAN



Note: Eyes and open mouth for PAC-MAN will always be Black

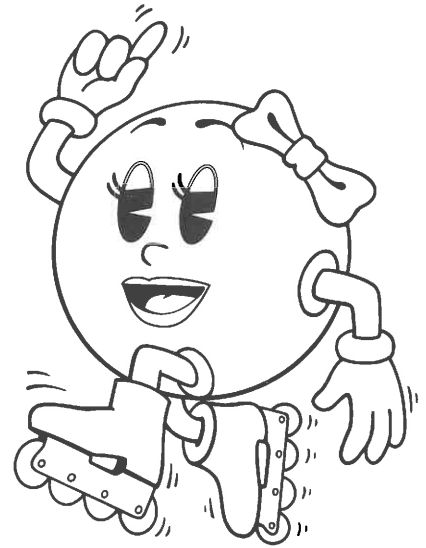
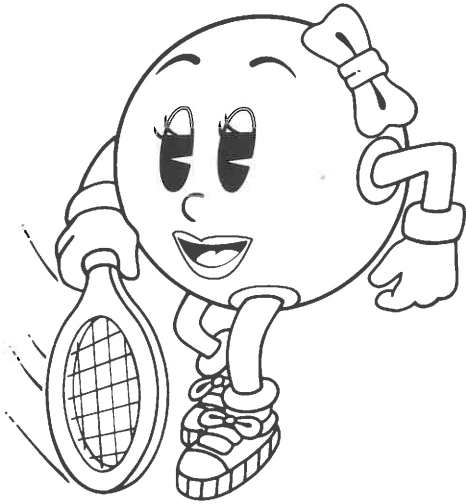
MS. PAC-MAN

MS.PAC-MAN is as formidable a ghost chaser as her better half.



Note: Eyes for MS. PAC-MAN will always be Black

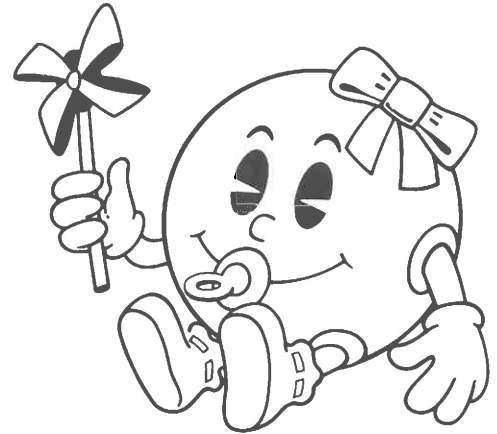
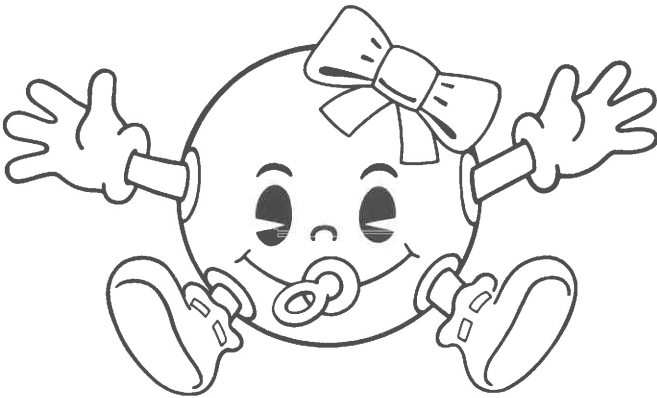
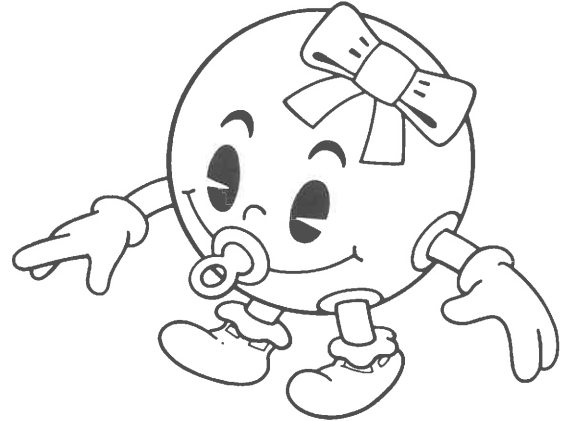
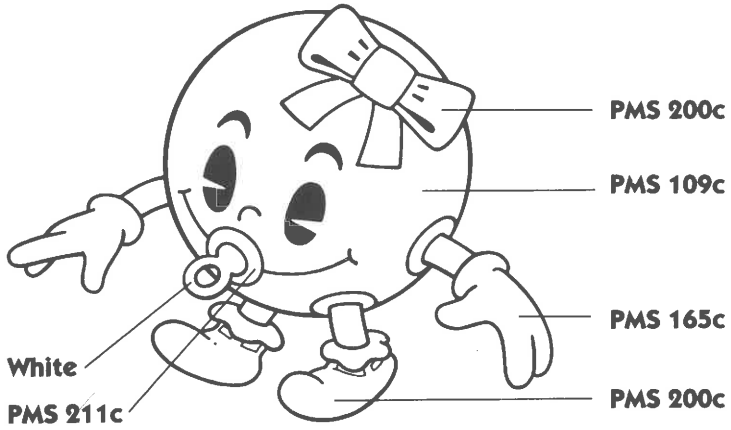
MS. PAC-MAN



Note: Eyes for MS. PAC-MAN will always be Black

PAC-BABY

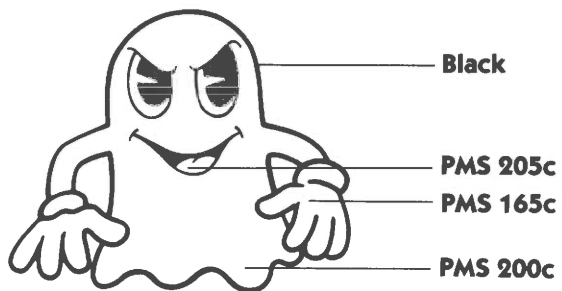
PAC-BABY is just learning to walk.



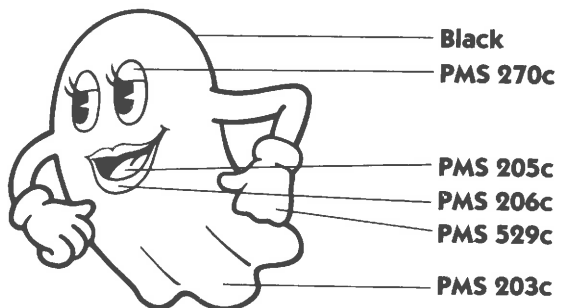
Note: Eyes for PAC-BABY will always be Black

GHOSTS

Those wicked ghosts are always up to no good.



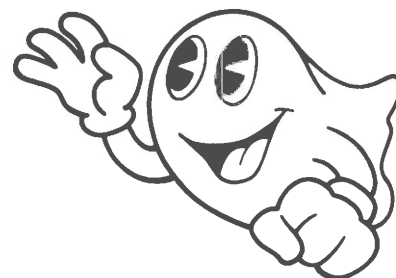
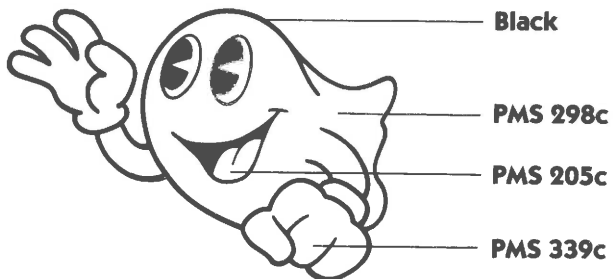
Clyde (Red): The boss and the most aggressive ghost.



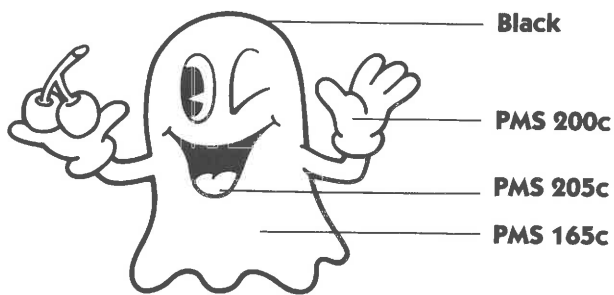
Pinky (Pink): The cleverest one who stays one step ahead of *PAC-MAN*.

Note: Ghosts eyes will always be Black and White

GHOSTS



Inky (Blue): The eccentric one.



Blinky (Orange): The most naive and unsophisticated ghost.

Note: Ghosts eyes will always be Black and White

GHOSTS



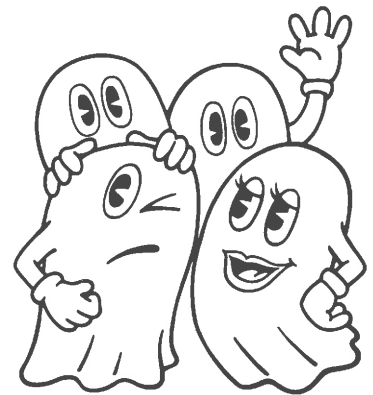
Blinky Shocked



Blinky Scared



Inky Surprised

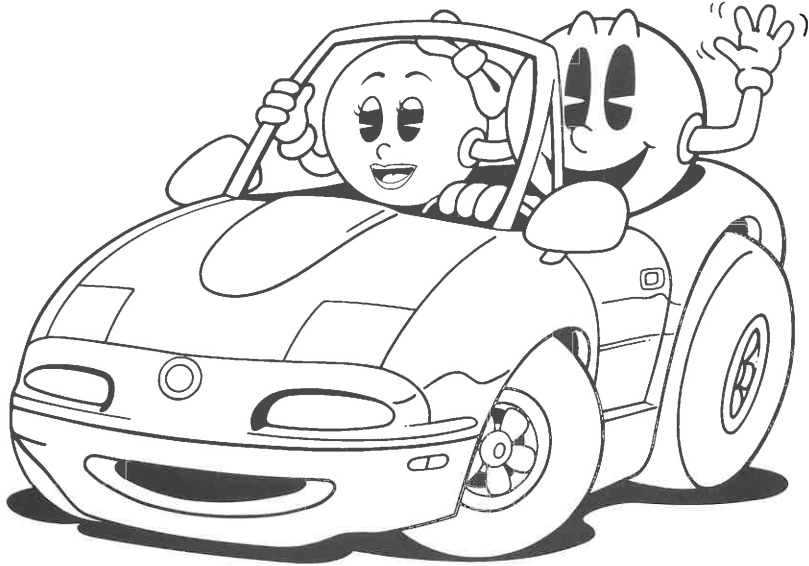
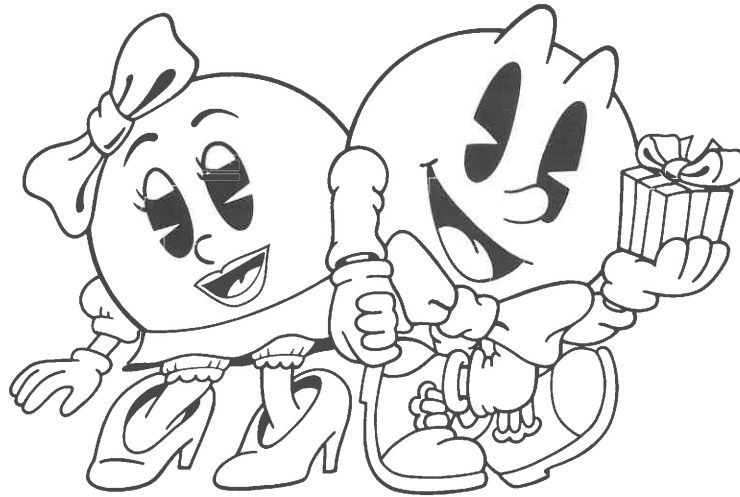


Ghost Gang

Note: Ghosts eyes will always be Black and White

• • • • • **PAC-MAN AND MS. PAC-MAN** • • • • •

The happy couple enjoy their time together.



• • • • • **HEIGHT GUIDE** • • • • •

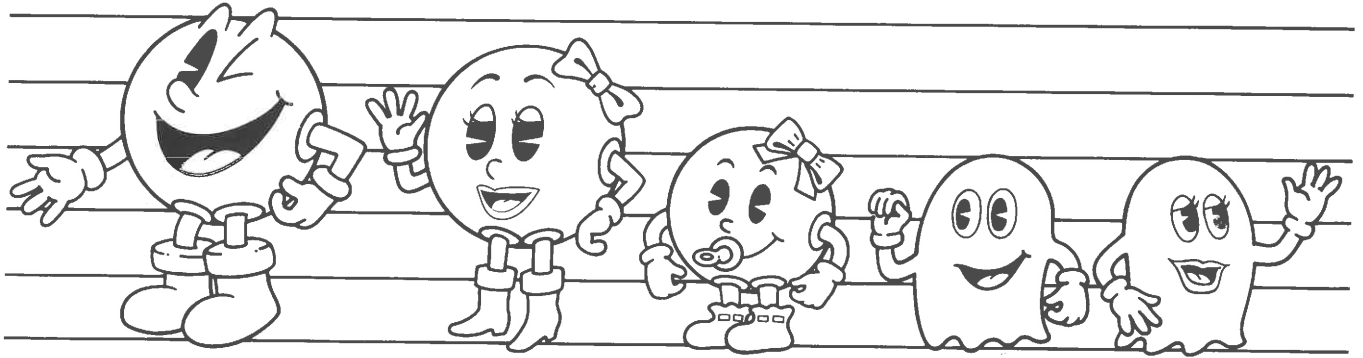


EXHIBIT 5



EXHIBIT 6

From: pkh@atgames.net <pkh@atgames.net>
Sent: Tuesday, July 30, 2019 1:12 PM
To: Shuhei Hokari <shokari@bandainamcoent.com>; 'Delilah Estavil' <delilah.estavil@atgames.net>; Kyoko Acheson <kacheson@bandainamcoent.com>
Cc: 'Janice Ross' <janice.ross@atgames.net>; 'Jodie Lee, (ATG)' <jlee@atgames.net>
Subject: RE: Planning for 2020

Hi Kyoko and Shuhei,

Thank you for the call! Quick recap:

1. We will wait for your 40th Anniversary presentation and resubmit our proposal for 2020 subsequently for your feedback and guideline. We will prepare to have a face to face meeting at TGS.
2. We did not claim to be licensed by Bandai Namco for Ms. Pac-Man products.
3. The categories that have already received Ms. Pac-Man license were granted earlier before the wait policy.
4. For our categories our intention/interest remains unchanged that we pay GCC a separate royalty in addition to our direct royalty to Bandai Namco.

Let me know if I missed anything.

Thanks!

From: Shuhei Hokari <shokari@bandainamcoent.com>
Sent: Tuesday, July 30, 2019 1:18 PM
To: pkh@atgames.net; 'Delilah Estavil' <delilah.estavil@atgames.net>; Kyoko Acheson <kacheson@bandainamcoent.com>
Cc: 'Janice Ross' <janice.ross@atgames.net>; 'Jodie Lee, (ATG)' <jlee@atgames.net>
Subject: RE: Planning for 2020

Hi, PK

Thank you for the call.

>We did not claim to be licensed by Bandai Namco for Ms. Pac-Man products.

Just one quick confirmation, our partner told us that AtGames told them that they have acquired licensed of MsPAC-MAN for both arcade and consumer game from GCC.
Can you please confirm that this is not what you claimed?

Best
Shuhei

From: pkh@atgames.net
Sent: Tuesday, July 30, 2019 1:28 PM
To: 'Shuhei Hokari'; 'Kyoko Acheson'
Cc: 'Jodie Lee, (ATG)'
Subject: RE: Planning for 2020

(removing Delilah and Janice)

LOL no we didn't make such a claim. You will be the first one we come to 😊

Who's this strange partner? We don't speak with anybody about this type of sensitive and confidential things.

EXHIBIT 7

From: pkh@atgames.net
Sent: Tuesday, September 3, 2019 1:59 PM
To: hirie@bandainamcoent.com
Cc: 'John Ebbinghouse'
Subject: RE: Bandai/Namco AtGames Discussion

Thank you John!

Dear Hide,

I would love to visit you to explore capturing the significant revenue opportunity at GameStop with your partnership and support. We are based in El Segundo, CA.

-PK
310-666-2811 (M)
310-591-5550 x 303 (O)

From: John Ebbinghouse <EbbinghouseJ@wattceg.com>
Sent: Tuesday, September 3, 2019 1:48 PM
To: 'hirie@bandainamcoent.com' <hirie@bandainamcoent.com>; PKH <pkh@atgames.net>
Subject: Bandai/Namco AtGames Discussion

Hide: Hope all is well with you. Great seeing you at E3 and I still have great memories of our working together in the past. Other than the money you won from me with Jonathan and Dereck! I still want a rematch at some point!!

I have been working with PK Hsiung and the team at AtGames for many years. He is a good friend and one I have tremendous respect for. He and I are working on creating an opportunity with Ms Pac Man licensed product for GameStop. I know the brand has a long history and the recent agreement between GCC and AtGames hopefully will provide us all a way to work together on this project.

I have copied PK on this and hoping you can take some time to meet with him to discuss making this happen soon. The license has such value and awareness, it would be a tremendous win for the consumer to finally have the ability to play this iconic game at home on a high quality product.

Thanks for the consideration and help. Look forward to seeing you soon.

Take care.

John

John Ebbinghouse



Watt & Co.
13612 Midway Road, Suite 510
Dallas, Texas 75244