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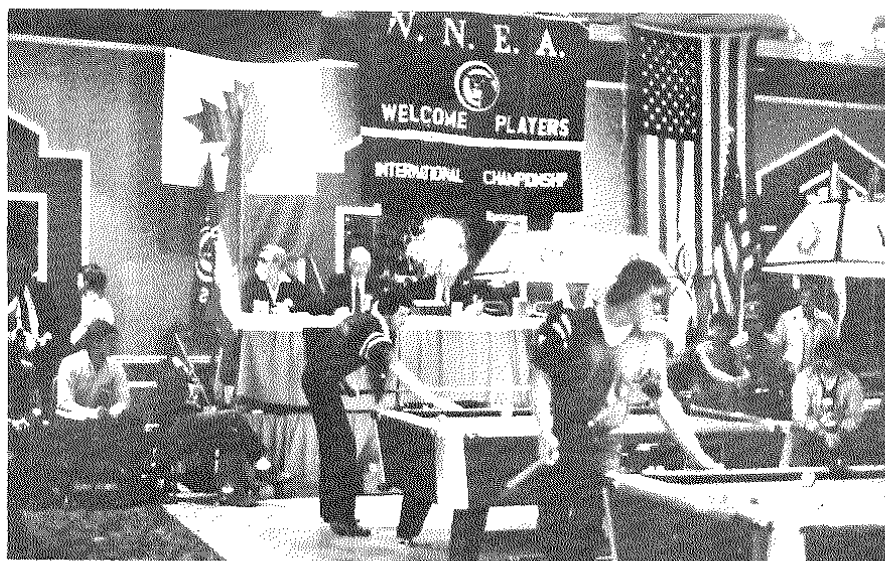
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GOING FOR TOP HONORS: Pool players compete at this year's Valley 8-Ball International Championships in Las Vegas. The Kozaks of Windsor, Ont., starred.

Federal Judge Awards Nintendo Co. \$1 Million In Counterclaim Vs. Universal City Studios

REDMOND, Wash. — A federal district court has awarded Nintendo Co. Ltd., and Nintendo of America here \$1 million in counterclaim litigation penalties against Universal City Studios regarding alleged copyright infringements of "King Kong."

Federal Judge Sweet ruled that the conduct of Universal in attempting to sue Nintendo for violating its rights in "King Kong" and for demanding royalties from the sales of "Donkey Kong" was "highly unreasonable" and "an extreme departure from the standards of ordinary care."

The litigation began in 1982 when "Donkey Kong" was at the zenith of earning power. After Nintendo refused to accede to threats and pay the royalties to Universal, the movie company filed a trademark infringement action for over \$100 million.

In 1982, Judge Sweet of the U.S. District Court for the Southern District of New York granted Nintendo summary judgement and dismissed Universal's claim. The Federal Court of Appeals for the Second Circuit affirmed Judge Sweet's dismissal of the claim. Nintendo then countersued for interference with its licensees, unjust enrichment, vicarious copyright infringement, punitive damages, and attorney's fees.

The judge maintained in his final ruling that Universal started litigation in bad faith, and had falsely asserted a right in "King Kong" which it knew it never had. He added that Universal had attempted to cash in on the success of "Donkey Kong."

The \$1 million victory for Nintendo covers actual and punitive damages, attorney's fees, infringement of the "Donkey Kong" copyright, and wanton interference with the video-game manufacturer's licensing program.

Arachnid's '4500 Econo' Darts Simplifies Upkeep

ROCKFORD, Ill. — Arachnid's "English Mark Darts 4500 Econo" simplifies maintenance, with quick bulb changes from the back and fewer electrical components. The "Touchswitch" front panel eliminates all mechanical buttons from the front of the game.

The top and bottom panels are made of durable "Lexan" plastic. A three-shot practice limit discourages free play. As in the 5000 Elite model, the 4500 Econo offers the four most popular dart games, with 25 cent and 50 cent play, and Arachnid's patented scoring system.

PIN, VIDEO EXECS SPEAK

(Continued from Page 65)

They will be top-notch games that can be placed in cabinets on location.

"We should be aware that the core-players have been given a label of 'the baby-bust generation'. This middle-teenage group, which is 12-15 years old, is at a very low level. But we now have the largest group ever that is under five years old.

"This means that we are now asking ourselves, 'Where do we go?' We could be writing marketing programs for 1992 — for the second baby-boomer generation. As they move into later years, they will be spending more money and time; the boom years will be bigger than what we just experienced!"

Powers then disclosed that Bally Sente will introduce foot- and sensor-controlled video games at the AMOA show in October. "These games will be part of a kit, and they will not involve hand contact."

The audience then confronted the video professionals with questions. Gerald Goldsmith inquired if the manufacturers would continue making changes that would outdate the games and keep costing the operators money.

"At Nintendo, we have dedicated ourselves to 15 games in our system," Bill Cravens replied. "We have to stay flexible because we don't know what tomorrow will bring. Some new chip, for example, could change everything, but we are also dedicated to what we have."

Ben Har-El of Konami spoke of his company's great financial stake in the "Bubble System." "We spent close to \$6 million on it," he reported. "When any manufacturer spends so much on a system, be sure that he'd like to spend as much time as possible on it. The two megabytes in our system allow for expansion."

Ken Anderson of Cinematronics stated that the capabilities of his company's products are such, "that we in-house don't even know all of them. The system will have games available at all times."

Operator Bruce Glowacki expressed his misgivings that "the generic look" of games might "turn off" some users. Bernie Powers replied that the cosmetics "put an onus on the manufacturers to put more of an 'attract mode' on the video screen."

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