Banner & Witcoff Wins Temporary Restraining Order in Online Video Game Lawsuit for World of Tanks® developer Wargaming.net LLP

July 30, 2012

Banner & Witcoff, Ltd. is pleased to announce that on July 25, 2012, the Honorable U.S. District Judge Edmond E. Chang of the United States District Court for the Northern District of Illinois granted Banner & Witcoff's motion for a temporary restraining order (TRO) in favor of firm client Wargaming.net®, the developer of World of Tanks®, which is one of the largest, most popular, massive multiplayer online games (MMOG) and has over 18 million registered players as of December 2011. A copy of the Court TRO can be viewed here.

The case involves trademark counterfeiting, trademark infringement, cyber piracy, unfair competition, and false designation of origin under the Lanham Act, 15 U.S.C. §§ 1114, 1125(a), 1125(d), and copyright infringement under the Copyright Act, 17 U.S.C. § 101 *et. seq*.

Defendants operate the website WorldOfTankShop.com, which infringes Wargaming.net LLP's copyrights, trademarks, and misrepresents to the public that it is the "official online shop" for World of Tanks®. WorldofTankshop.com represents to customers that they can purchase in-game virtual goods for World of Tanks®, such as gold or experience. This in-game gold or experience frequently, if not always, goes undelivered to customers. The WorldofTankshop.com site uses the Wargaming.net® logo, World of Tanks® artwork, the World of Tanks® logo, and textual content from the Wargaming.net® web sites. WorldofTankShop.com administrators have provided the customer support email address for Wargaming.net® (admin@wargaming.net) to WorldofTankShop.com customers for their complaints.

The continued operation of WorldofTankshop.com would have resulted in further customer confusion, customer complaints, the loss of customer goodwill, and the erosion of the great

reputation of Wargaming.net® among the gaming community. The TRO entered against the Defendants and their illegal web site will protect Wargaming.net and its customers.

Nick Katselapov, Chief Business Development Officer of Wargaming.net LLP, stated “We are very pleased with the Court’s decision in this case. We now look forward to entry of a preliminary injunction to continue to prevent defendants’ infringing activities until a final judgment and permanent injunction can be entered as well as damages can be awarded. Further, this case demonstrates that Wargaming.net takes matters like this very seriously and will not tolerate infringement of its intellectual property rights or companies that attempt to defraud gaming customers of Wargaming.net®.”

Wargaming.net was represented by Banner & Witcoff, Ltd. attorneys Timothy C. Meece, Ross A. Dannenberg, and V. Bryan Medlock, Jr. Ross is the author of the recently published book, The American Bar Association’s Legal Guide to Video Game Development (ABA Publishing, 2011).

The case was *Wargaming.net LLP v. WorldOfTankShop.com, Xiao Chen, Lia Chao, and Lanhui He*, docket no. 1:12-cv-04312, in the United States District Court for the Northern District of Illinois.

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