

April 1, 2020

Olia Valigourskaia General Director WebKontrol Inc. 838 6 Avenue 6<sup>th</sup> Floor New York 10001, NY, United States

## Letter of Ownership and Authority

The Entertainment Software Association (hereinafter referred to as "ESA"), having its principal place of business at 601 Massachusetts Ave., NW, Suite 300, West Tower, Washington, DC 20001, states as follows:

- ESA is the trade association for the video game industry in the United States;
- 2. ESA has been authorized by its Members<sup>1</sup> to take actions consistent with applicable laws to enforce their intellectual property rights in such titles when infringing copies are discovered on websites, including by delegating that enforcement authority to service providers on an "as needed" basis;
- 3. Pursuant to the authority conveyed by ESA Members via ESA's Articles of Association and the terms of agreements, ESA hereby authorizes WebKontrol Inc., registered address: 838 6 Avenue 6th Floor, New York 10001, NY, United States, represented by its Director General, Valigourskaia Olia (hereinafter referred to as "WebKontrol"), to:
  - 3.1. Submit notices to websites ("Sites") including:
    - 3.1.1. Websites that host, link to, and/or intentionally direct members of the public to unauthorized copies of video game titles identified in Exhibit A, attached hereto (or as superseded by subsequent versions of Exhibit A that may be transmitted by ESA to WebKontrol), and/or which identify URLs that lead to unauthorized copies of game titles identified in Exhibit A;
    - 3.1.2. Marketplace websites that offer and/or sell products or services that are marketed and/or used to circumvent technological protection measures to prevent the unauthorized copying, access, distribution and/or use of their games, including those identified in Exhibit A;
    - 3.1.3. Groups on vkontakte upon which WebKontrol discovers unauthorized use, sale or distribution of ESA Members' copyrights and trademarks in connection with unauthorized sales of ESA Members' in-game digital items or digital account credentials;
  - 3.2. Engage in correspondence with the administrators and operators of Sites to ensure that infringing content is removed and/or the Sites are closed down; and
  - 3.3. Engage in correspondence with third parties involved in the provision of services that facilitate the Sites'

<sup>&</sup>lt;sup>1</sup> ESA's Members include, but are not limited to the following companies: 505 Games, Activision Publishing, Inc., Bethesda Softworks LLC, Blizzard Entertainment, Bungie, Inc., Capcom USA, Inc., Electronic Arts (EA), Epic Games, Inc., Konami Digital Entertainment, Microsoft Corporation, Bandai Namco Entertainment Inc., Nintendo of America Inc., Sony Interactive Entertainment America, Square Enix, Inc., Take-Two Interactive Software, Inc., and Ubisoft Entertainment, Inc.

operation to secure the third parties' assistance in securing the removal of infringing content from or the closure of the Sites.

4. ESA Members own and/or hold the copyrights in the video game titles identified in Exhibit A, attached hereto (or as superseded by subsequent versions of Exhibit A that may be transmitted by ESA to WebKontrol pursuant to the terms of the agreement between ESA and WebKontrol).

This Letter of Ownership and Authority is valid from the date of this letter until March 31<sup>st</sup>, 2021, without the right of sub-delegation, unless the agreement between ESA and WebKontrol terminates prior to that date, or the authorization described herein is withdrawn or amended in writing (including email) by ESA prior to that date.

Sincerely,

Michael G. Lewis

Chief Council, IP Protection and Security

**Entertainment Software Association** 

## **Exhibit A: Covered Titles**

Call Of Duty	Castlevania	Grand Theft Auto V
Overwatch	Metal Gear	Red Dead
Dark souls	Pro Evolution Soccer	Mafia
Code Vein	Age Of Empires	Max Payne 3
Soul Calibur	Age Of Mythology	Sid Meier's Civilization
Tekken	Alan Wake	The Outer Worlds
Tales of Vesperia: Definitive Edition	Fable	Borderlands 3
Ace Combat 7: Skies Unknown	Flight simulator	Assassin's Creed
Diablo	Gears of War	Far Cry
Starcraft	State Of Decay	The Division 2
Spyro Reignited Trilogy	Halo	Watch Dogs
Warcraft	Super Mario 3D All-Stars	Watch Dogs: Legion
Crash Bandicoot 4: It's About Time	Luigi's Mansion 3	Assassin's Creed Valhalla
Dragon's Dogma: Dark Arisen	Super Smash Bros. Ultimate	Batman Arkham
Devil May Cry	Paper Mario: The Origami King	Batman Arkham Knight
Monster Hunter World	Pokemon Sword	Hitman 2
Street Fighter	Pokemon Shield	The LEGO Movie 2 Videogame
Mega Man	Pikmin 3	Injustice 2
Resident Evil	Hyrule Warriors: Age of Calamity	Mortal Kombat 11
Mass Effect	Animal Crossing: New Horizons	Cyberpunk 2077
Spyro Reignited Trilogy	Uncharted	Mortal Kombat
Simcity (2013)	God of War	Mortal Kombat X
Battlefield	Gran Turismo	Middle Earth: Shadow Of War
Command & Conquer	Horizon Zero Dawn (2017)	Lego
Battlefield V	Death Stranding	LEGO Harry Potter Collection
Dead Space	The Last of Us	Doom Eternal
Dragon Age	Just Cause	Wolfenstein: Youngblood
The Sims	Final Fantasy	Rage 2
Fifa	Marvel's Avengers	Fallout
Madden	Deus Ex	Disney Infinity
Star Wars Battlefront II - 2017	Kingdom Hearts 3	Disney Infinity Marvel Super Heroes
Titanfall 2	Tomb Raider	Persona 5 Strikers
Medal Of Honor	Bioshock	
Star Wars: Jedi Fallen Order	Evolve	
Need For Speed	Nba 2k	
Fortnite	Spec Ops: The Line	
Tropico 6	Xcom	
Tropico 6: El Prez Edition	Grand Theft Auto	