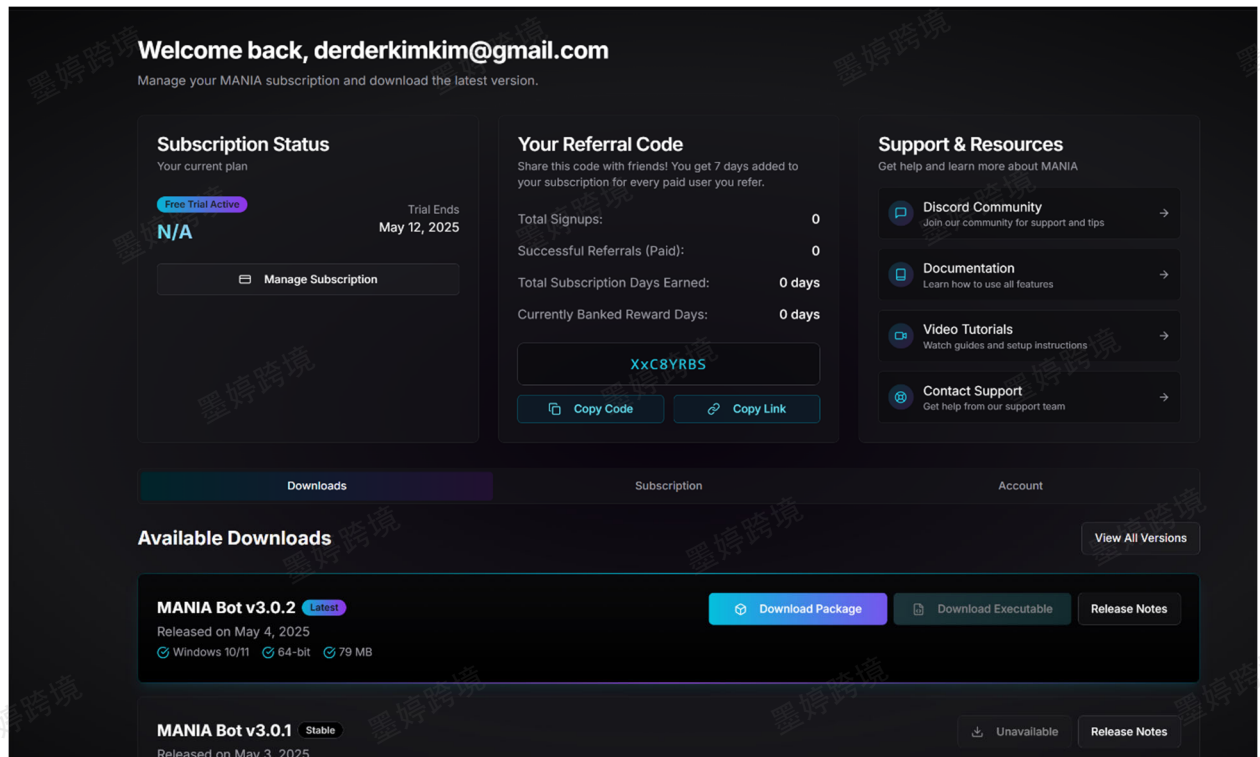




30. The “MANIA Bot” software allows the Hack Users to connect to NEXON’s servers and deploy the hacks provided by the Hack Developers.

NEXON’S TRADEMARKS

31. NEXON KR is the owner of U.S. Trademark Reg. No. 3,683,484 for MAPLESTORY and U.S. Trademark Reg. No. 3,565,035 for MAPLESTORY Logo (collectively, the “Trademark Registrations”). Copies of the trademark registration certificates for the Trademark Registrations are attached hereto as Exhibit C.

32. NEXON US is the exclusive licensee of the Trademark Registrations in the United States. The marks MAPLESTORY and MAPLESTORY Logo are collectively referred to as the “MAPLESTORY MARKS.”

33. Plaintiffs have expended considerable effort and resources in advertising, promoting, and developing the MAPLESTORY MARKS throughout the world.

34. As a result of Plaintiffs’ investment, the MAPLESTORY MARKS

1 navigational structure or presentation of the Services, or any
2 content contained therein.

3 ...

- 4 • Impersonating any person or entity or otherwise
5 misrepresenting your affiliation, identity, or the origin of
6 materials you transmit, or misrepresenting that your
7 statements or actions are endorsed by Nexon.

8 ...

- 9 • Using macros, auto-looting or robot play, or any other
10 behavior that allows you (or any character you are
11 controlling) to automatically function or effect any action in
12 a game with or without your presence.

13 ...

14 Exhibit A.

15 51. Defendants violate the EULA by violating each of the foregoing
16 provisions.

17 52. As detailed above, Defendants' conduct blatantly and wantonly
18 violates the EULA. By providing hacking tools to their customers, the Hack
19 Developers have knowingly and intentionally violated the EULA and have induced
20 the Hack Users to do the same.

21 53. The "Disclaimer" reproduced above specifically warns:

22 Using third-party software like MANIA Bot may violate the
23 terms of service of MapleStory and could result in penalties,
24 including account suspension or termination. **You use MANIA
25 Bot at your own risk.** We are not responsible for any actions
26 taken against your game account by Nexon or any other third
27 party."

28 Exhibit B (emphasis in original).

FIRST CLAIM FOR RELIEF

(TRADEMARK INFRINGEMENT UNDER 15 U.S.C. § 1114(1))

54. The allegations set forth above are incorporated herein by this
reference.

55. MAPLESTORY (U.S. Trademark Reg. 3,683,484) and
MAPLESTORY Logo (U.S. Trademark Reg. No. 3,565,035) are duly registered