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Filing date: **07/02/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91204259
Party	Defendant Valhalla Game Studios Co. Ltd.
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Date	07/02/2014
Attachments	Notice of Filing of Certified Transcripts of Trial Testimony by Deposition Upon Written Questions with Supporting Exhibits.pdf(1290331 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In Re: Serial Nos. 77/948,333; 77/948,895; 85/310,089

Applicant's Marks: VALHALLA GAME STUDIOS, VALHALLA GAME
STUDIOS and Design; VALHALLA ENTERTAINMENT

VALHALLA MOTION PICTURES, INC.,

Opposer,

v.

Opposition No. 91204259
(parent case)

VALHALLA GAME STUDIOS CO. LTD.,

Applicant.

VALHALLA GAME STUDIOS CO. LTD.,

Opposer,

v.

Opposition No. 91206662

VALHALLA MOTION PICTURES, INC.,

Applicant.

**NOTICE OF FILING OF CERTIFIED TRANSCRIPTS
OF TRIAL TESTIMONY BY DEPOSITION UPON WRITTEN QUESTIONS
WITH SUPPORTING EXHIBITS**

Applicant, Valhalla Game Studios Co. Ltd., pursuant to Trademark Rules 2.123 and 2.125, hereby submits copies of the following certified transcripts of trial testimony by

deposition upon written questions, along with all exhibits attached thereto, for filing in the above referenced consolidated proceeding:

1. Satoshi Kanematsu taken on June 4, 2014; and
2. Mitsuru Tsutsumi taken on June 4, 2014.

Pursuant to Trademark Rule 2.125, a copy of this notice and the testimony, with all exhibits attached thereto is being provided to Opposer, Valhalla Motion Pictures, Inc.

July 2, 2014



Marvin Gelfand (SBN 53586)
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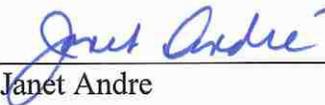
CERTIFICATE OF SERVICE

I hereby certify that this **NOTICE OF FILING OF CERTIFIED TRANSCRIPTS OF TRIAL TESTIMONY BY DEPOSITION UPON WRITTEN QUESTIONS WITH SUPPORTING EXHIBITS** is being filed electronically with the United States Trademark Trial and Appeal Board pursuant to 37 C.F.R. § 18.

I hereby further certify that a true and complete copy of the foregoing **NOTICE OF FILING OF CERTIFIED TRANSCRIPTS OF TRIAL TESTIMONY BY DEPOSITION UPON WRITTEN QUESTIONS WITH SUPPORTING EXHIBITS** has been served on Opposer, by mailing said copy on July 2, 2014, by electronic mail, to:

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Dated: July 2, 2014



Janet Andre



AMERICAN REALTIME
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Transcript of **SATOSHI KANEMATSU**

Date: June 4, 2014

Case: VALHALLA MOTION PICTURES v. VALHALLA GAME STUDIOS

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

-----x
VALHALLA MOTION PICTURES, INC., :
Opposer, :
v. : Case No.:
VALHALLA GAME STUDIOS CO. LTD., : 2:14-CV-00870
Applicant. :
-----x

Deposition by Written Questions of
SATOSHI KANEMATSU
Tokyo, Japan
Wednesday, June 4, 2014
10:14 a.m.

Job No.: 55942
Pages: 1 - 33
Reported by: Lisa V. Feissner, RDR, CRR, CLR

DEPOSITION BY WRITTEN QUESTIONS OF SATOSHI KANEMATSU
CONDUCTED ON WEDNESDAY, JUNE 4, 2014

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Deposition by Written Questions of SATOSHI
KANEMATSU, held at the location of:

UNITED STATES EMBASSY
1-10-5 Akasaka
Minato-ku, Tokyo 107-8420 Japan
03-3224-5000

Pursuant to Agreement, before LISA V. FEISSNER,
Registered Diplomat Reporter, Certified Realtime
Reporter and Certified Livenote Reporter.

DEPOSITION BY WRITTEN QUESTIONS OF SATOSHI KANEMATSU
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A P P E A R A N C E S

ON BEHALF OF THE APPLICANT:

MARVIN GELFAND, ESQUIRE

WEINTRAUB TOBIN CHEDIAK COLEMAN GRODIN

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ALSO PRESENT:

JENNIFER BARR, Consul

BRUCE HOLCOMBE, Interpreter

MITSURU TSUTSUMI

DEPOSITION BY WRITTEN QUESTIONS OF SATOSHI KANEMATSU
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C O N T E N T S

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(Attached to transcript)

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P R O C E E D I N G S

(LISA V. FEISSNER, RDR, CRR, CLR, having been previously duly sworn by the Consular Officer to stenographically report the deposition, transcribed the following:)

(BRUCE HOLCOMBE, Interpreter herein, after having been duly sworn by the Consular Officer to interpret the proceedings herein from English into Japanese and from Japanese into English to the best of his ability, interpreted the following:)

(Unless indicated otherwise, all questions have been read in English by the Consul, and all questions and answers are through the Interpreter.)

SATOSHI KANEMATSU,
having been first duly sworn by the Consular Officer, testified through the Interpreter as follows:

D I R E C T Q U E S T I O N S

QUESTION 1: What is your name?

A. Satoshi Kanematsu.

QUESTION 2: What is your current employment?

A. I am the person who founded Valhalla Game Studios and I'm the CEO.

QUESTION 3: What is your background and experience?

DEPOSITION BY WRITTEN QUESTIONS OF SATOSHI KANEMATSU
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1 A. When I was small, I was keen on Led
2 Zeppelin and The Who. And got involved in my work, I
3 became aware of rock music, learned the guitar. When
4 I was in high school at school, I was -- I played the
5 guitar as a rock musician and gave performances each
6 week at a live house.

7 At the same time, I was interested in
8 worldwide myths, and my hobby was traveling to those
9 places. I was in the commercial faculty at
10 university -- commerce faculty, and when I graduated
11 in 1986, I joined Mitsubishi Heavy Steel. That
12 company was one of the Mitsubishi Group, and it
13 traded in specialty steels, and it was one of the
14 major steel companies listed on the first section of
15 the stock exchange. And I was doing sales of turbos
16 and intercoolers for racing.

17 Then around the age of 30, I decided
18 that I really wanted to do something that I wanted to
19 do, and then transferred to doing work in the game
20 business. Because I was too interested in music, I
21 didn't really want to do business. And then in 1993,
22 I transferred to a company called Tecmo, T-E-C-M-O,
23 which was one of the middle-tier game companies that
24 was an over-the-counter company stock. Then I became
25 sales general manager of that company in 1999. And I

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1 became an executive director on the board of that
2 company in 2000 as well as general manager of sales.
3 Then in 2001, I became executive director as well as
4 creative general manager. Then I became executive
5 managing director in 2006. Then in 2007 I became
6 president of Tecmo America.

7 And having done that work, I then left
8 the company in 2007. Then I met Mr. Itagaki, who is
9 currently CEO at Tecmo. Then together with this
10 initiative with Tecmo, the two of us had it listed on
11 the second listing of the stock exchange. With
12 myself and Mr. Itagaki leading, I then had it listed
13 on the second listing of the stock exchange.

14 And then September of 2007, I created
15 the company called Valhalla. And then in June of
16 2008, I created the company Valhalla Game Studios,
17 and that's where I am today.

18 QUESTION 4: Where are you currently employed?

19 A. I am not an employee of Valhalla Game
20 Studios; I'm the founder of it.

21 QUESTION 5: How long have you been employed by
22 Valhalla Game Studios Company Limited?

23 A. I'm not employed by it, but it's six
24 years since I created the company.

25 QUESTION 6: What are your job duties and

DEPOSITION BY WRITTEN QUESTIONS OF SATOSHI KANEMATSU
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1 responsibilities at Valhalla Game Studios Company
2 Limited?

3 A. I'm the chief executive officer.

4 QUESTION 7: When was Valhalla Game Studios
5 Company Limited formed?

6 A. In June of 2008.

7 QUESTION 8: Who were the founders of Valhalla
8 Game Studios Company Limited?

9 A. There was myself, Kanematsu; Tomonobu
10 Itagaki, whom I knew from Tecmo days; and also
11 Naoyuki Tsuji, N-A-O-Y-U-K-I, T-S-U-J-I, the three of
12 us.

13 QUESTION 9: Is Valhalla Game Studios Company
14 Limited planning on producing any products?

15 A. Yes.

16 QUESTION 10: What products are Valhalla Game
17 Studios Company Limited going to produce?

18 A. Video games.

19 QUESTION 11: What are the future plans for
20 Valhalla Game Studios Company Limited?

21 A. To sell the games that we developed for
22 now and to move towards an IP listing -- an IP,
23 intellectual property.

24 INTERPRETER: The lead interpreter will
25 correct that.

DEPOSITION BY WRITTEN QUESTIONS OF SATOSHI KANEMATSU
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1 A. To sell what we have developed already
2 and gain intellectual property for it. And to use
3 the Valhalla dragon motif with the Viking boat in
4 order to have the Valhalla Game Studios name known as
5 widely as possible throughout the world and loved
6 throughout the world.

7 And we have currently an affiliated
8 company in Hong Kong. In the future I would like to
9 have such affiliated companies in the various
10 countries around the world, and through games have
11 the enjoyment of the interesting experience
12 experienced by all.

13 QUESTION 12: What are the future plans for the
14 use of the Valhalla Game Studios mark?

15 A. I would like to have that used for
16 Valhalla Game Studios games that are developed and
17 also for applications and merchandising products, and
18 using the Valhalla name to have the Viking ship with
19 the dragon on it known internationally.

20 QUESTION 13: Does Valhalla Game Studios Company
21 Limited plan to go into motion picture production?

22 A. We don't have any such intention.

23 QUESTION 14: Does Valhalla Game Studios Company
24 Limited plan to go into television production?

25 A. We don't have any such plan.

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1 QUESTION 15: Does Valhalla Game Studios Company
2 Limited plan to use the Valhalla Game Studios mark on
3 any motion picture production?

4 A. We don't have any such plan.

5 QUESTION 16: Does Valhalla Game Studios Company
6 Limited plan to use the Valhalla Game Studios mark on
7 any television production?

8 A. No, we don't.

9 QUESTION 17: Who is Tomonobu Itagaki?

10 A. He's the CTO of Valhalla Game Studios.
11 When he was at Tecmo, he was head of the ninja team
12 for fighting games, and he was involved in the
13 creation of Dead or Alive, games 1 through 4, and
14 also Ninja Gaiden, series 1 to 2. And he developed
15 those, had them recognized around the world and
16 became a figure known around the world as a game
17 developer. And worldwide, he's sold some 14 million
18 units of game software.

19 QUESTION 18: What is Valhalla Game Studios
20 Company Limited's Exhibit Number 2?

21 A. It's a Wikipedia article about Tomonobu
22 Itagaki.

23 QUESTION 19: What business does Valhalla Game
24 Studios Company Limited operate using the Valhalla
25 Game Studios mark?

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1 A. It's a game development business.

2 QUESTION 20: What other businesses that your
3 company has a relationship with use the Valhalla Game
4 Studios mark?

5 A. It's a company in the Pachinko and
6 Pachislot, P-A-C-H-I-S-L-O-T, business.

7 QUESTION 21: Are you familiar with Valhalla
8 Game Studios Company Limited's Exhibit Number 3?

9 A. Yes, I know that.

10 QUESTION 22: How are you familiar with Valhalla
11 Game Studios Company Limited's Exhibit Number 3?

12 A. Because I helped in setting up these
13 companies and also providing the domain names for
14 them.

15 QUESTION 23: What does Valhalla Game Studios
16 Company Limited's Exhibit Number 3 reflect?

17 A. It is a list of the affiliated companies
18 and domain names for companies related to Valhalla
19 Game Studios.

20 QUESTION 24: Do any of the companies in
21 Valhalla Game Studios Company Limited's Exhibit
22 Number 3 carry the Valhalla Game Studios mark?

23 A. Yes. The two companies, Valhalla Seven
24 and Valhalla International Partners.

25 QUESTION 25: Describe the nature of the

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1 relationships for each other company that carries the
2 Valhalla Game Studios mark.

3 A. They are affiliated companies, but there
4 is no financial arrangement between them.

5 QUESTION 26: Do any other companies carry the
6 Valhalla Game Studios mark?

7 A. No, just the two I mentioned.

8 QUESTION 27: Describe the nature of the
9 relationships for each other company that carries the
10 Valhalla Game Studios mark.

11 A. They are affiliated companies, but there
12 is no financial connection between them.

13 QUESTION 28: Does Valhalla Game Studios Company
14 Limited advertise its video game?

15 A. Yes, we do.

16 QUESTION 29: Where does Valhalla Game Studios
17 Company Limited advertise its video game?

18 A. Well, for instance, on the largest
19 webzines in the United States, IGN and GameSpot.
20 Also, Game Informer, which sells 7 million per month.
21 Also, we advertise them on the television, also on
22 newspapers, in YouTube, and on blogs and on Facebook.

23 QUESTION 30: Do you attend conferences to
24 market the Valhalla Game Studios Company Limited
25 video game?

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1 A. Yes, I do.

2 QUESTION 31: What conferences do you attend to
3 market Valhalla Game Studios Company Limited video
4 game?

5 A. Well, I attend E3, which is the world's
6 largest game show, and it's held in Los Angeles.
7 Also the Tokyo Game Show, and also gamescom in
8 Germany. So these types of things, these conventions
9 and otherwise advertising the games.

10 QUESTION 32: Does Valhalla Game Studios Company
11 Limited market its video game in blogs or
12 periodicals?

13 A. Yes, we do.

14 QUESTION 33: In what blogs or periodicals does
15 Valhalla Game Studios Company Limited market its
16 video game?

17 A. Well, the same as the ones I mentioned
18 earlier on. The largest webzines in the United
19 States, that's IGN and GameSpot. Also in the
20 publication Game Informer. And just in magazines and
21 in game blogs as well.

22 QUESTION 34: Who chose the name Valhalla Game
23 Studios?

24 A. I did.

25 QUESTION 35: Why did you choose the name

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1 Valhalla Game Studios?

2 A. In Viking mythology, Odin is the name of
3 the palace --

4 (Reporter interruption.)

5 MS. BARR: Can I just have you repeat
6 your whole answer again?

7 MR. GELFAND: Valhalla is the name of
8 Odin's palace. It's not Odin was the name of the
9 palace.

10 INTERPRETER: Sorry, say again what it
11 should be?

12 MR. GELFAND: Suggest we start again?

13 MS. BARR: Can he repeat it.

14 A. So in Viking mythology, Valhalla is the
15 name of Odin's palace. So then in preparation for
16 the final war, Valkyrie, who is half a God, chooses
17 the spirits of the dead who fought courageously in
18 war. And these spirits are collected by Valkyrie.
19 And Valhalla, who in Viking mythology is chosen as
20 the brave warrior, Valhalla is one of the few and the
21 proud -- and Valhalla means the same as one of the
22 few and the proud, the word "Valhalla," and so I
23 thought that that name "Valhalla" was the most
24 suitable name for the employees to describe the
25 employees of Valhalla Game Studios and the spirit of

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1 the company. And the reason is that it symbolizes
2 our vision as the selected warriors.

3 QUESTION 36: When did you choose the name of
4 Valhalla Game Studios?

5 A. In 2007. Prior to it being Valhalla
6 Game Studios, I had started a company called
7 Valhalla.

8 QUESTION 37: Who designed the logo?

9 A. Myself, Kanematsu, and the art director,
10 Hiroaki Matsui.

11 QUESTION 38: Who chose the Valhalla Game
12 Studios logo?

13 A. I did.

14 QUESTION 39: Why did you choose that specific
15 logo?

16 A. I started the company with the intention
17 of providing the games that game fans around the
18 world could enjoy from the bottom of their heart, to
19 develop such games. The dragon on the bow of the
20 Viking ship was a symbol of what we were doing, our
21 symbol. Because that strong dragon on the boat
22 finding its way through the rough sea, this would
23 inspire the spirit of what our company was to be. It
24 was our symbol.

25 QUESTION 40: When was the logo designed?

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1 A. 2009.

2 QUESTION 41: Are you interested in Norse
3 mythology?

4 A. Yes, I do.

5 QUESTION 42: When did you become interested in
6 Norse mythology?

7 A. When I was in primary school.

8 QUESTION 43: Did you plan on creating board
9 games based on Norse mythology and Chinese mythology
10 while you were at Tecmo?

11 MR. GELFAND: Read that question again,
12 please.

13 MS. BARR: I'm sorry. Excuse me. I'm
14 going to re-read that.

15 QUESTION 43: Did you plan on creating games
16 based on Norse mythology and Chinese mythology while
17 you were at Tecmo?

18 A. Yes, I did.

19 QUESTION 44: What types of Norse mythology and
20 Chinese mythology games did you plan on creating
21 while you were at Tecmo?

22 A. For instance, Rygar, based on Greek
23 mythology, was developed -- was released in 2002.
24 And Goku, G-O-K-U, which was based on Chinese
25 mythology. That was not sold, not released. And

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1 also I did planning in regard to Mexican, Persian,
2 and Japanese mythology.

3 QUESTION 45: What is the game Rygar that you
4 created at Tecmo based on?

5 A. It's a game based on Greek mythology.

6 QUESTION 46: What other candidate names did you
7 review before choosing Valhalla Game Studios?

8 A. Einherjar and ToBeToBe.

9 QUESTION 47: What is your understanding of the
10 meaning of "Valhalla"?

11 A. It's the name of Odin's palace which
12 appears in Scandinavian mythology.

13 QUESTION 48: How does your understanding of the
14 meaning of "Valhalla" relate to Valhalla Game
15 Studios?

16 A. For me, Valhalla has the same --
17 referred to the same spirit, that is, of chosen
18 people gathering together in the one place, selected.

19 QUESTION 49: How does the word "Valhalla" fit
20 in with the spirit and vision of Valhalla Game
21 Studios Company Limited?

22 A. Well, the image of the brave people
23 gathering together at Valhalla's palace and preparing
24 for the final war, well, this symbolizes the spirit
25 of a small but selected staff gathering together to

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1 provide the best games that could be provided for
2 gamers around the world to enjoy from the bottom of
3 their heart.

4 QUESTION 50: Did anything else influence your
5 choosing the name Valhalla Game Studios besides Norse
6 mythology?

7 A. Yes.

8 QUESTION 51: What else influenced your choosing
9 the name Valhalla Game Studios besides Norse
10 mythology?

11 A. Led Zeppelin's "Immigrant Song."

12 QUESTION 52: What does Led Zeppelin's
13 "Immigrant Song" mean to you?

14 A. I'm an enthusiastic rock music fan, and
15 Led Zeppelin was one that first instigated that. And
16 the lyrics, "Valhalla, I am coming" in that song is a
17 song that symbolizes the rock spirit. And the reason
18 I chose Valhalla was because of the Scandinavian
19 mythology and Led Zeppelin song.

20 QUESTION 53: What is Valhalla Game Studios
21 Company Limited's Exhibit Number 4?

22 A. This is our web column on our home page.
23 And I introduce here rock albums that I like. And I
24 talk about the origins of Valhalla in the Led
25 Zeppelin song.

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1 QUESTION 54: Have you ever heard of Valhalla
2 Motion Pictures?

3 A. Yes, I have.

4 QUESTION 55: When did you first hear of
5 Valhalla Motion Pictures?

6 A. On the 18th of October, 2011. I knew
7 that when we received the notice of objection from
8 Grace & Grace.

9 QUESTION 56: Has anyone, to your knowledge,
10 ever gotten confused between Valhalla Game Studios
11 Company Limited and Valhalla Motion Pictures?

12 A. Not at all, no.

13 QUESTION 57: Has anyone ever asked you whether
14 Valhalla Game Studios was affiliated with Valhalla
15 Motion Pictures?

16 A. Not once, no.

17 QUESTION 58: Has anyone ever told you that they
18 confused Valhalla Game Studios with Valhalla Motion
19 Pictures?

20 A. Not at all, not once.

21 QUESTION 59: Have you ever heard of Valhalla
22 Entertainment?

23 A. Yes, I have.

24 QUESTION 60: When did you first hear of
25 Valhalla Entertainment?

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20

1 A. On the 18th of October, 2011. I knew
2 that due to the letter from Grace & Grace.

3 QUESTION 61: Has anyone, to your knowledge,
4 ever gotten confused between Valhalla Game Studios
5 Company Limited and Valhalla Entertainment?

6 A. No.

7 QUESTION 62: Has anyone ever asked you whether
8 Valhalla Game Studios was affiliated with Valhalla
9 Entertainment?

10 A. Not at all, no.

11 QUESTION 63: Has anyone ever told you that they
12 confused Valhalla Game Studios with Valhalla
13 Entertainment?

14 A. Not once, not even once.

15 C R O S S Q U E S T I O N S

16 QUESTION 1: When was Valhalla Game Studios
17 selected as a trademark?

18 A. In 2008.

19 QUESTION 2: Who selected Valhalla Game Studios
20 as a trademark?

21 A. I did.

22 QUESTION 3: Were you involved in the selection
23 of the Valhalla Game Studios trademark?

24 A. Yes, I was.

25 QUESTION 4: What other names or trademarks were

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21

1 considered?

2 A. Einherjar and ToBeToBe.

3 QUESTION 5: Why were the other names or
4 trademarks rejected?

5 A. Because on listening to the sound of the
6 other names and the meanings, I thought that Valhalla
7 was the best one.

8 QUESTION 6: Who at Valhalla Game Studios was
9 responsible for determining whether Valhalla Game
10 Studios was available as a trademark?

11 A. We retained Weissmann -- the Weissmann
12 office to investigate the trademark and obtain a
13 trademark -- that trademark for us. And therefore
14 they did all the work on our behalf.

15 MR. TSUTSUMI: Should we mention about
16 the current name of the office, Weintraub Tobin?

17 MR. GELFAND: Sure, he can.

18 A. The name of the Weissmann office is now
19 changed to Weintraub Tobin.

20 QUESTION 7: When did Valhalla Game Studios
21 first become aware of Valhalla Motion Pictures?

22 A. That was on the 18th of October, 2011.

23 QUESTION 8: What is Exhibit Number 5?

24 A. It's the logo of Valhalla Game Studios.

25 QUESTION 9: Who designed the image that appears

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1 on Exhibit Number 5?

2 A. That would be myself and the art
3 director, Mr. Hiroaki Matsui.

4 QUESTION 10: When was Exhibit Number 5
5 designed?

6 A. In 2009.

7 QUESTION 11: Did Valhalla Game Studios consider
8 any other designs for its logo?

9 A. Yes, we did.

10 QUESTION 12: What other designs did Valhalla
11 Game Studios consider?

12 A. We created a number. But it ended up we
13 used the one we're using at the moment. Because what
14 most suited our spirit was the image of the strength
15 of the dragon and a Viking's ship working its way
16 through rough seas.

17 QUESTION 13: Why did Valhalla Game Studios
18 reject those other designs?

19 A. Well, we chose a logo which represented
20 our spirit and our vision, and which we thought -- a
21 logo which we thought would be easy to understand,
22 and we applied with that logo to the USPTO.

23 QUESTION 14: Who selected the image depicted on
24 Exhibit Number 5 as Valhalla Game Studios' logo?

25 A. I did.

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1 QUESTION 15: When was the image depicted on
2 Exhibit Number 5 selected as Valhalla Game Studios'
3 logo?

4 A. In 2009.

5 QUESTION 16: Was anyone at Valhalla Game
6 Studios responsible for clearing Valhalla Game
7 Studios' right to use the image depicted in Exhibit
8 Number 5 as a logo?

9 A. Well, in 2009, we asked Weissmann, the
10 company who is now called Weintraub Tobin, to do the
11 investigation on that logo mark, on that trademark.
12 And therefore they did all that work on our behalf.

13 QUESTION 17: Who at Valhalla Game Studios was
14 responsible for determining whether the image
15 depicted on Exhibit Number 5 was available for use as
16 Valhalla Game Studios' logo?

17 A. Is it okay my answer would be the same
18 as for number 16?

19 QUESTION 17 (repeated): Who at Valhalla Game
20 Studios was responsible for determining whether the
21 image depicted on Exhibit Number 5 was available for
22 use as Valhalla Game Studios' logo?

23 INTERPRETER: The question from the
24 witness was, my answer would be exactly the same as
25 for number 16. Is that okay?

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1 MS. BARR: If that's his answer.

2 A. My answer for number 17 is the same as
3 for number 16.

4 QUESTION 18: Has the image depicted in Exhibit
5 Number 5 appeared as a brand or credit notice on any
6 product featuring motion pictures including video
7 games, film, television shows?

8 A. At the E3 show in 2010, we had a debut
9 trailer of the game Devil's Third, and that was
10 announced at that show, and this appeared as our
11 company logo. And it was also used as a trailer for
12 us when we appeared at the E3 show in 2011. And this
13 was seen worldwide as a trailer on YouTube.

14 QUESTION 19: Has the image depicted in Exhibit
15 5 appeared on any packaging for any commercially
16 released product at any time?

17 A. Yes, it has.

18 QUESTION 20: On what products has the image
19 depicted in Exhibit Number 5 appeared?

20 A. On T-shirts, Zippo cases, Valhalla
21 flags, and iPhone cases.

22 QUESTION 21: Have you ever watched the film
23 "Armageddon"?

24 A. Yes, I have.

25 QUESTION 22: When did you watch the film

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25

1 "Armageddon"?

2 A. I don't recall when I saw it. I saw
3 that film on television when it was dubbed into
4 Japanese.

5 QUESTION 23: Have you ever watched the film
6 "The Punisher"?

7 A. No.

8 QUESTION 24: When did you watch the film "The
9 Punisher"?

10 A. I've not seen it.

11 QUESTION 25: Have you ever watched the film
12 "Hulk"?

13 A. No, I have not.

14 QUESTION 26: When did you watch the film
15 "Hulk"?

16 A. I've not seen it.

17 QUESTION 27: Have you ever watched the film
18 "The Incredible Hulk"?

19 A. Yes, I have.

20 QUESTION 28: When did you watch the film "The
21 Incredible Hulk"?

22 A. I don't recall. I watched a version of
23 it dubbed into Japanese on TV.

24 QUESTION 29: Does Valhalla Game Studios adapt
25 existing material for video games?

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1 A. No. We make original video games.

2 QUESTION 30: What kind of material does
3 Valhalla Game Studios adapt for video games?

4 A. We use the necessary materials needed
5 for each of the scenes in a story.

6 QUESTION 31: Has Valhalla Game Studios
7 participated in the negotiation of any agreements
8 with anyone concerning the development of any video
9 games?

10 A. No, we have not, because we are a game
11 developer. But for instance, in the case of music
12 and graphics, we do outsourcing for that. But these
13 are only elements, and we receive them and do the
14 development at Valhalla Game Studios.

15 QUESTION 32: For what rights did Valhalla Game
16 Studios negotiate?

17 A. Because we're a development company, we
18 don't need to negotiate for rights.

19 QUESTION 33: When did these negotiations occur?

20 A. Because we do the development, we don't
21 negotiate with anyone.

22 QUESTION 34: With whom were these negotiations?

23 A. We didn't do any negotiations with
24 anyone.

25 QUESTION 35: Was Valhalla Motion Pictures ever

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1 mentioned in these discussions?

2 A. Well, we didn't have any discussions,
3 and until this litigation, that was the first time
4 that we came to know the name Valhalla Motion
5 Pictures.

6 QUESTION 36: With whom has Valhalla Game
7 Studios entered into agreements concerning the
8 development of video games?

9 A. Because we do the development ourselves,
10 there's no need for us to enter into agreements.

11 QUESTION 37: When did Valhalla Game Studios
12 enter into agreements concerning the development of
13 video games?

14 A. We do the development, so no need for us
15 to enter into such agreements.

16 QUESTION 38: Has Valhalla Game Studios ever
17 engaged in discussions with third parties concerning
18 the development of video games that did not result in
19 an agreement being reached?

20 A. Yes. For instance, in regard to game
21 development, we have talked with parties about
22 helping with that. But because of budget or timing
23 matters, we have never entered into an agreement.

24 QUESTION 39: Was Valhalla Motion Pictures ever
25 mentioned in these discussions?

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1 A. No. That did not happen at all because
2 this is the first time we've heard of that company.

3 QUESTION 40: Has Valhalla Game Studios ever
4 entered into any agreements concerning the
5 development of any motion picture projects under
6 Valhalla Game Studios' trademark?

7 A. No, not at all.

8 (Recess from 11:27 a.m. until 11:33
9 a.m.)

10 MS. BARR: We are back from break.

11 R E D I R E C T Q U E S T I O N S

12 QUESTION 1: Has anyone ever questioned whether
13 the Valhalla Game Studios Company Limited logo,
14 Exhibit Number 5, meant you were related to Valhalla
15 Motion Pictures, Incorporated?

16 A. Well, until this litigation we didn't
17 know at all what Valhalla Motion Pictures was, so no
18 one has questioned that.

19 QUESTION 2: Has anyone ever told you that the
20 Valhalla Game Studios Company Limited logo was
21 similar to the Valhalla Motion Pictures, Incorporated
22 logo, Exhibit Number 6?

23 A. Never been told that by anyone.

24 QUESTION 3: Do you believe the Valhalla Game
25 Studios Company Limited logo is similar to the

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1 Valhalla Motion Pictures, Incorporated logo?

2 A. I don't believe that at all.

3 QUESTION 4: Why do you believe that the
4 Valhalla Game Studios Company Limited logo is not
5 similar to the Valhalla Motion Pictures, Incorporated
6 logo?

7 A. We used this logo at the beginning of
8 our trailer at the E3 show in June. And so you have
9 this dragon at the bow of the boat, and the boat is
10 plowing through a rough sea. And it expresses a very
11 dynamic meaning. On the other hand, the Valhalla
12 Motion Pictures logo shows a simple logo of a big
13 moon in the background of a simple boat floating on a
14 quiet sea. It has a very -- it expresses a very
15 static depiction. And our main symbol is the dragon.
16 So the overall contradiction is between static and
17 dynamic. So they express two different things. And
18 the Valhalla Motion Pictures logo shows a very
19 simple, everyday kind of depiction that could be seen
20 anywhere in Sweden, Denmark or Norway.

21 QUESTION 5: Were you aware of the existence of
22 Valhalla Motion Pictures, Incorporated logo when you
23 decided to use the image depicted on Exhibit 5 as
24 Valhalla Game Studios Company Limited's logo?

25 A. Well, I didn't even know the name of the

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1 company, so of course I didn't know the logo.

2 QUESTION 6: If you were aware of the existence
3 of Valhalla Motion Pictures, Incorporated's logo at
4 the time you decided to use the image depicted on
5 Exhibit Number 5 as Valhalla Game Studios Company
6 Limited's logo, would you have proceeded to use the
7 picture depicted on Exhibit Number 5 as your logo?

8 A. Yes, of course I would have.

9 QUESTION 7: If so, why?

10 A. That's because although ours is using a
11 Viking boat motif, unlike the Valhalla Motion
12 Pictures logo, ours is an original design that we're
13 using for Valhalla Game Studios. In places like
14 Sweden, Denmark, Norway, the Valhalla used with a
15 Viking ship is a very common depiction. You could
16 see that design anywhere in those countries.

17 And ours has the dragon at the front and
18 has a very detailed treatment of the Viking ship.
19 And it gains a harmony through the font itself which
20 is used in Valhalla which is a very strong font.
21 It's a design which expresses our spirit. The rough
22 sea that is depicted in our logo looks -- indicates
23 the importance of the passion and the strength, and
24 so it's exactly contradictory to the other static
25 image.

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1 QUESTION 8: Were you aware that "Armageddon"
2 was produced by Valhalla Motion Pictures,
3 Incorporated?

4 A. I did not know it, no.

5 QUESTION 9: Were you aware that "The Punisher"
6 was produced by Valhalla Motion Pictures,
7 Incorporated?

8 A. I don't know about "The Punisher"
9 itself.

10 QUESTION 10: Were you aware that "Hulk" was
11 produced by Valhalla Motion Pictures, Incorporated?

12 A. I don't know.

13 QUESTION 11: Were you aware that "The
14 Incredible Hulk" was produced by Valhalla Motion
15 Pictures, Incorporated?

16 A. I did not know.

17 QUESTION 12: As of today, have you ever heard
18 of Valhalla Motion Pictures, Incorporated, other than
19 in the context of this proceeding?

20 A. Not at all, no.

21 R E - C R O S S Q U E S T I O N S

22 QUESTION 1: What investigation did Valhalla
23 Game Studios perform to review existing uses of
24 "Valhalla" as a mark in the entertainment industry?

25 A. We retained Weissmann, currently called

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1 Weintraub Tobin, to do an investigation of our
2 trademark. And consequently, they did all that work
3 on our behalf.

4 QUESTION 2: What investigation did Valhalla
5 Game Studios perform to review existing uses of a
6 Viking ship design as a mark in the entertainment
7 industry?

8 A. We retained Weissmann -- Weintraub
9 Tobin -- to do the investigation and obtain the
10 trademark. And so therefore they did all that work
11 on our behalf.

12 MS. BARR: That is the end of the
13 questions.

14 (Signature having been waived, the
15 deposition of SATOSHI KANEMATSU was concluded at
16 11:48 a.m.)

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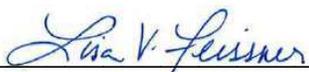
CERTIFICATE OF SHORTHAND REPORTER

I, Lisa V. Feissner, RDR, CRR, CLR, do hereby certify that the aforementioned witness was first duly sworn by the Consular Officer to testify the whole truth; that I was authorized to and did report said Deposition Upon Written Questions in stenotype; and that the foregoing pages are a true and correct transcription of my shorthand notes of said Deposition Upon Written Questions.

I further certify that said Deposition Upon Written Questions was taken at the time and place hereinabove set forth and that the taking of said Deposition Upon Written Questions was commenced and completed as hereinabove set out.

I further certify that I am not attorney or counsel of any of the parties, nor am I a relative or employee of any attorney or counsel of any party connected with the action, nor am I financially interested in the action.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of June, 2014.



Lisa V. Feissner, RDR, CRR, CLR

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Exhibit "1"

Valhalla Game Studios Co., Ltd.
Tsukugon Bldg. 2F,
1-3-2 Tsukishima Chuo-Ku,
Tokyo 104-0052

Attn: C.E.O. Satoshi Kanematsu

LETTER OF CONSENT TO USE AND REGISTER

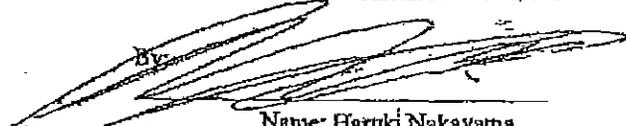
MARVELOUS ENTERTAINMENT INC. is the owner of U.S. Trademark Registration No. 3350410. (Serial No. 78/960,794) for the trademark V VALHALLA KNIGHTS and design, which registered on the Principal Register on December 4, 2007 for "video game software; downloadable video game software; computer game software; downloadable computer game software; prerecorded CD-ROMs, electronic circuits, magnetic disks, magnetic tapes, and magnetic cartridges all featuring computer game software and computer game programs for consumer video games; electronic circuits and CD-ROMs recording programs for hand-held games with liquid crystal displays; downloadable electronic game programs for mobile and cellular telephones."

We are aware that VALHALLA GAME STUDIOS CO., LTD. is desirous of using and registering the trademark VALHALLA GAME STUDIOS and VALHALLA GAME STUDIOS and design for "computer game programs; computer game software; computer software, namely, game engine software for video game development and operation; video game software" and "design and development of computer game software and virtual reality software" and that VALHALLA GAME STUDIOS has filed trademark application Serial Nos. 77/948,333 and 77/948,395 (hereinafter referred to as "VGS's Marks").

MARVELOUS believes there is no likelihood of confusion or conflict between the Registered Mark and VGS's Marks due to the differences between the marks and consents to the use and registration of VGS's Marks in the U.S.A. pursuant to this letter of consent.

Furthermore, in the unlikely event any consumers are confused as to the source or origin of either party's goods, each party agrees to reasonably cooperate with the other party's efforts to correct such confusion.

MARVELOUS ENTERTAINMENT INC.

By: 

Name: Haruki Nakayama

Title: Chairman & CEO

Dated: July 20, 2011

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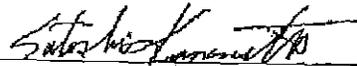
Opposition No. 91204259
Valhalla Motion Pictures, Inc. v.
Valhalla Game Studios Co. Ltd.
Valhalla Game Studios Co.,
Ltds' Exhibit "1"

VGS 00015

Agreed to:

VALHALLA GAME STUDIOS CO., LTD.

By:



Name: Satoshi Katematsu

Title: C.E.O.

Dated: July 20, 2011

1740344v1

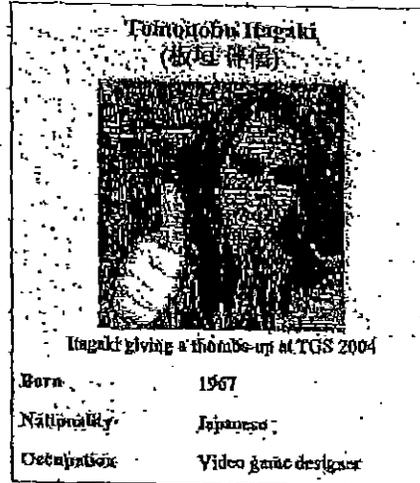


Exhibit "2"

Tomonobu Itagaki

From Wikipedia, the free encyclopedia

Tomonobu Itagaki (板垣 伴信 *Itagaki Tomonobu*) is a Japanese video game designer who created the *Dead or Alive* fighting games and the *Ninja Gaiden* 3D titles. He also has a reputation for making frank comments, negative and positive, on other developers and video games. Joining Tecmo in 1992, Itagaki produced two video game franchises that were commercial successes and earned him several promotions; he headed Tecmo's development team, Team Ninja, and sat on the executive board. He left the company after 16 years of service, filing a lawsuit against it for withholding bonus pay. His new team at Valhalla Game Studios, comprising other Team Ninja members, is currently working on a new game.^[1]



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Personal life

Born in 1967, Tomonobu Itagaki graduated from Waseda University Senior High School on March 1983. Following that, he entered Waseda University and graduated from its School of Law on March 1992.^[2]

He is married, and has a daughter, born in 1997,^[3] whom he has mentioned as one of the primary influences on his projects,^[4] including developing *Ninja Gaiden Dragon Sword* for the Nintendo DS.^[5] and a constant gaming partner in games like the *Halo* series.^[6] Itagaki has in his office a set of *katana* his father made for him,^[7] which he tends to take out to show to his visitors. As he wishes to stop people from reading his expressions during gambling-type games, he is always seen wearing *sunglasses*, a habit that has become his trademark in the video game community.^[7]

Career

Exhibit "C"

Opposition No. 91204259

Valhalla Motion Pictures, Inc.v.

Valhalla Game Studios Co. Ltd.

Valhalla Game Studios Co.,

Ltds' Exhibit "2"

Tomonobu Itagaki joined Tecmo in 1992 as a graphics programmer, and initially worked on the Super Famicom version of the American football video game, *Tecmo Bowl*. His career breakthrough came in 1996 with his first *Dead or Alive* game - a game based on *Virtual Fighter* created in response to Tecmo management's request.^[7] He was mentored by Yoshiaki Inose (of *Solomon's Key*, *Bomb Jack*, *Rygar*'s) and the Nintendo Entertainment System *Ninja Gaiden*'s) and Akihiko Shimizu (of *Tecmo Bowl*'s) in his early years at Tecmo, and was impressed by them to include fun as a necessary component in his projects.^[8]

His rise through the company had been steady since then. He was appointed as the head of the third creative department in April 2001.^[9] He then assumed the post of Team Ninja Leader in July 2001.^[9] Tecmo appointed him as an Executive Officer in June, 2004. He later assumed the position of General Manager of the high-end production department in February, 2006. His Executive Officer position was however taken away in August the same year, due to his involvement in a sexual harassment scandal.

The release of *Dead or Alive 2* had greatly increased the series popularity, as well as Itagaki's. He had sought to create fighting games with details he felt were lacking in other games. In the later iterations, Itagaki has built the story of the games around themes of family - Kasumi and Ayane in *Dead or Alive 3*, and Helena in *Dead or Alive 4*.^[10] To date, the series has gone through four iterations with various enhanced editions. A fifth iteration has also been announced to be in the works.

In the *Dead or Alive Xtreme Beach Volleyball* series, Itagaki brought together the girls of *Dead or Alive* onto an island. The player is to foster good relationship between the girls to create a harmonious winning beach volleyball duo. In the second iteration of the series, the focus is shifted by expanding the number of activities the player can have the girls take part in. He explains the core of the game as a 'paradise' where the player can watch the girls they 'love' enjoy simple activities.^{[11][11]}

Ninja Gaiden was Itagaki's effort to develop a game centered on violent gameplay,^[12] with super-ninja Ryu Hayabusa as the protagonist. Capitalizing on the brand name of the earlier NBS series, Itagaki developed a critically acclaimed action-adventure game for the Xbox which also had an international online tournament held for it. He continued work on it to release *Ninja Gaiden Black* as the opus of his *Ninja Gaiden* work. He continued the series on the Nintendo DS with *Ninja Gaiden Dragon Sword*, partly due to a promise made to his daughter.^[13] At the same time, he brought the series' next chapter onto the Xbox 360 as *Ninja Gaiden II*.

Itagaki claims to be one of the very few in the Japanese video game industry to establish communications with the Western world.^[13] He suggests other Japanese developers should do like-wise and be aware of the gaming tastes outside of Japan,^[13] so as to be able to reverse the Japanese gaming industry slump of 2005.^[17]

On June 2, 2008, just before the release of *Ninja Gaiden II* for the Xbox 360, Itagaki announced that he was resigning from Tecmo and was suing the company for withholding a bonus promised for his previous works. He was also suing Tecmo's president Yoshitaka Yasuda for damages based on "unreasonable and disingenuous statements" made in front of Itagaki's colleagues.^[14] In an interview with 1up.com, Itagaki has revealed that he is working on a project with former members of Team Ninja under a new studio, Vahlala Game Studios.^[15] The title in question, *Devil's Third*, was revealed shortly before E3 2010.

Mindset on game design and industry

Game design philosophy

Itagaki believes a good game should be an integrated product of good graphics, interactivity, and playability.^[16] He also places a high priority on ensuring his games are interactive with the player's actions and respond quickly to the player's inputs.^[17] It is this opinion which led to his derogatory statements on *Heavenly Sword*.^[18] He finds the payoff for the game's button-prompting sequences to be less fulfilling than that of *Genji: Dawn of the Samurai's* (whose Kanon sequences he calls dumb, but entertaining).^[19] Likewise, he cited *Metal Gear Solid 2: Sons of Liberty* and *Final Fantasy X* as games lacking the interactivity appealing to him.^[20]

Itagaki professes a liking for simplicity of inputs, he states too many inputs would result in the loss of the gaming experience.^[20] As such, he respects Sega-AM2 for their work on *Virtua Fighter 4*.^[21] Likewise, he deprecates implementing scenarios to show off technology just for the sake of it, sarcastically asking what is the point of cutting down "thousand heads of cabbages on screen."^[21] In his integration mindset, everything (graphics, controllers, interactivity, responsiveness, etc.) has its place, even CGI pre-rendered cutscenes which he says can deliver a better cinematic experience of some scenes than doing them in real-time.^[22]

Opinions on hardware

As a game developer, Itagaki has defined his philosophy as being able to extract the strengths of a game machine, and integrate them together to develop games to a level no one else can reach. He defines a game developer's satisfaction with a game machine as dependent upon these criteria.^[23] With this philosophy, he continually expresses happiness in developing on the Xbox 360, proclaiming it to be more 'software friendly' than the architecturally inferior PlayStation 3.^{[24][25]} Furthermore, he admires the Nintendo Wii's dedication to innovation, which he holds in high regard for the spirit of gaming.^[19] Itagaki claimed that he wanted to develop his games for what he viewed as the most powerful console on the market at the time of design.^[25]

Itagaki has also spoken of his handheld philosophy which goes for responsiveness and physical interaction, instead of raw hardware power.^[17] As such, Itagaki refuses to make a handheld game for the PlayStation Portable (PSP), stating it goes against the design philosophy of being a handheld device. He says a game created, based on the specifications of the PSP, would be more suited for a true home console.^[26] This view is reflected in his statements on why *Ninja Golden Dragon Sword* as a handheld game has to be designed to take advantage of the Nintendo DS' touchpad rather than conventional inputs which would have rendered it a typical game.

Pet projects

Itagaki classifies his projects into core projects (for business and technical excellence purposes), and those purely for self-fulfillment. The *Dead or Alive Xtreme Beach Volleyball* series and *Dead or Alive: Code Chronos* fall into the latter. The *Dead or Alive Xtreme Beach Volleyball* games are just meant for simple fun, and to fulfill a 'love' for the female characters, letting the player nurture and watch the girls partaking in simple joys. Even though he admits to there being sexual content in the game, Itagaki refuses to create scenarios which he feels are vulgar for his 'daughters', a term he uses to call the female characters.^[11] *Code Chronos* falls into the same category of development, developed as Itagaki's hobby for style.^[2]

Work ethics

Itagaki is thorough with his games, working on them from start to release, and even post release to correct what he feels are deficiencies, and polish them up to their full potential. He has shown this in his project developments, such as pushing back the release of *Dead or Alive 4* just to polish the game based on feedback of top Japanese *Dead or Alive* players recruited to test it out.^[6] For *Ninja Gaiden*, he wanted to leave the best and the ultimate action game on the Xbox before moving on to the Xbox 360, thus he reworked the game and integrated the additional downloadable content to produce *Ninja Gaiden Black*.^{[10][24]} With *Dead or Alive Xtreme Beach Volleyball*, he chose to patch an easy-cash exploit rather than leaving it alone and ruminating over the consequences.^[19]

Itagaki creates his game characters by immersing himself in their roles and the games. This is a reason why he objects to the suggestion of Kasumi in the *Ninja Gaiden* mixtape, saying her 'soft' nature is conflicting with the 'hard-edged' nature of the game whereas Ayane perfectly fits in.^[7] It is this role immersion which helps him to develop and exclude guns from the movement of the Spartan named Nicole in *Dead or Alive 4*.^[6] However, immersing himself in the games' atmosphere has also failed him at times. The *Bull Battle*, and *Dog-of-War* of *Dead or Alive Xtreme 2* were heavily parodied on the basis of minigame design. Itagaki defended those games as nostalgic comedy pieces, meant to make the player remember the celebrity games played on Japanese television.^[12]

Frank personality

Itagaki values frank and "to the point" attitudes, believing anything else would allow "quibbles and sectionalists" to come in and derail the train of thought. His frank attitude is also in line with his admitted aggression, taking criticisms as challenges to overcome instead of something to mope over.^[13] This relates to his desire for challenges, producing games like *Ninja Gaiden* which are acknowledged as 'hard' by the gaming industry,^[21] and to push himself to produce games which can contend as the best games of the genre.^{[4][7][27]} He openly claims to be the sole creative force behind his projects, as well as being able to convey his plan clearly for the team to understand. He bemoans that the Japanese are starting to forget the basic concepts, closing off their minds to outside criticisms.^[7]

Itagaki has consistently given harsh opinions on Namco's *Tekken* games, mainly due to his grudge against the company for its insulting radio commercial on his *Dead or Alive* game. He has stated he never forgets an insult to his family, and will retaliate with "nuclear missiles more than 100 times for that".^[9] This along with what he views as *Tekken*'s stagnation in the fighting game genre (starting from *Tekken 4*), led him to condemn the *Tekken* series, placing it as his top five hated games.^[16] In spite of him stating *Tekken*, *Tekken 2*, and *Tekken 3* were good games which his family enjoyed.^[3]

Sexual harassment allegations

On November 7, 2006, various gaming sites reported that an unnamed female former Tecmo employee had filed a sexual harassment suit against Itagaki.^{[28][29][30]} She claimed that Itagaki had made several unwanted sexual advances on her since September 2003. While Itagaki admitted to kissing her, he claimed that whatever had gone between them had been consensual. Tecmo's ensuing investigation reached the conclusion that "the allegations in question were a result of the former employee's desire to vent frustration over her own personal affairs, and not indicative of sexual harassment."^{[31][32][33]} Tecmo has also demoted Itagaki and the accuser for their mingling of "personal affairs with their corporate

responsibilities". Meanwhile, the court has found Itagaki innocent of the charges.⁽³⁴⁾

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External links

- Tomonobu Itagaki's profile at MobyGames
- Tomonobu Itagaki's profile at IGN
- Tomonobu Itagaki's profile at GiantBomb
- Valhalla Game Studios Co, Ltd.

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Exhibit "3"

as of June 28, 2013

Companies associated with "Valhalla Game Studios Co., Ltd."

Name	Location	Company Registration No.	Foundation Date	Business	Use Valhalla Logo?		Agreement for use of logo
Valhalla Co., Ltd.	Japan	0400-01-032072	09/03/2007	Music/Event Planning Service	Yes	Business card N/A	Verbal agreement only
Valhalla Seven Co., Ltd.	Japan	0100-01-135366	09/17/2010	Pachinko/Pachislot Game Development	Yes	See business card sample	Verbal agreement only
Valhalla International Partners Co., Ltd.	Japan	0100-01-138183	03/01/2007	Accounting Office	Yes	See business card sample	Verbal agreement only
Co., Ltd. *	Japan	0100-01-134867	08/01/2008	Game Development	No		
Entertainment Co., Ltd. *	Japan	0100-01-134868	07/07/2009	Mobile/SNS Game Development	No		
Valhalla Rocks Co., Ltd.	Japan	0100-01-148257	07/24/2012	Holding Company of "Valhalla & Doobic Co., Ltd."	Yes	Business card N/A	Verbal agreement only
Valhalla & Doobic Co., Ltd.	Japan	0100-01-148594	06/08/2012	Online Game Development	Yes	Business card N/A	Verbal agreement only
Valhalla Enterprises Limited	BVI	1728122	08/10/2012	Holding Company of "Valhalla International Limited"	Yes	Business card N/A	Verbal agreement only
Valhalla International Limited	Hong Kong	1786896	08/14/2012	IP Holding Company & Global Sales	Yes	See business card sample	Verbal agreement only

* "Soleil" was one of the company name candidates Kanematsu first came up with.

* "Ein" was taken from "Einharjar" which was also one of company name candidates.

Valhalla Domain Names
ajapan.com
valhallagamestudios.com
valhallagamestudios.net
valhallagamestudios.org
valhalla7.com
valhallaseven.com

Opposition No. 91204259
 Valhalla Motion Pictures, Inc. v.
 Valhalla Game Studios Co. Ltd.
 Valhalla Game Studios Co.,
 Ltds' Exhibit "3"

VGS 01059

Exhibit "4"

→ Japanese

Home > Company > Rock Y&M > Rock CEO's "You gotta hear this!" #1 : LED ZEPPELIN III

is
Re

Rock CEO's "You gotta hear this!" #1 : LED ZEPPELIN III

June 09, 2011



Here's a new series for everyone.

Here, I will be presenting masterpieces from the history of rock, which I love, selected based on nothing but my own interests.

Rock is the soul that flows in the veins of Valhalla Game Studios, and I intend to make that obvious in this series as well.

I first met rock in 4th grade. The moment I tuned in to that EM rock radio program, I felt an electrifying shock through my skull to the tips of my toes.

From that day on, my hands were glued to the electric guitar. I got a band going right away, and there was no turning back. The young boy, his heart tripped in the pulse of rock... By, okay, let me get back on track before we turn this into my rock autobiography.

Though I will indeed be talking about all sorts of stuff in my future posts, let's start off with this one. Yeah!

The first record to present is, without a doubt, this one.

Led Zeppelin III

Led Zeppelin

Atlantic / WEA (1994-08-18)



Of all the LED ZEPPELIN albums out there, why do I select the one with the most argument both for and against? Well, the first track, "Immigrant Song", is definitely the deciding factor. Pro-wrestling fans out there also know that this was the song the British wrestler Bruiser Brody played as he presorted himself onto the ring. It's simply unforgettable.

And of course, not to forget that the lyrics include the line "Valhalla, I'm coming". Yes! This is actually where the name of our company comes from. Both the lyrics and the melody of the "Immigrant Song" are very inspiring.

Whenever I go Karaoke, this is the song I start off with.

On a related note, I also like British trad folk bands like Pentangle and Fairport Convention. LED ZEPPELIN III is a great album also because it includes folk songs like "Tangerine", and the legendary blues tune "Since I've Been Loving You", which helped expand the musical horizon of LED ZEPPELIN.

LISTEN TO THIS!

Home Company Itagaki's Devil's Third Information Store Contact

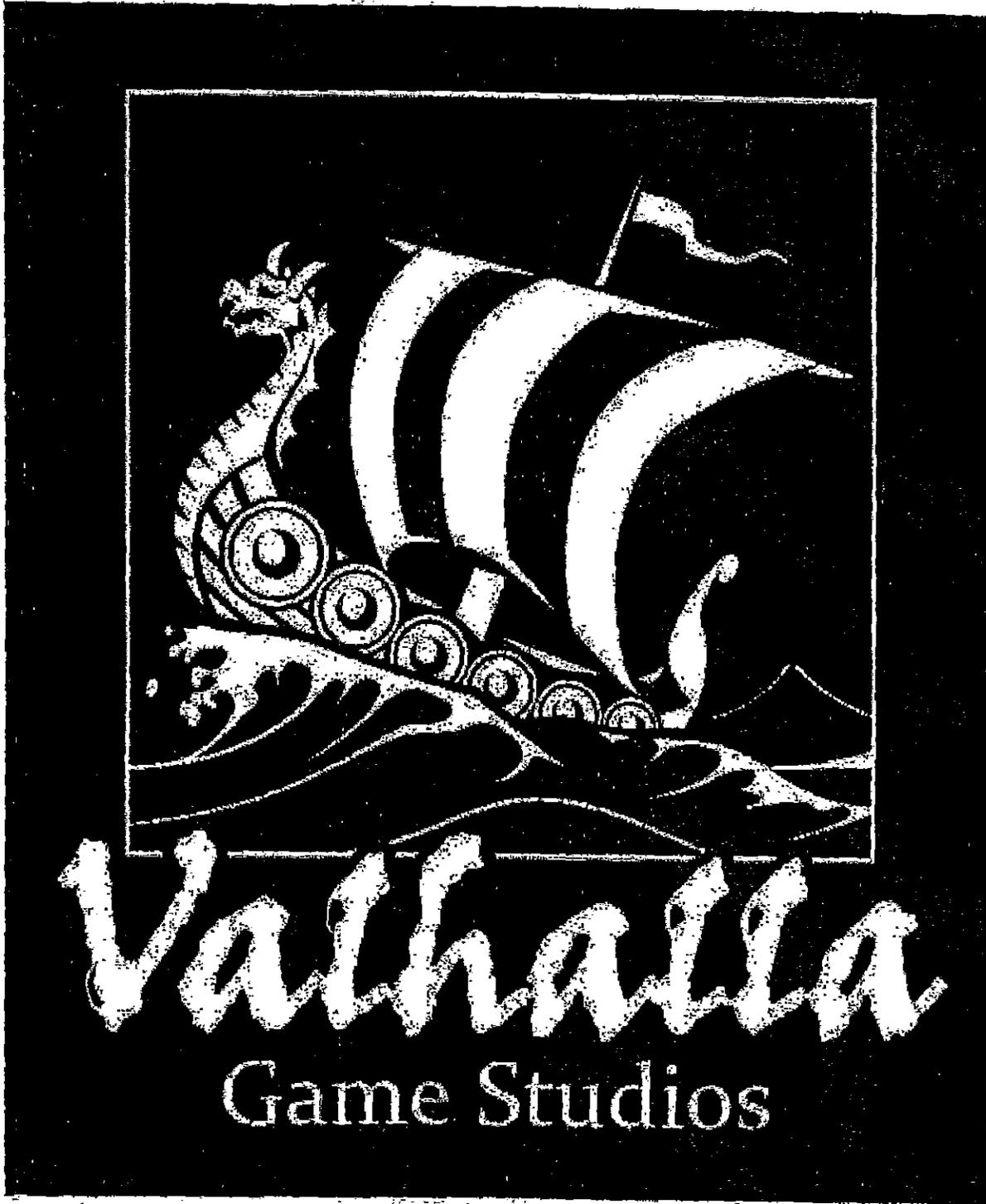
Japanese / English Sitemap Term of Use

Copyright(C)

Exhibit "5"



EXHIBIT 5



VALHALLA MOTION PICTURES, INC. v. VALHALLA GAME STUDIOS LTD.
Opposition No. 91204259
EXHIBIT 5

VGS 00592

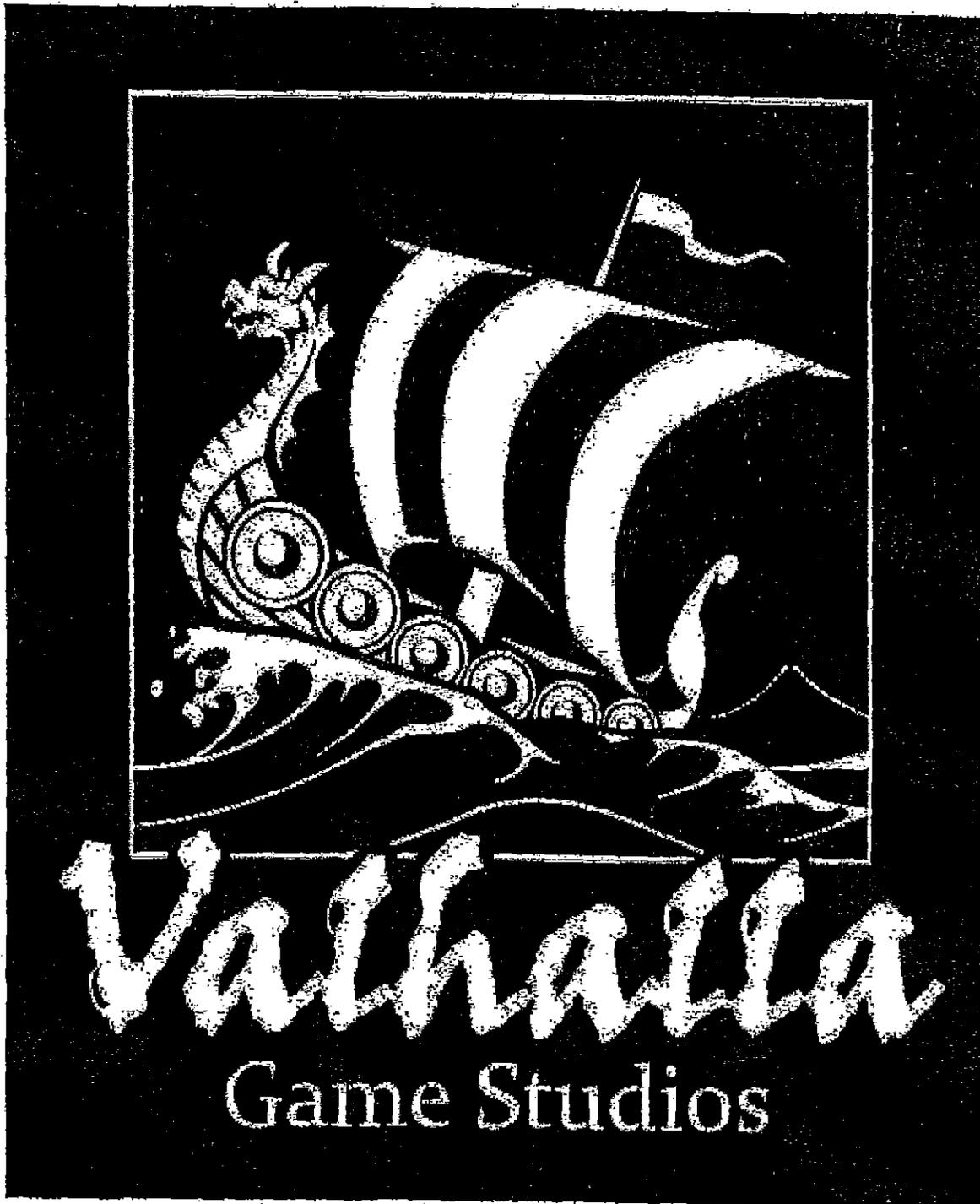
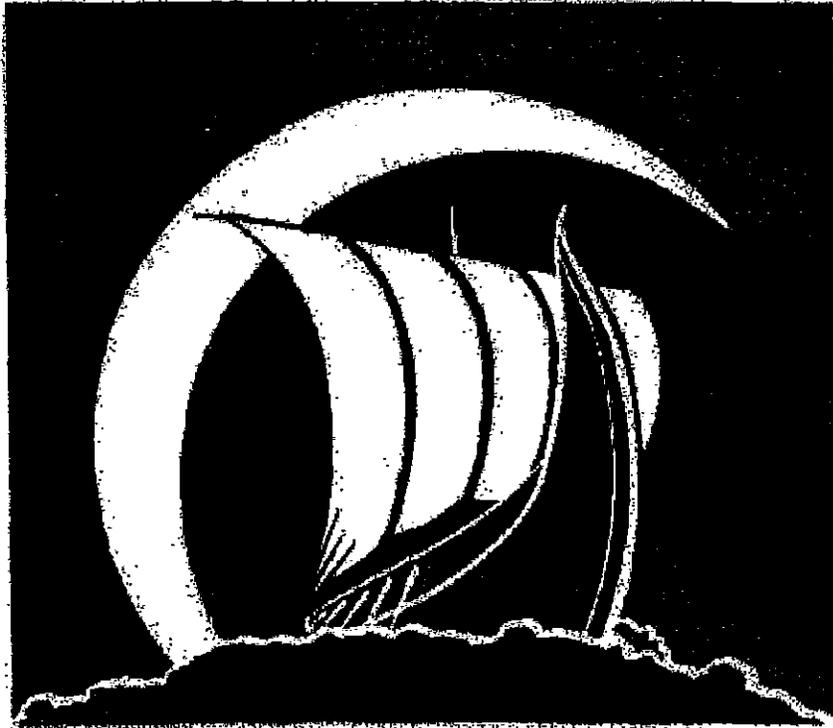


EXHIBIT 5

Exhibit "6"



VALHALLA
MOTION PICTURES

EXHIBIT 6



Transcript of **MITSURU TSUTSUMI**

Date: June 4, 2014

Case: VALHALLA MOTION PICTURES v. VALHALLA GAME STUDIOS

Planet Depos Asia
Phone: 888-433-3767
Fax: 888-503-3767
Email: international.transcripts@planetdepos.com
Internet: www.planetdepos.com/asia

Court Reporting | Videography | Videoconferencing | Interpretation | Transcription

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

-----x
VALHALLA MOTION PICTURES, INC., :
 : Opposer, :
 : v. : Case No.:
VALHALLA GAME STUDIOS CO. LTD., : 2:14-CV-00870
 : Applicant. :
-----x

Deposition by Written Questions of
MITSURU TSUTSUMI
Tokyo, Japan
Wednesday, June 4, 2014
8:45 a.m.

Job No.: 55942
Pages: 1 - 30
Reported by: Lisa V. Feissner, RDR, CRR, CLR

DEPOSITION BY WRITTEN QUESTIONS OF MITSURU TSUTSUMI
CONDUCTED ON WEDNESDAY, JUNE 4, 2014

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Deposition by Written Questions of MITSURU
TSUTSUMI, held at the location of:

UNITED STATES EMBASSY
1-10-5 Akasaka
Minato-ku, Tokyo 107-8420 Japan
03-3224-5000

Pursuant to Agreement, before LISA V. FEISSNER,
Registered Diplomat Reporter, Certified Realtime
Reporter and Certified Livenote Reporter.

DEPOSITION BY WRITTEN QUESTIONS OF MITSURU TSUTSUMI
CONDUCTED ON WEDNESDAY, JUNE 4, 2014

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A P P E A R A N C E S

ON BEHALF OF THE APPLICANT:

MARVIN GELFAND, ESQUIRE

WEINTRAUB TOBIN CHEDIAK COLEMAN GRODIN

9665 Wilshire Boulevard

9th Floor

Beverly Hills, California 90212

(310) 858-7888

ALSO PRESENT:

JENNIFER BARR, Consul

BRUCE HOLCOMBE, Interpreter

SATOSHI KANEMATSU

DEPOSITION BY WRITTEN QUESTIONS OF MITSURU TSUTSUMI
CONDUCTED ON WEDNESDAY, JUNE 4, 2014

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C O N T E N T S

EXAMINATION OF MITSURU TSUTSUMI	PAGE
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Cross Questions	18
Redirect Questions	25
Re-cross Questions	28

E X H I B I T S

(Attached to transcript)

PREVIOUSLY MARKED EXHIBIT	PAGE
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Exhibit 2 VGS 00451 through VGS 00456	12
Exhibit 3 VGS 01059	13
Exhibit 4 VGS 01024 through VGS 01025	--
Exhibit 5 VGS 00592	19
Exhibit 6 Valhalla Motion Pictures logo	26

DEPOSITION BY WRITTEN QUESTIONS OF MITSURU TSUTSUMI
CONDUCTED ON WEDNESDAY, JUNE 4, 2014

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P R O C E E D I N G S

(LISA V. FEISSNER, RDR, CRR, CLR, having
been duly sworn by the Consular Officer to
stenographically report the deposition, transcribed
the following:)

(BRUCE HOLCOMBE, Interpreter herein,
after having been duly sworn by the Consular Officer
to interpret the proceedings herein from English into
Japanese and from Japanese into English to the best
of his ability, interpreted the following:)

(Unless indicated otherwise, all
questions have been read in English by the Consul,
and all questions and answers are through the
Interpreter.)

MITSURU TSUTSUMI,
having been first duly sworn by the Consular Officer,
testified through the Interpreter as follows:

D I R E C T Q U E S T I O N S

QUESTION 1: What is your name?

A. My name is Mitsuru Tsutsumi.

QUESTION 2: What is your current employment?

A. I am in the Valhalla Game Studios, and I
am the officer of the international division and
general manager and producer of that.

QUESTION 3: What is your background and

DEPOSITION BY WRITTEN QUESTIONS OF MITSURU TSUTSUMI
CONDUCTED ON WEDNESDAY, JUNE 4, 2014

6

1 expertise?

2 A. Since I graduated from university in
3 1991, I've always been involved in international
4 trade. I was doing buying and selling for an
5 import/export company in the trade of western foreign
6 books. And then I was in charge of sales for a
7 trading company, mainly working in the field of
8 expert of semi-conductors, and I was dealing with
9 clients in America, in Iran, in Southeast Asia, in
10 Latin America, and had sales of six hundred million
11 yen a year with profits of 12 percent.

12 Then I was in the Japanese office of a
13 French trading company and working on the trade in
14 cosmetic brushes.

15 And then I worked for the toy-making
16 company, Tomy. In Tomy, I was selling in the
17 following territories: in Canada, Australia, New
18 Zealand, the Middle East, in Brazil, in Argentina,
19 Chile, Columbia, Panama, and also in Mexico as well
20 as Taiwan, and I was selling toys to the distributors
21 in each of those countries.

22 And then in 1996 I joined the video
23 company Tecmo, T-E-C-M-O. I worked in the
24 international division of that company until 2009.
25 And I worked in the United States business division

DEPOSITION BY WRITTEN QUESTIONS OF MITSURU TSUTSUMI
CONDUCTED ON WEDNESDAY, JUNE 4, 2014

7

1 of that in sales and licensing to the United States,
2 Europe and Asia. And I achieved sales of six billion
3 yen while I was doing licensing at Tecmo, and this
4 was pure profit. And I worked together at Tecmo with
5 the founders of Valhalla, that is, Mr. Kanematsu and
6 Mr. Itagaki.

7 And then from March of 2009, I started
8 working at Valhalla Game Studios.

9 QUESTION 4: Where are you currently employed?

10 A. I'm employed at Valhalla Game Studios
11 Company Limited.

12 QUESTION 5: How long have you been employed by
13 Valhalla Game Studios Company Limited?

14 A. Five years.

15 QUESTION 6: What are your job duties and
16 responsibilities at Valhalla Game Studios Company
17 Limited?

18 A. I'm employed as an officer of the
19 company, and also at the same time I'm a general
20 manager and producer in the international division.
21 And I do work in communications and negotiations with
22 business relating to overseas companies, and also I
23 manage legal matters. And I work in translating the
24 scenarios for the game concept documents and am also
25 involved in developing products.

DEPOSITION BY WRITTEN QUESTIONS OF MITSURU TSUTSUMI
CONDUCTED ON WEDNESDAY, JUNE 4, 2014

8

1 QUESTION 7: Is "Valhalla" a commonly used or
2 well-known word in Japan?

3 A. It's not a word that is commonly used in
4 Japan. However, it is something that is well-known
5 in the game community. That is because from the 25th
6 of January, 2003, this was a game that was very
7 popular on mobile appliances and achieved
8 registration of some 500,000 users in 100 days.

9 QUESTION 8: Have you heard of a game named
10 Valhalla Gate?

11 A. Yes, I have. The game that I mentioned
12 that was very popular was this game.

13 QUESTION 9: Who is the manufacturing of
14 Valhalla Gate?

15 A. Grani, Inc., G-R-A-N-I.

16 QUESTION 10: Who is the distributor of Valhalla
17 Gate?

18 A. Gree.

19 QUESTION 11: Who is Gree?

20 A. It's a social networking company in
21 Japan.

22 QUESTION 12: What does Gree do?

23 A. They're mainly involved in social
24 networking games for mobile phones, and over 90
25 percent of the users of that game access the game via

DEPOSITION BY WRITTEN QUESTIONS OF MITSURU TSUTSUMI
CONDUCTED ON WEDNESDAY, JUNE 4, 2014

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1 a mobile phone. They access the network. And they
2 make money by selling such things as virtual costumes
3 of avatars, et cetera in order to make their money.

4 QUESTION 13: What is Valhalla Gate?

5 A. It's a fantasy RPG game for the mobile
6 phone. And it's well-known because it's been
7 advertised widely on TV.

8 QUESTION 14: Have you heard of V Valhalla
9 Knights?

10 A. Yes, I have.

11 QUESTION 15: What is V Valhalla Knights?

12 A. That is an active RPG virtual game
13 released by Marvelous Entertainment in 2006.

14 QUESTION 16: Have you heard of Marvelous
15 Entertainment?

16 A. Yes, I have.

17 QUESTION 17: Who is Marvelous Entertainment?

18 A. It's a video game published or set up in
19 2007.

20 (In English.) No, no, in 1997.

21 QUESTION 18: What does Marvelous Entertainment
22 do?

23 A. They are an online or game console
24 company using Xbox, PlayStation, the Nintendo
25 machine, in order to be involved in video game and

DEPOSITION BY WRITTEN QUESTIONS OF MITSURU TSUTSUMI
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10

1 anime -- animation -- development of visual contents.

2 They do publishing of that and also do sales of that.

3 QUESTION 19: Does Marvelous Entertainment

4 manufacture or distribute games?

5 A. Yes, they do.

6 QUESTION 20: Did Valhalla Game Studios Company

7 Limited enter into a co-existence agreement with

8 Marvelous Entertainment with regard to the V Valhalla

9 Knights mark?

10 A. We did.

11 QUESTION 21: When did Valhalla Game Studios

12 Company Limited enter into a co-existence agreement

13 with Marvelous Entertainment with regard to the V

14 Valhalla Knights mark?

15 A. That was on the 20th of July of 2011.

16 QUESTION 22: Why did Valhalla Game Studios

17 Company Limited enter into a co-existence agreement

18 with Marvelous regarding the V Valhalla Knights mark?

19 A. That was because the American U.S.

20 Patent office, USPTO, tried to reject an application

21 by us to avoid Marvelous confusing that with our

22 game.

23 QUESTION 23: What is Valhalla Game Studios

24 Company Limited's Exhibit 1?

25 A. This is a provisional rejection of our

DEPOSITION BY WRITTEN QUESTIONS OF MITSURU TSUTSUMI
CONDUCTED ON WEDNESDAY, JUNE 4, 2014

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1 trademark application. And because that had
2 occurred, this is the document we received from
3 Marvelous Entertainment consenting to that.

4 QUESTION 24: Are there any future plans for
5 Valhalla Game Studios Company Limited?

6 A. Yes.

7 QUESTION 25: What are the future plans for
8 Valhalla Game Studios Company Limited?

9 A. That is to sell the games that we are
10 developing at the moment and to get IP for them. And
11 to get name value, name recognition for the mark --
12 the logo mark of the dragon head and the boat
13 worldwide.

14 QUESTION 26: Are there any future plans for the
15 use of the Valhalla Game Studios mark?

16 A. Yes, there are.

17 QUESTION 27: What are the future plans for the
18 use of the Valhalla Game Studios mark?

19 A. We want to use that mark, the logo mark
20 on the games and the contents that we develop at
21 Valhalla Studios.

22 QUESTION 28: Does Valhalla Game Studios Company
23 Limited plan to go into motion picture production?

24 A. We don't have any such plan.

25 QUESTION 29: Does Valhalla Game Studios Company

DEPOSITION BY WRITTEN QUESTIONS OF MITSURU TSUTSUMI
CONDUCTED ON WEDNESDAY, JUNE 4, 2014

12

1 Limited plan to go into television production?

2 A. We don't have any plan.

3 QUESTION 30: Does Valhalla Game Studios Company
4 Limited plan to use the Valhalla Game Studios mark on
5 any motion picture?

6 A. There's no such plan, no.

7 QUESTION 31: Does Valhalla Game Studios Company
8 Limited plan to use the Valhalla Game Studios mark on
9 any television production?

10 A. No, we do not.

11 QUESTION 32: Who is Tomonobu Itagaki?

12 A. He is the chief technical officer of
13 Valhalla Game Studios. Well, when he was at Tecmo,
14 he was the head of the ninja team producing 1 to 4 of
15 the Dead or Alive series, also developing 1 to 2 of
16 the Ninja Gaiden, and became a worldwide-renowned
17 game developer. And as for the number of games that
18 he has sold in the United States, Europe, Japan, Asia
19 and Australia, he has sold some 14 million.

20 QUESTION 33: What is Valhalla Game Studios
21 Company Limited's Exhibit Number 2?

22 A. This is a Wikipedia article on
23 Mr. Tomonobu Itagaki.

24 QUESTION 34: Do any other businesses use the
25 Valhalla Game Studios mark?

DEPOSITION BY WRITTEN QUESTIONS OF MITSURU TSUTSUMI
CONDUCTED ON WEDNESDAY, JUNE 4, 2014

13

1 A. Yes.

2 QUESTION 35: Does your company have a
3 relationship with any of those businesses?

4 A. Yes.

5 QUESTION 36: What are the name of those other
6 businesses?

7 A. They're called Valhalla Seven and
8 Valhalla International Partners.

9 QUESTION 37: Are you familiar with Valhalla
10 Game Studios Company Limited's Exhibit Number 3?

11 A. Yes.

12 QUESTION 38: How are you familiar with Valhalla
13 Game Studios Company Limited's Exhibit Number 3?

14 A. Because I was the one who drew up the
15 list of these affiliated companies and domain names.

16 QUESTION 39: What does Valhalla Game Studios
17 Company Limited's Exhibit Number 3 reflect?

18 A. Well, in the separate sheet attached,
19 number three, this shows the affiliated companies
20 and -- a list of the affiliated companies and the
21 domain names for the Valhalla Game Studios.

22 QUESTION 40: Do any of the companies in
23 Valhalla Game Studios Company Limited's Exhibit
24 Number 3 carry the Valhalla Game Studios mark?

25 A. Yes. When I composed the list, that was

DEPOSITION BY WRITTEN QUESTIONS OF MITSURU TSUTSUMI
CONDUCTED ON WEDNESDAY, JUNE 4, 2014

14

1 different. But now currently Valhalla International
2 and -- Valhalla International Partners and Valhalla
3 Seven have the mark.

4 QUESTION 41: Describe the nature of the
5 relationships for each other company that carries the
6 Valhalla Game Studios mark.

7 A. That would be just the affiliated
8 companies of Valhalla Game Studios.

9 QUESTION 42: Does Valhalla Game Studios Company
10 Limited operate business using the Valhalla Game
11 Studios mark?

12 A. Yes.

13 QUESTION 43: What business does Valhalla Game
14 Studios Company Limited operate using the Valhalla
15 Game Studios mark?

16 A. It's in video game development.

17 QUESTION 44: Does Valhalla Game Studios Company
18 Limited advertise its video games?

19 A. Yes.

20 QUESTION 45: Where does Valhalla Game Studios
21 Company Limited advertise its video game?

22 A. Game magazines; there is -- in the
23 United States, there is IGN and GameSpot, which rival
24 each other in being the largest one on the Internet.
25 Also, the Game Informer, which has a circulation of 7

DEPOSITION BY WRITTEN QUESTIONS OF MITSURU TSUTSUMI
CONDUCTED ON WEDNESDAY, JUNE 4, 2014

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1 million per month. And also on television and in
2 newspapers and on YouTube and on Facebook and on
3 gamer blogs.

4 QUESTION 46: Do you attend conferences to
5 market the Valhalla Game Studios Company Limited
6 video game?

7 A. Yes.

8 QUESTION 47: What conferences do you attend to
9 market the Valhalla Game Studios Company Limited
10 video game?

11 A. Well, the world's largest one would be
12 the one held in Los Angeles every June. It's called
13 E3 and it's at the Convention Center in Los Angeles.
14 And also in Tokyo in September, there's the big event
15 that attracts over 100,000 people over three days,
16 and that is called the Tokyo Game Show. And I've
17 been to that show every year for the last five years.
18 And if required, I also go to Europe to attend their
19 big game conventions as well.

20 QUESTION 48: Does Valhalla Game Studios Company
21 Limited market its video game in blogs or
22 periodicals?

23 A. Yes.

24 QUESTION 49: In what blogs or periodicals does
25 Valhalla Game Studios Company Limited market its

DEPOSITION BY WRITTEN QUESTIONS OF MITSURU TSUTSUMI
CONDUCTED ON WEDNESDAY, JUNE 4, 2014

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1 video game?

2 A. Well, for instance, in webzines in the
3 United States, such as IGN and GameSpot and Game
4 Informer, which I mentioned earlier on. And also on
5 gamer blogs.

6 QUESTION 50: Who chose the name Valhalla Game
7 Studios?

8 A. That was the CEO, Mr. Satoshi Kanematsu.

9 QUESTION 51: Who designed the Valhalla Game
10 Studios logo?

11 A. That would be the CEO, Mr. Kanematsu,
12 and the art director, Hiroaki Matsui.

13 QUESTION 52: When was the logo designed?

14 A. In 2009.

15 QUESTION 53: Have you ever heard of Valhalla
16 Motion Pictures?

17 A. Yes.

18 QUESTION 54: When did you first hear of
19 Valhalla Motion Pictures?

20 A. That was on the 18th of October, 2011.
21 That was the day that I received the notification of
22 objection from Grace & Grace acting for Valhalla
23 Motion Pictures.

24 QUESTION 55: Has anyone, to your knowledge,
25 ever gotten confused between Valhalla Game Studios

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CONDUCTED ON WEDNESDAY, JUNE 4, 2014

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1 and Valhalla Motion Pictures?

2 A. That didn't happen even once.

3 QUESTION 56: Has anyone ever asked you whether
4 Valhalla Game Studios was affiliated with Valhalla
5 Motion Pictures?

6 A. No, not once.

7 QUESTION 57: Has anyone ever told you that they
8 confused Valhalla Game Studios with Valhalla Motion
9 Pictures?

10 A. No.

11 QUESTION 58: Have you ever heard of Valhalla
12 Entertainment?

13 A. Yes.

14 QUESTION 59: When did you first hear of
15 Valhalla Entertainment?

16 A. That was on the 18th of October, 2011.
17 And that was the same as I said earlier on. I
18 learned that through a notice of objection that was
19 sent through Grace & Grace.

20 QUESTION 60: Has anyone, to your knowledge,
21 ever gotten confused between Valhalla Game Studios
22 Company Limited and Valhalla Entertainment?

23 A. No, there's no such person, no.

24 QUESTION 61: Has anyone ever asked you whether
25 Valhalla Game Studios was affiliated with Valhalla

DEPOSITION BY WRITTEN QUESTIONS OF MITSURU TSUTSUMI
CONDUCTED ON WEDNESDAY, JUNE 4, 2014

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1 Entertainment?

2 A. No.

3 QUESTION 62: Has anyone ever told you that they
4 confused Valhalla Game Studios with Valhalla
5 Entertainment?

6 A. Not once, no.

7 C R O S S Q U E S T I O N S

8 QUESTION 1: When was Valhalla Game Studios
9 selected as a trademark?

10 A. That was in 2008.

11 QUESTION 2: Who selected Valhalla Game Studios
12 as a trademark?

13 A. That was Satoshi Kanematsu, the CEO.

14 QUESTION 3: Were you involved in the selection
15 of the Valhalla Game Studios trademark?

16 A. No, I was not.

17 QUESTION 4: What other names or trademarks were
18 considered?

19 A. The names considered were Einherjar,
20 which is Swedish, and ToBeToBe.

21 QUESTION 5: Why were the other names or
22 trademarks rejected?

23 A. That's because the CEO considered the
24 sound of the names, the meaning of the names, and he
25 believed that Valhalla was the best name.

DEPOSITION BY WRITTEN QUESTIONS OF MITSURU TSUTSUMI
CONDUCTED ON WEDNESDAY, JUNE 4, 2014

19

1 QUESTION 6: Who at Valhalla Game Studios was
2 responsible for determining whether Valhalla Game
3 Studios was available as a trademark?

4 A. Well, we asked the office of Weissmann,
5 Wolff, Bergman, Coleman, Grodin & Evall to do an
6 investigation into the trademark. They did all that
7 investigating work for us.

8 QUESTION 7: When did Valhalla Game Studios
9 first become aware of Valhalla Motion Pictures?

10 A. That also was on the 18th of October,
11 2011 when we got the letter from Grace & Grace.

12 QUESTION 8: What is Exhibit Number 5?

13 A. That is the logo for the Valhalla Game
14 Studios.

15 QUESTION 9: Who designed the image that appears
16 on Exhibit 5?

17 A. That was our CEO, Mr. Satoshi Kanematsu,
18 and the art director, Hiroaki Matsui.

19 QUESTION 10: When was Exhibit Number 5
20 designed?

21 A. In 2009.

22 QUESTION 11: Did Valhalla Game Studios consider
23 any other designs for its logo?

24 A. Yes, we did.

25 QUESTION 12: What other logo designs did

DEPOSITION BY WRITTEN QUESTIONS OF MITSURU TSUTSUMI
CONDUCTED ON WEDNESDAY, JUNE 4, 2014

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1 Valhalla Game Studios consider?

2 A. We did look at a number of different
3 designs, but we ended up using the one that we have.
4 Well, then why did we choose the present one?
5 Because the dragon on the top of the -- on the front
6 of the ship showed the strength, and the Viking ship
7 plowing through the rough seas Mr. Kanematsu believed
8 indicated our own spirit.

9 QUESTION 13: Why did Valhalla Game Studios
10 reject those other logo designs?

11 A. Because the CEO, Mr. Kanematsu, believed
12 that this would be the best design to apply to the
13 USPTO with.

14 QUESTION 14: Who selected the image depicted on
15 Exhibit 5 as Valhalla Game Studios' logo?

16 A. This is our CEO, Mr. Satoshi Kanematsu.

17 QUESTION 15: When was the image depicted on
18 Exhibit Number 5 selected as Valhalla Game Studios'
19 logo?

20 A. In 2009.

21 QUESTION 16: Was anyone at Valhalla Game
22 Studios responsible for clearing Valhalla Game
23 Studios' right to use the image depicted in Exhibit
24 Number 5 as a logo?

25 A. As I said earlier on, we asked

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1 Weissmann, Wolff, Bergman, Coleman, Grodin & Evall to
2 do all the work on our behalf in checking into that
3 matter. So we left it up to them. They did it for
4 us.

5 QUESTION 17: Who at Valhalla Game Studios was
6 responsible for determining whether the image
7 depicted on Exhibit Number 5 was available for use as
8 Valhalla Game Studios' logo?

9 A. My answer would be the same as earlier
10 on. That was something that we retained Weissmann to
11 do, and they did all that work for us.

12 QUESTION 18: Has the image depicted in Exhibit
13 Number 5 appeared as a brand or credit notice on any
14 product featuring motion pictures, including video
15 games, film, television shows?

16 A. So that was used in 2010 when we made
17 public at E3, as a debut trailer, the game Devil's
18 Third. And also in the E3 show in 2011, we used that
19 as a logo for the company.

20 QUESTION 19: Has the image depicted in Exhibit
21 Number 5 appeared on any packaging for any
22 commercially released product at any time?

23 A. Yes.

24 QUESTION 20: On what products has the image
25 depicted in Exhibit Number 5 appeared?

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1 A. On T-shirts, on a Zippo case, which is a
2 lighter, a Valhalla flag, and on iPhone cases.

3 QUESTION 21: Have you ever watched the film
4 "Armageddon"?

5 A. Yes.

6 QUESTION when did you watch the film
7 "Armageddon"?

8 A. I don't recall when I saw it. I watched
9 a version that had been converted into Japanese on
10 television.

11 QUESTION 23: Have you ever watched the film
12 "The Punisher"?

13 A. No, I've not.

14 QUESTION 24: When did you watch the film "The
15 Punisher"?

16 A. I've not watched it.

17 QUESTION 25: Have you ever watched the film
18 "Hulk"?

19 A. No, I haven't.

20 QUESTION 26: When did you watch the film
21 "Hulk"?

22 A. I've not seen it.

23 QUESTION 27: Have you ever watched the film
24 "The Incredible Hulk"?

25 A. No, I haven't.

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1 QUESTION 28: When did you watch the film "The
2 Incredible Hulk"?

3 A. I've not seen it.

4 QUESTION 29: Does Valhalla Game Studios adapt
5 existing material for video games?

6 A. No. We make original video games.

7 QUESTION 30: What kind of material does
8 Valhalla Game Studios adapt for video games?

9 A. Well, we use materials for each of the
10 scenarios in a story.

11 QUESTION 31: Has Valhalla Game Studios
12 participated in the negotiation of any agreements
13 with anyone concerning the development of any video
14 games?

15 A. No, we have not, because we ourselves
16 are a game developer. We do outsource things like
17 music and graphics. But they are ultimately just
18 elements of the game, and we get those from them and
19 then develop the stories ourselves at Valhalla Game
20 Studios.

21 QUESTION 32: For what rights did Valhalla Game
22 Studios negotiate?

23 A. There's no need for us to negotiate the
24 rights because we ourselves are a development
25 company.

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1 QUESTION 33: When did these negotiations occur?

2 A. Because we are a development company
3 ourselves, no such negotiations occurred.

4 QUESTION 34: With whom were these negotiations?

5 A. We developed these ourselves, so we
6 don't negotiate with anyone.

7 QUESTION 35: Was Valhalla Motion Pictures ever
8 mentioned in these discussions?

9 A. No. And as for Valhalla Motion
10 Pictures, only until we received that notice of
11 objection from Grace & Grace did we ever know that
12 they existed. We didn't know prior to that that they
13 existed.

14 QUESTION 36: With whom has Valhalla Game
15 Studios entered into agreements concerning the
16 development of video games?

17 A. Well, we ourselves are a development
18 company, so there's no need to enter into such
19 agreements.

20 QUESTION 37: When did Valhalla Game Studios
21 enter into agreements concerning the development of
22 video games?

23 A. As I said earlier on, we are a
24 development company ourselves, so there's no need to
25 enter into such agreements.

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1 QUESTION 38: Has Valhalla Game Studios ever
2 engaged in discussions with third parties concerning
3 the development of video games that did not result in
4 an agreement being reached?

5 A. Yes, we have. And we made a proposal to
6 them concerning our game development. But because of
7 matters relating to budget and the timing of the
8 matter, it didn't lead to an agreement.

9 QUESTION 39: Was Valhalla Motion Pictures ever
10 mentioned in these discussions?

11 A. No, not even once, no.

12 QUESTION 40: Has Valhalla Game Studios ever
13 entered into any agreements concerning the
14 development of any motion picture projects under
15 Valhalla Game Studios' trademark?

16 A. No.

17 R E D I R E C T Q U E S T I O N S

18 QUESTION 1: Has anyone ever questioned whether
19 the Valhalla Game Studios Company Limited logo,
20 Exhibit Number 5, meant you were related to Valhalla
21 Motion Pictures, Incorporated?

22 A. No. No. And until we came into this
23 litigation, we didn't know about them. We didn't
24 know about Valhalla Motion Pictures.

25 QUESTION 2: Has anyone ever told you that the

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1 Valhalla Game Studios Company Limited logo was
2 similar to the Valhalla Motion Pictures, Incorporated
3 logo, Exhibit Number 6?

4 A. No one's told that to me, no.

5 QUESTION 3: Do you believe the Valhalla Game
6 Studios Company Limited logo is similar to the
7 Valhalla Motion Pictures, Inc. logo?

8 A. No, I don't think so at all.

9 QUESTION 4: Why do you believe that the
10 Valhalla Game Studios Company Limited logo is not
11 similar to the Valhalla Motion Pictures, Incorporated
12 logo?

13 A. At the upcoming E3 in Los Angeles, we
14 have a trailer which has a very dynamic depiction of
15 our logo with a dragon and the aluminum inside. It's
16 very dramatic.

17 (The witness and interpreter conferred
18 in Japanese.)

19 INTERPRETER: Maybe I misheard.

20 (The witness and interpreter conferred
21 in Japanese.)

22 A. On the bow of the boat, there is a
23 dragon, and we're going to be using this in the
24 upcoming E3 at LA as a trailer, and this is a very
25 dramatic representation. And on the other hand, the

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1 Valhalla Motion Pictures logo has a big moon and it's
2 a boat floating through a night sea. It's a very
3 static image, very quiet. The major, major images
4 are the dragon and the moon. And the overall image
5 of the thing is, one is dynamic and the other is
6 static. So they're expressing totally different
7 things.

8 QUESTION 5: Were you aware of the existence of
9 the Valhalla Motion Pictures, Incorporated logo when
10 you decided to use the image depicted on Exhibit
11 Number 5 as Valhalla Game Studios Company Limited's
12 logo?

13 A. No.

14 QUESTION 6: If you were aware of the existence
15 of Valhalla Motion Pictures, Incorporated's logo at
16 the time you decided to use the image depicted on
17 Exhibit Number 5 as Valhalla Game Studios Company
18 Limited's logo, would you have proceeded to use the
19 picture depicted on Exhibit 5 as your logo?

20 A. Yes.

21 QUESTION 7: If so, why?

22 A. Because they're not similar at all, and
23 there's no reason for anyone to confuse them.

24 QUESTION 8: Were you aware that "Armageddon"
25 was produced by Valhalla Motion Pictures,

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1 Incorporated?

2 A. No, I didn't know that.

3 QUESTION 9: Were you aware that "The Punisher"
4 was produced by Valhalla Motion Pictures,
5 Incorporated?

6 A. No, I didn't know that.

7 QUESTION 10: Were you aware that "Hulk" was
8 produced by Valhalla Motion Pictures, Incorporated?

9 A. No.

10 QUESTION 11: Were you aware that "The
11 Incredible Hulk" was produced by Valhalla Motion
12 Pictures, Incorporated?

13 A. No.

14 QUESTION 12: As of today, have you ever heard
15 of Valhalla Motion Pictures, Incorporated other than
16 in the context of this proceeding?

17 A. Not once, no.

18 R E - C R O S S Q U E S T I O N S

19 QUESTION 1: What investigation did Valhalla
20 Game Studios perform to review existing uses of
21 "Valhalla" as a mark in the entertainment industry?

22 A. We retained Weissmann in order to do the
23 investigation of the trademark, and we left
24 everything up to them to do.

25 QUESTION 2: What investigation did Valhalla

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1 Game Studios perform to review existing uses of a
2 Viking ship design as a mark in the entertainment
3 industry?

4 A. As I said earlier on, we had -- we
5 retained Weissmann to do the investigation of the
6 trademark and to obtain the trademark for us, and
7 they therefore did all that work on our behalf.

8 MS. BARR: End of questions for Mitsuru
9 Tsutsumi.

10 (Signature having been waived, the
11 Deposition Upon Written Questions of MITSURU TSUTSUMI
12 was concluded at 9:59 a.m.)

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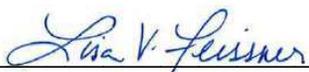
CERTIFICATE OF SHORTHAND REPORTER

I, Lisa V. Feissner, RDR, CRR, CLR, do hereby certify that the aforementioned witness was first duly sworn by the Consular Officer to testify the whole truth; that I was authorized to and did report said Deposition Upon Written Questions in stenotype; and that the foregoing pages are a true and correct transcription of my shorthand notes of said Deposition Upon Written Questions.

I further certify that said Deposition Upon Written Questions was taken at the time and place hereinabove set forth and that the taking of said Deposition Upon Written Questions was commenced and completed as hereinabove set out.

I further certify that I am not attorney or counsel of any of the parties, nor am I a relative or employee of any attorney or counsel of any party connected with the action, nor am I financially interested in the action.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of June, 2014.



Lisa V. Feissner, RDR, CRR, CLR

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Exhibit "1"

Valhalla Game Studios Co., Ltd.
Tsukugon Bldg. 2F,
1-3-2 Tsukishima Chuo-Ku,
Tokyo 104-0052

Attn: C.E.O. Satoshi Kanematsu

LETTER OF CONSENT TO USE AND REGISTER

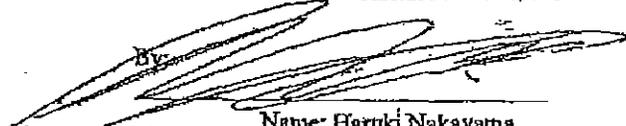
MARVELOUS ENTERTAINMENT INC. is the owner of U.S. Trademark Registration No. 3350410. (Serial No. 78/960,794) for the trademark V VALHALLA KNIGHTS and design, which registered on the Principal Register on December 4, 2007 for "video game software; downloadable video game software; computer game software; downloadable computer game software; prerecorded CD-ROMs, electronic circuits, magnetic disks, magnetic tapes, and magnetic cartridges all featuring computer game software and computer game programs for consumer video games; electronic circuits and CD-ROMs recording programs for hand-held games with liquid crystal displays; downloadable electronic game programs for mobile and cellular telephones."

We are aware that VALHALLA GAME STUDIOS CO., LTD. is desirous of using and registering the trademark VALHALLA GAME STUDIOS and VALHALLA GAME STUDIOS and design for "computer game programs; computer game software; computer software, namely, game engine software for video game development and operation; video game software" and "design and development of computer game software and virtual reality software" and that VALHALLA GAME STUDIOS has filed trademark application Serial Nos. 77/948,333 and 77/948,395 (hereinafter referred to as "VGS's Marks").

MARVELOUS believes there is no likelihood of confusion or conflict between the Registered Mark and VGS's Marks due to the differences between the marks and consents to the use and registration of VGS's Marks in the U.S.A. pursuant to this letter of consent.

Furthermore, in the unlikely event any consumers are confused as to the source or origin of either party's goods, each party agrees to reasonably cooperate with the other party's efforts to correct such confusion.

MARVELOUS ENTERTAINMENT INC.

By: 

Name: Haruki Nakayama

Title: Chairman & CEO

Dated: July 20, 2011

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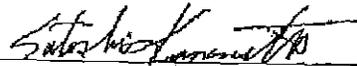
Opposition No. 91204259
Valhalla Motion Pictures, Inc. v.
Valhalla Game Studios Co. Ltd.
Valhalla Game Studios Co.,
LtDs' Exhibit "1"

VGS 00015

Agreed to:

VALHALLA GAME STUDIOS CO., LTD.

By:



Name: Satoshi Katematsu

Title: C.E.O.

Dated: July 20, 2011

1740344v1

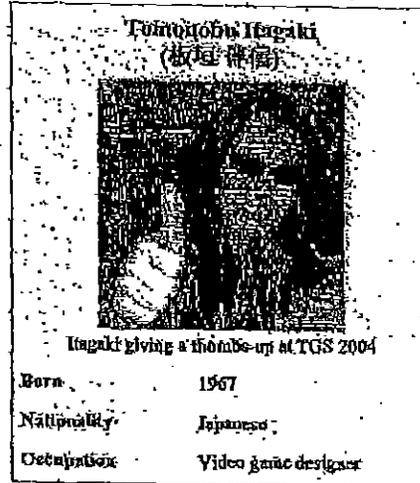


Exhibit "2"

Tomonobu Itagaki

From Wikipedia, the free encyclopedia

Tomonobu Itagaki (板垣 伴信 *Itagaki Tomonobu*) is a Japanese video game designer who created the *Dead or Alive* fighting games and the *Ninja Gaiden* 3D titles. He also has a reputation for making frank comments, negative and positive, on other developers and video games. Joining Tecmo in 1992, Itagaki produced two video game franchises that were commercial successes and earned him several promotions; he headed Tecmo's development team, Team Ninja, and sat on the executive board. He left the company after 16 years of service, filing a lawsuit against it for withholding bonus pay. His new team at Valhalla Game Studios, comprising other Team Ninja members, is currently working on a new game.^[1]



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Personal life

Born in 1967, Tomonobu Itagaki graduated from Waseda University Senior High School on March 1983. Following that, he entered Waseda University and graduated from its School of Law on March 1992.^[2]

He is married, and has a daughter, born in 1997,^[3] whom he has mentioned as one of the primary influences on his projects,^[4] including developing *Ninja Gaiden Dragon Sword* for the Nintendo DS.^[5] and a constant gaming partner in games like the *Halo* series.^[6] Itagaki has in his office a set of katana his father made for him,^[7] which he tends to take out to show to his visitors. As he wishes to stop people from reading his expressions during gambling-type games, he is always seen wearing sunglasses, a habit that has become his trademark in the video game community.^[7]

Career

Exhibit "C"

Opposition No. 91204259

Valhalla Motion Pictures, Inc.v.

Valhalla Game Studios Co. Ltd.

Valhalla Game Studios Co.,

Ltds' Exhibit "2"

Tomonobu Itagaki joined Tecmo in 1992 as a graphics programmer, and initially worked on the Super Famicom version of the American football video game, *Tecmo Bowl*. His career breakthrough came in 1996 with his first *Dead or Alive* game - a game based on *Virtual Fighter* created in response to Tecmo management's request.^[7] He was mentored by Yoshiaki Inose (of *Solomon's Key*, *Bomb Jack*, *Rygar*'s) and the Nintendo Entertainment System *Ninja Gaiden*'s) and Akihiko Shimizu (of *Tecmo Bowl*'s) in his early years at Tecmo, and was impressed by them to include fun as a necessary component in his projects.^[8]

His rise through the company had been steady since then. He was appointed as the head of the third creative department in April 2001.^[9] He then assumed the post of Team Ninja Leader in July 2001.^[9] Tecmo appointed him as an Executive Officer in June, 2004. He later assumed the position of General Manager of the high-end production department in February, 2006. His Executive Officer position was however taken away in August the same year, due to his involvement in a sexual harassment scandal.

The release of *Dead or Alive 2* had greatly increased the series popularity, as well as Itagaki's. He had sought to create fighting games with details he felt were lacking in other games. In the later iterations, Itagaki has built the story of the games around themes of family - Kasumi and Ayane in *Dead or Alive 3*, and Helena in *Dead or Alive 4*.^[10] To date, the series has gone through four iterations with various enhanced editions. A fifth iteration has also been announced to be in the works.

In the *Dead or Alive Xtreme Beach Volleyball* series, Itagaki brought together the girls of *Dead or Alive* onto an island. The player is to foster good relationship between the girls to create a harmonious winning beach volleyball duo. In the second iteration of the series, the focus is shifted by expanding the number of activities the player can have the girls take part in. He explains the core of the game as a 'paradise' where the player can watch the girls they 'love' enjoy simple activities.^{[11][11]}

Ninja Gaiden was Itagaki's effort to develop a game centered on violent gameplay,^[12] with super-ninja Ryu Hayabusa as the protagonist. Capitalizing on the brand name of the earlier NBS series, Itagaki developed a critically acclaimed action-adventure game for the Xbox which also had an international online tournament held for it. He continued work on it to release *Ninja Gaiden Black* as the opus of his *Ninja Gaiden* work. He continued the series on the Nintendo DS with *Ninja Gaiden Dragon Sword*, partly due to a promise made to his daughter.^[13] At the same time, he brought the series' next chapter onto the Xbox 360 as *Ninja Gaiden II*.

Itagaki claims to be one of the very few in the Japanese video game industry to establish communications with the Western world.^[13] He suggests other Japanese developers should do like-wise and be aware of the gaming tastes outside of Japan,^[13] so as to be able to reverse the Japanese gaming industry slump of 2005.^[17]

On June 2, 2008, just before the release of *Ninja Gaiden II* for the Xbox 360, Itagaki announced that he was resigning from Tecmo and was suing the company for withholding a bonus promised for his previous works. He was also suing Tecmo's president Yoshitaka Yasuda for damages based on "unreasonable and disingenuous statements" made in front of Itagaki's colleagues.^[14] In an interview with 1up.com, Itagaki has revealed that he is working on a project with former members of Team Ninja under a new studio, Vahlala Game Studios.^[15] The title in question, *Devil's Third*, was revealed shortly before E3 2010.

Mindset on game design and industry

Game design philosophy

Itagaki believes a good game should be an integrated product of good graphics, interactivity, and playability.^[16] He also places a high priority on ensuring his games are interactive with the player's actions and respond quickly to the player's inputs.^[17] It is this opinion which led to his derogatory statements on *Heavenly Sword*.^[18] He finds the payoff for the game's button-prompting sequences to be less fulfilling than that of *Genji: Dawn of the Samurai's* (whose Kanon sequences he calls dumb, but entertaining).^[19] Likewise, he cited *Metal Gear Solid 2: Sons of Liberty* and *Final Fantasy X* as games lacking the interactivity appealing to him.^[20]

Itagaki professes a liking for simplicity of inputs, he states too many inputs would result in the loss of the gaming experience.^[20] As such, he respects Sega-AM2 for their work on *Virtua Fighter 4*.^[21] Likewise, he deprecates implementing scenarios to show off technology just for the sake of it, sarcastically asking what is the point of cutting down "thousand heads of cabbages on screen."^[21] In his integration mindset, everything (graphics, controllers, interactivity, responsiveness, etc.) has its place, even CGI pre-rendered cutscenes which he says can deliver a better cinematic experience of some scenes than doing them in real-time.^[22]

Opinions on hardware

As a game developer, Itagaki has defined his philosophy as being able to extract the strengths of a game machine, and integrate them together to develop games to a level no one else can reach. He defines a game developer's satisfaction with a game machine as dependent upon these criteria.^[23] With this philosophy, he continually expresses happiness in developing on the Xbox 360, proclaiming it to be more 'software friendly' than the architecturally inferior PlayStation 3.^{[24][25]} Furthermore, he admires the Nintendo Wii's dedication to innovation, which he holds in high regard for the spirit of gaming.^[19] Itagaki claimed that he wanted to develop his games for what he viewed as the most powerful console on the market at the time of design.^[25]

Itagaki has also spoken of his handheld philosophy which goes for responsiveness and physical interaction, instead of raw hardware power.^[17] As such, Itagaki refuses to make a handheld game for the PlayStation Portable (PSP), stating it goes against the design philosophy of being a handheld device. He says a game created, based on the specifications of the PSP, would be more suited for a true home console.^[26] This view is reflected in his statements on why *Ninja Golden Dragon Sword* as a handheld game has to be designed to take advantage of the Nintendo DS' touchpad rather than conventional inputs which would have rendered it a typical game.

Pet projects

Itagaki classifies his projects into core projects (for business and technical excellence purposes), and those purely for self-fulfillment. The *Dead or Alive Xtreme Beach Volleyball* series and *Dead or Alive: Code Chronos* fall into the latter. The *Dead or Alive Xtreme Beach Volleyball* games are just meant for simple fun, and to fulfill a 'love' for the female characters, letting the player nurture and watch the girls partaking in simple joys. Even though he admits to there being sexual content in the game, Itagaki refuses to create scenarios which he feels are vulgar for his 'daughters', a term he uses to call the female characters.^[11] *Code Chronos* falls into the same category of development, developed as Itagaki's hobby for style.^[2]

Work ethics

Itagaki is thorough with his games, working on them from start to release, and even post release to correct what he feels are deficiencies, and polish them up to their full potential. He has shown this in his project developments, such as pushing back the release of *Dead or Alive 4* just to polish the game based on feedback of top Japanese *Dead or Alive* players recruited to test it out.^[6] For *Ninja Gaiden*, he wanted to leave the best and the ultimate action game on the Xbox before moving on to the Xbox 360, thus he reworked the game and integrated the additional downloadable content to produce *Ninja Gaiden Black*.^{[10][24]} With *Dead or Alive Xtreme Beach Volleyball*, he chose to patch an easy-oast exploit rather than leaving it alone and ruminating over the consequences.^[19]

Itagaki creates his game characters by immersing himself in their roles and the games. This is a reason why he objects to the suggestion of Kasumi in the *Ninja Gaiden* mixtape, saying her 'soft' nature is conflicting with the 'hard-edged' nature of the game whereas Ayane perfectly fits in.^[7] It is this role immersion which helps him to develop and exclude guns from the movement of the Spartan named Nicole in *Dead or Alive 4*.^[6] However, immersing himself in the games' atmosphere has also failed him at times. The Butt Battle, and Dig-of-War of *Dead or Alive Xtreme 2* were heavily parodied on the basis of minigame design. Itagaki defended those games as nostalgic comedy pieces, meant to make the player remember the celebrity games played on Japanese television.^[12]

Frank personality

Itagaki values frank and "to the point" attitudes, believing anything else would allow "quibbles and sectionalists" to come in and derail the train of thought. His frank attitude is also in line with his admitted aggression, taking criticisms as challenges to overcome instead of something to mope over.^[13] This relates to his desire for challenges, producing games like *Ninja Gaiden* which are acknowledged as 'hard' by the gaming industry,^[21] and to push himself to produce games which can contend as the best games of the genre.^{[4][7][27]} He openly claims to be the sole creative force behind his projects, as well as being able to convey his plan clearly for the team to understand. He bemoans that the Japanese are starting to forget the basic concepts, closing off their minds to outside criticisms.^[7]

Itagaki has consistently given harsh opinions on Namco's *Tekken* games, mainly due to his grudge against the company for its insulting radio commercial on his *Dead or Alive* game. He has stated he never forgets an insult to his family, and will retaliate with "nuclear missiles more than 100 times for that".^[9] This along with what he views as *Tekken*'s stagnation in the fighting game genre (starting from *Tekken 4*), led him to condemn the *Tekken* series, placing it as his top five hated games.^[16] In spite of him stating *Tekken*, *Tekken 2*, and *Tekken 3* were good games which his family enjoyed.^[3]

Sexual harassment allegations

On November 7, 2006, various gaming sites reported that an unnamed female former Tecmo employee had filed a sexual harassment suit against Itagaki.^{[28][29][30]} She claimed that Itagaki had made several unwanted sexual advances on her since September 2003. While Itagaki admitted to kissing her, he claimed that whatever had gone between them had been consensual. Tecmo's ensuing investigation reached the conclusion that "the allegations in question were a result of the former employee's desire to vent frustration over her own personal affairs, and not indicative of sexual harassment."^{[31][32][33]} Tecmo has also demoted Itagaki and the accuser for their mingling of "personal affairs with their corporate

responsibilities". Meanwhile, the court has found Itagaki innocent of the charges.⁽³⁴⁾

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External links

- Tomonobu Itagaki's profile at MobyGames
- Tomonobu Itagaki's profile at IGN
- Tomonobu Itagaki's profile at GiantBomb
- Valhalla Game Studios Co, Ltd.

Retrieved from "http://en.wikipedia.org/wiki/Tomonobu_Itagaki"

Categories: 1967 births | Japanese video game designers | Living people | Waseda University alumni

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Exhibit "3"

as of June 28, 2013

Companies associated with "Valhalla Game Studios Co., Ltd."

Name	Location	Company Registration No.	Foundation Date	Business	Use Valhalla Logo?		Agreement for use of logo
Valhalla Co., Ltd.	Japan	0400-01-032072	09/03/2007	Music/Event Planning Service	Yes	Business card N/A	Verbal agreement only
Valhalla Seven Co., Ltd.	Japan	0100-01-135366	09/17/2010	Pachinko/Pachislot Game Development	Yes	See business card sample	Verbal agreement only
Valhalla International Partners Co., Ltd.	Japan	0100-01-138183	03/01/2007	Accounting Office	Yes	See business card sample	Verbal agreement only
Co., Ltd. *	Japan	0100-01-134867	08/01/2008	Game Development	No		
Entertainment Co., Ltd. *	Japan	0100-01-134868	07/07/2009	Mobile/SNS Game Development	No		
Valhalla Rocks Co., Ltd.	Japan	0100-01-148257	07/24/2012	Holding Company of "Valhalla & Doobic Co., Ltd."	Yes	Business card N/A	Verbal agreement only
Valhalla & Doobic Co., Ltd.	Japan	0100-01-148594	06/08/2012	Online Game Development	Yes	Business card N/A	Verbal agreement only
Valhalla Enterprises Limited	BVI	1728122	08/10/2012	Holding Company of "Valhalla International Limited"	Yes	Business card N/A	Verbal agreement only
Valhalla International Limited	Hong Kong	1786896	08/14/2012	IP Holding Company & Global Sales	Yes	See business card sample	Verbal agreement only

* "Soleil" was one of the company name candidates Kanematsu first came up with.

* "Ein" was taken from "Einharjar" which was also one of company name candidates.

Valhalla Domain Names
ajapan.com
valhallagamestudios.com
valhallagamestudios.net
valhallagamestudios.org
valhalla7.com
valhallaseven.com

Opposition No. 91204259
 Valhalla Motion Pictures, Inc. v.
 Valhalla Game Studios Co. Ltd.
 Valhalla Game Studios Co.,
 Ltds' Exhibit "3"

VGS 01059

Exhibit "4"

→ Japanese

Home > Company > Rock Y&M > Rock CEO's "You gotta hear this!" #1 : LED ZEPPELIN III

is
Re

Rock CEO's "You gotta hear this!" #1 : LED ZEPPELIN III

June 09, 2011



Here's a new series for everyone.

Here, I will be presenting masterpieces from the history of rock, which I love, selected based on nothing but my own interests.

Rock is the soul that flows in the veins of Valhalla Game Studios, and I intend to make that obvious in this series as well.

I first met rock in 4th grade. The moment I tuned in to that EM rock radio program, I felt an electrifying shock through my skull to the tips of my toes.

From that day on, my hands were glued to the electric guitar. I got a band going right away, and there was no turning back. The young boy, his heart tripped in the pulse of rock... By, okay, let me get back on track before we turn this into my rock autobiography.

Though I will indeed be talking about all sorts of stuff in my future posts, let's start off with this one. Yeah!

The first record to present is, without a doubt, this one.

Led Zeppelin III

Led Zeppelin

Atlantic / WEA (1994-08-18)



Of all the LED ZEPPELIN albums out there, why do I select the one with the most argument both for and against? Well, the first track, "Immigrant Song", is definitely the deciding factor. Pro-wrestling fans out there also know that this was the song the British wrestler Bruiser Brody played as he presorted himself onto the ring. It's simply unforgettable.

And of course, not to forget that the lyrics include the line "Valhalla, I'm coming". Yes! This is actually where the name of our company comes from. Both the lyrics and the melody of the "Immigrant Song" are very inspiring.

Whenever I go Karaoke, this is the song I start off with.

On a related note, I also like British trad folk bands like Pentangle and Fairport Convention. LED ZEPPELIN III is a great album also because it includes folk songs like "Tangerine", and the legendary blues tune "Since I've Been Loving You", which helped expand the musical horizon of LED ZEPPELIN.

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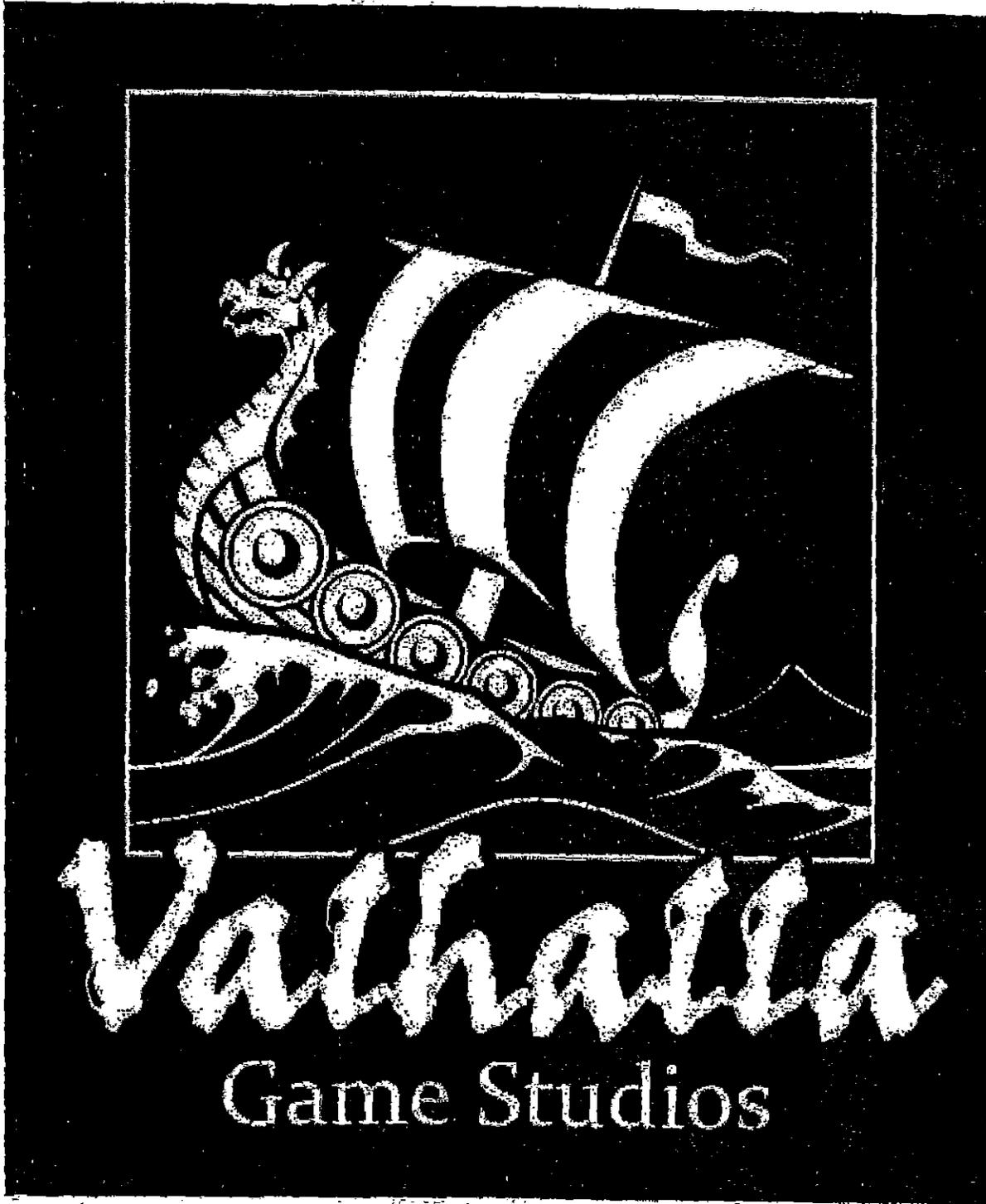
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Exhibit "5"



EXHIBIT 5



VALHALLA MOTION PICTURES, INC. v. VALHALLA GAME STUDIOS LTD.
Opposition No. 91204259
EXHIBIT 5

VGS 00592

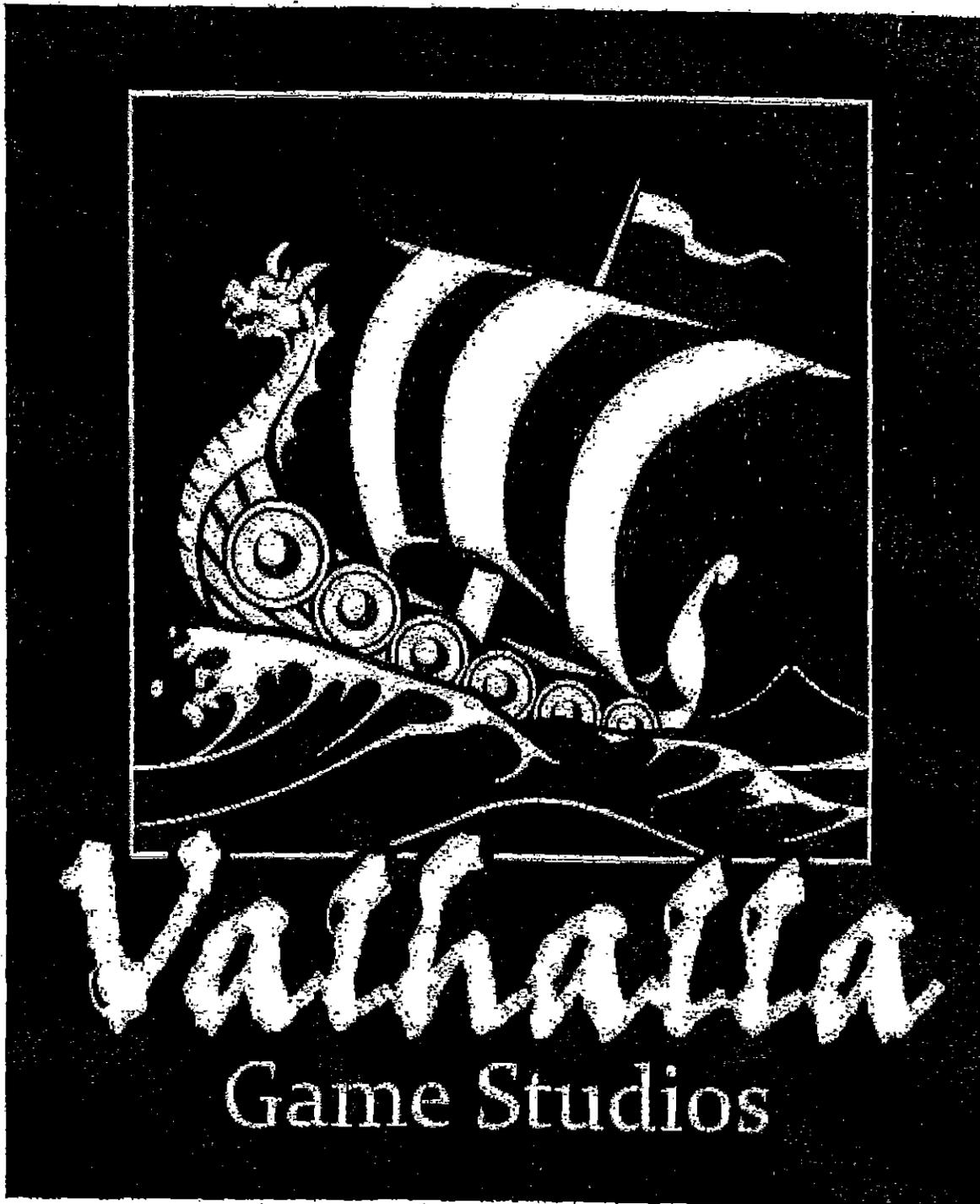
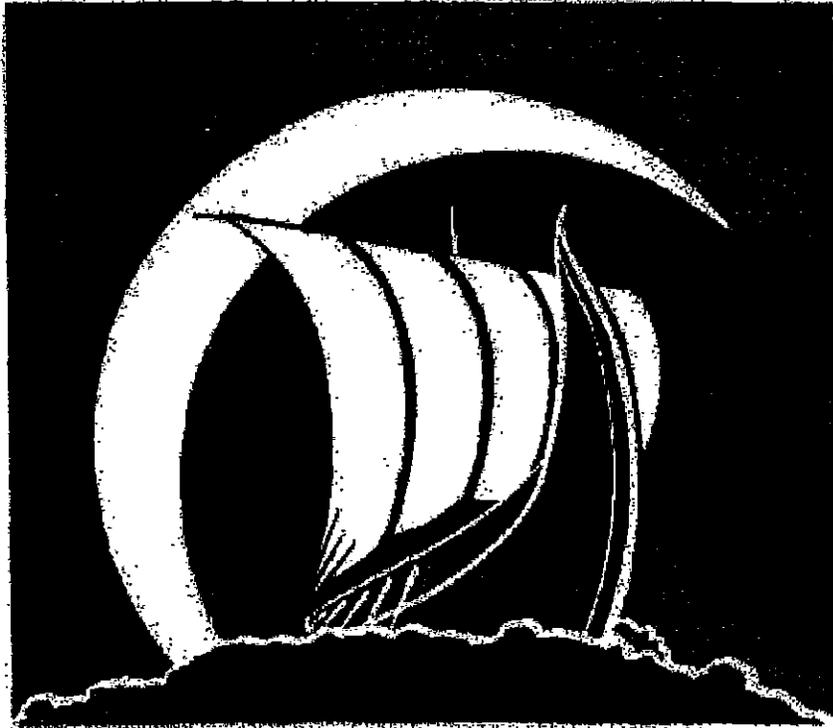


EXHIBIT 5

Exhibit "6"



VALHALLA
MOTION PICTURES

EXHIBIT 6