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No. 54 - Spyro the Dragon Kirby and Marth, on a mission to recover the Power Stars, follow the instructions of a mysterious voice in order to activate a magical portal. A third-party developer has sued Rare, Nintendo and Nintendo of America (via Nintendo Power magazine) over the publication of video game guides in the magazine, claiming that the guides constitute intellectual property infringement. The lawsuit, filed with the United States District Court for the Southern District of Florida on June 10, alleges that publisher Nintendo Power "sells, publishes and otherwise offers for sale video game guides, including guides from third-party developers," and that the video game guides "contain materials that are identical or substantially similar to Nintendo's video game guides and Nintendo's copyrighted video game guide system." The suit was filed by The Strategist Group, Inc. (TSG), an independent publisher of video game guides, while the company's website is at The suit claims that Nintendo Power magazines "use trade dress - materials used to advertise the content of the game guide - in a manner that creates the impression that TSG's game guides are Nintendo's video game guides." TSG alleges that, as a result, Nintendo Power "has gained a substantial reputation as a source of information about video games and thereby has become the 'intellectual property of Nintendo.'" The suit also alleges that Nintendo Power "uses trade dress that may confuse consumers into thinking that TSG's trade dress is Nintendo's trade dress, and not the independent trade dress of TSG." In addition to monetary damages, TSG is seeking an injunction against Nintendo Power's continuing infringement of TSG's rights. The lawsuit seeks damages, an injunction against the alleged infringement, and an order requiring Nintendo Power to refrain from using TSG's "trade dress." Nintendo Power issued a statement responding to the lawsuit, saying "In its business of publishing guides for Nintendo products, Nintendo Power magazine follows Nintendo's guidelines for its publication and uses its trade dress only to advertise Nintendo products and services. Nintendo is disappointed that the company appears to have filed this lawsuit without any legal basis." For its part, Nintendo has said that it "has not been served with the complaint and, accordingly, does not intend to comment on the action." In Nintendo Power magazine, third-party developer Creative Computing had published a series of game guides for "Interplay's Star Trek: Starfleet Academy" and "Toys for Bob." These guides, published by

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