


Nintendo wins ¥50 million lawsuit against operator of Tokyo 'real-life Mario Kart' company

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It's a testament to the success of the Nintendo franchise that it's pretty much impossible to see a go-kart and not, within about a single second, think of Mario Kart. Honestly, with a dozen-plus games released over a span of 27 years, most people alive today have spent far, far more time driving an in-game Mario Kart than one of the real-life runabouts.

All the same, Tokyo-based Mari Mobility Development leaned a little too heavily into its marketing plan of billing itself as a real-life Mario Kart rental company. For starters, the company's original name was "MariCar," which when written in Japanese katakana script (マリカー), is exactly the same as the fan nickname for the Mario Kart series in Japan. Then there was the way Mari doubled down by renting, for an additional charge, costumes so drivers could dress up as Mario, Luigi, and other Nintendo characters as they zipped around the streets of Tokyo.

The rental service became a hit with foreign tourists, but when Nintendo found out about it, they decided to take Mari to court for what they felt was unlawful use of the Mario Kart name and imagery (the lookalike costumes were also heavily featured in Mari's ads and promotional videos). The first trial began in 2017, and now, nearly three full years later, it looks like the lawsuit is coming to a close with a massive monetary victory for Nintendo.

On Jan 29, Japan's Intellectual Property High Court ruled that Mari Mobility Development must pay Nintendo 50 million yen in damages, on the grounds that "Mari Mobility Development's actions have infringed upon Nintendo's operating profits."

The Intellectual Property High Court ruling brings to an end the second courtroom clash between Nintendo and Mari. The 2017 lawsuit, which was filed in Tokyo's First District Court, also ended in a victory with Nintendo. At that time, the judge had ordered Mari to pay Nintendo 10 million yen in damages, but both Mari and Nintendo were unsatisfied with the overall decision. Both parties filed appeals, and along the way Nintendo upped the amount it was seeking from 10 to 50 million yen.

Following the High Court ruling, Mari released a statement on its official website, which is now a desolate-looking collection of plain black text on a solid white background. "We deeply regret that portions of our position were not accepted, and we will be closely examining the contents of the ruling while deciding on our next course of action." Nintendo's statement, meanwhile, says "We will continue to take necessary measures to protect our company's brands and intellectual properties which were created through years of effort."

While Nintendo itself isn't in the kart rental business, the company has long valued its squeaky-clean image, which has often functioned as a shield protecting the company from criticisms lobbed at other organizations in the video game industry by parents and children's advocacy groups. With multiple accidents involving go-karts having taken place in Tokyo, **including a Mari rental kart jumping onto a sidewalk**, it's not surprising that Nintendo would look harshly upon any marketing piggybacking on the "Mario Kart" franchise, especially with a Mario Kart-style attraction rumored to be part of the upcoming **Universal Studios Japan Super Nintendo World area**.