

## **ACKNOWLEDGEMENT REGARDING DOLBY SURROUND® AND PRO LOGIC II® AUDIO ENCODING**

**IMPORTANT -- READ CAREFULLY.** By clicking on the "I accept" button at the bottom of the screen, the corporation, or other entity, in whose possession this software development kit resides (the "User") agrees to be bound by the terms of this Acknowledgement Regarding Dolby Surround® and Dolby Pro Logic II® Audio Encoding (the "Acknowledgement").

User hereby agrees, represents, and warrants, as follows:

- 1.) The individual agreeing to this Acknowledgement has the requisite authority to legally-bind User. The agreements, representations, and warranties herein shall be binding upon, and fully-enforceable against, User and its successors and assigns, in accordance with their terms.
- 2.) User understands and acknowledges that any algorithms provided in the software development kit to encode video games for multi-channel audio capabilities are provided for User's convenience only. User understands that such encoding algorithms are provided "AS IS" and are used at User's own risk.
- 3.) In the event User encodes any of its video game software, developed for Wii™, for compatibility with devices that employ Dolby Surround® or Dolby Pro Logic II® multi-channel audio decoding, User will: (i) inform and obtain the written approval of Dolby Laboratories, Inc. ("Dolby") for such encoding; and (ii) follow all instructions and conditions of Dolby, including without limitation, those instructions concerning the use and placement of Dolby's trademarks. User shall not, under any circumstances, release any video game software for Wii™ that is encoded for compatibility with devices that employ Dolby Surround® or Pro Logic II® multi-channel audio decoding, unless and until the written authorization from Dolby required by this paragraph has been received.

Requests for approval should be forwarded to Dolby at:

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If User agrees to the terms of this Acknowledgement, please indicate such consent by clicking the "I Accept" button below.