1   KARIN G. PAGNANELLI (SBN 174763), kgp@msk.com
MARC E. MAYER (SBN 190969), mem@msk.com

2   MITCHELL SILBERBERG & KNUPP LLP
2049 Century Park East, 18th Floor

3   Los Angeles, CA 90067-3120
Telephone: (310) 312-2000

4   Facsimile: (310) 312-3100

5   Attorneys for Plaintiff
Take-Two Interactive Software, Inc.

6

7

8   UNITED STATES DISTRICT COURT

9   NORTHERN DISTRICT OF CALIFORNIA

10   SAN FRANCISCO DIVISION

11   TAKE-TWO INTERACTIVE SOFTWARE, INC.,   CASE NO. 3:21-CV-6831

12   The Honorable Thomas S. Hixson
                 Plaintiff,

13   **DECLARATION OF KARIN G.**
          v.   **PAGNANELLI IN SUPPORT OF**

14   **ADMINISTRATIVE MOTION OF**
     ANGELO PAPENHOFF, a/k/a AAP, an   **PLAINTIFF TAKE-TWO INTERACTIVE**

15   individual; THEO MORRA, an individual;   **SOFTWARE, INC. FOR ALTERNATIVE**
     ERAY ORÇUNUS, an individual; ADRIAN   **SERVICE ON THEO MORRA, ADRIAN**

16   GRABER, an individual; DOE 1 a/k/a ASH R.   **GRABER AND ERAY ORÇUNUS**
     and ASH_735, an individual; and DOES 2

17   through 10, inclusive,   [Administrative Motion and [Proposed] Order
                                                   filed concurrently herewith]

18   Defendants.

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Mitchell
Silberberg &
Knupp LLP

13455100.3

CASE NO. 3:21-CV-6831

DECLARATION OF KARIN G. PAGNANELLI

1   I, Karin G. Pagnanelli, declare as follows:

2   1.   I am an attorney-at-law, duly licensed to practice law in the State of California. I

3 am, through my Professional Corporation, a partner with the law firm of Mitchell Silberberg &

4 Knupp LLP ("MSK"), counsel of record for Plaintiff Take-Two Interactive Software, Inc. ("Take-

5 Two" or "Plaintiff") in this action. I make this declaration in support of Take-Two's

6 Administrative Motion for Alternative Service on Defendants Theo Morra, Adrian Graber and

7 Eray Orçunus. I have personal knowledge of the following facts and, if called and sworn as a

8 witness, could and would competently testify thereto.

9   2.   Attached hereto as **Exhibit 1** is a true and correct copy of a printout of a

10 GitHub.com web page available at the Internet location

11 https://github.com/github/dmca/blob/master/2021/02/2021-02-19-take-two.md, which was printed

12 by a member of my office working under my direction on or about September 7, 2021. This page

13 contains a notice of infringement identified as sent on behalf of Take-Two on or about February

14 19, 2021, for the software repository located at https://github.com/GTAmodding/re3, as well as

15 related repositories and/or "forks" (i.e. copies) available at Internet locations including

16 https://github.com/td512/re3 and https://github.com/AGraber/re3-nx. I understand that on or

17 shortly after that date, GitHub removed and disabled the materials available at the identified

18 locations from its site pursuant to 17 U.S.C. § 512.

19   3.   Attached hereto as **Exhibit 2** is a true and correct copy of a message dated June 10,

20 2021, forwarding a notice from Defendant Orçunus, the contents of which dispute the takedown of

21 the software repository available at https://github.com/GTAmodding/re3. I understand this

22 information was forwarded by GitHub to Take-Two on or about June 10, 2021. A public version

23 of the contents of this notice is available at the Internet location

24 https://github.com/github/dmca/blob/master/2021/06/2021-06-10-take-two-counternotice.md.

25   4.   Attached hereto as **Exhibit 3** is a true and correct copy of a message dated April 9,

26 2021, forwarding a notice from Defendant Morra, the contents of which dispute the takedown of

27 the software repository available at https://github.com/td512/re3. I understand this information

28 was forwarded by GitHub to Take-Two on or about April 9, 2021. A public version of the

Mitchell
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Knupp LLP

13455100.3

2   CASE NO. 3:21-CV-6831
DECLARATION OF KARIN G. PAGNANELLI

1 contents of this notice is available at the Internet location

2 https://github.com/github/dmca/blob/master/2021/04/2021-04-08-take-two-counternotice.md.

3   5.   Attached hereto as **Exhibit 4** is a true and correct copy of a message dated May 13,

4 2021, forwarding a notice from Defendant Graber, the contents of which dispute the takedown of

5 the software repository available at https://github.com/AGraber/re3-nx. I understand this

6 information was forwarded by GitHub to Take-Two on that same date. A public version of the

7 contents of this notice is available at the Internet location

8 https://github.com/github/dmca/blob/master/2021/05/2021-05-13-take-two-counternotice.md.

9   6.   Attached hereto as **Exhibit 5** is a true and correct copy of the main page of

10 Defendant Orçunus's GitHub account, available at the Internet location

11 http://www.github.com/erorcun, which was printed by a member of my office under my direction

12 on or about August 31, 2021.

13   7.   Attached hereto as **Exhibit 6** is a true and correct copy of a posting made in the

14 English language by Defendant Orçunus on the social media website Reddit.com, available at the

15 Internet location

16 https://www.reddit.com/r/GTA/comments/lj4x1n/gta_iii_and_vice_city_fully_reverse_engineered/

17 which was printed by a member of my office under my direction on or about September 7, 2021.

18   8.   Attached hereto as **Exhibit 7** is a true and correct copy of a printout of the main

19 page of Defendant Morra's GitHub.com account, available at the Internet location

20 http://www.github.com/td512, which was printed by a member of my office under my direction on

21 or about September 7, 2021. Among other things, this page identifies a personal website and

22 instructions for contacting Defendant Morra by e-mail.

23   9.   Attached hereto as **Exhibit 8** is a true and correct copy of an article posted on the

24 website TorrentFreak.com, dated May 7, 2021, including quotes from Defendant Morra, which

25 was printed by a member of my office under my direction on or about August 31, 2021.

26   10.   Attached hereto as **Exhibit 9** is a true and correct copy of a printout of the main

27 page of Defendant Graber's GitHub account, available at the Internet location

28 https://github.com/AGraber/, which was printed by a member of my office under my direction on

3 CASE NO. 3:21-CV-6831

DECLARATION OF KARIN G. PAGNANELLI

1   or about August 31, 2021. Among other things, this page identifies a personal website for Mr.

2   Graber at www.adriangraber.com.

3   11.   Attached hereto as **Exhibit 10** is a true and correct copy of a printout of the home

4   page of the website www.AdrianGraber.com, which was printed by a member of my office under

5   my direction on or about August 31, 2021. Among other things, this page provides an e-mail

6   address and includes posts made by Defendant Graber in the English language.

7

8   I declare under penalty of perjury under the laws of the United States of America that the

9   foregoing is true and correct.

10

11   Executed on this 8th day of September, 2021, at Huntington Beach, California.

12

13   */s/ Karin G. Pagnanelli*
                                            Karin G. Pagnanelli
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Mitchell
Silberberg &
Knupp LLP

13455100.3

DECLARATION OF KARIN G. PAGNANELLI

EXHIBIT 1

📖 **github** / **dmca**

<> Code · ⑂ Pull requests · ▷ Actions · ⊘ Security · ⬚ Insights

⑂ master ▾   ⋯

dmca / 2021 / 02 / **2021-02-19-take-two.md**

👤 **hubot** Process DMCA request   ⟲ History

👥 **1** contributor

287 lines (261 sloc) | 10.9 KB   ⋯

Are you the copyright holder or authorized to act on the copyright owner's behalf?

Yes, I am the copyright holder.

Please describe the nature of your copyright ownership or authorization to act on the owner's behalf.

I am [private] at Take-Two Interactive Software, Inc., the parent company of Rockstar Games.

Please provide a detailed description of the original copyrighted work that has allegedly been infringed. If possible, include a URL to where it is posted online.

The content in the links below consists of copyrighted materials owned by Take-Two. The use of our copyrighted content in these links are unauthorized and it should be removed immediately.

https://www.rockstargames.com/games/grandtheftauto3
https://www.rockstargames.com/games/vicecity

What files should be taken down? Please provide URLs for each file, or if the entire repository, the repository's URL.

https://github.com/GTAmodding/re3

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https://github.com/0x0000ff/re3

https://github.com/0x7C2f/re3

https://github.com/4144/re3

https://github.com/9yx/re3

https://github.com/aap/re3

https://github.com/madebr/re3

https://github.com/xWhitey/re3

https://github.com/aderussell/re3

https://github.com/AGraber/re3-nx

https://github.com/carcharo/re3-nx

https://github.com/danastyone/re3-nx

https://github.com/devporter007/re3-nx

https://github.com/HydroReaper666/re3-nx

https://github.com/JesusChristDevOfTheWorld/re3-nx

https://github.com/Nozemi/re3-nx

https://github.com/p4insh11/re3-nx

https://github.com/pwfcurry/re3-nx

https://github.com/re3fork/re3-nx

https://github.com/SonicMastr/re3-vita

https://github.com/Strat00s/re3-nx

https://github.com/thetaurean/re3-nx

https://github.com/akiva/re3

https://github.com/AlexanderPinkerton/re3

https://github.com/AlexVishnev/re3

https://github.com/Almahmudrony/re3

https://github.com/alyasamba/re3

https://github.com/amirmollashahii/re3

https://github.com/andrylavr/re3

https://github.com/anker023/re3

https://github.com/AnomDevgun/re3

https://github.com/apfelbavm/re3

https://github.com/arrosado/re3

https://github.com/artem1458/re3

https://github.com/ash1247/re3

https://github.com/AvariCe-git/re3

https://github.com/belzecue/re3

https://github.com/Bigbossbro08/re3

https://github.com/bing89757/re3

https://github.com/bkovacev/re3

https://github.com/blattersturm/re3

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https://github.com/blingu/re3

https://github.com/BugadinhoGamers/re3

https://github.com/chrishenry28/re3

https://github.com/christophercampbell1/re3

https://github.com/cirno-999/re3

https://github.com/ConHuevosGuey/re3

https://github.com/CrackerCat/re3

[private]

https://github.com/CyberSys/re3

https://github.com/deividkamui/re3

https://github.com/davicr/re3

https://github.com/derplayer/re3

https://github.com/devwolf75/re3

https://github.com/dimiusko/re3

https://github.com/Domiiniik/re3

https://github.com/DjArt/re3

https://github.com/Djmill/re3

https://github.com/dports/re3-libretro

https://github.com/DrakonLisowski/re3

https://github.com/efittschen/re3

https://github.com/EightyVice/re3

https://github.com/Emupedia/emupedia-engine-re3

https://github.com/erorcun/re3

https://github.com/fanzzbbs/re3

https://github.com/feiyunwill/re3

https://github.com/fengjixuchui/re3

https://github.com/foxhound311/re3

https://github.com/frankfan007/re3

https://github.com/freegliboracle/re3

https://github.com/fsosa/re3

https://github.com/Fulg/re3

https://github.com/gamelaster/re3

https://github.com/GaryOderNichts/re3-wiiu

https://github.com/Maschell/re3-wiiu

[private]

https://github.com/geekshetty/re3

https://github.com/GeeNoVoid/re3

[private]

https://github.com/gennariarmando/re3d

https://github.com/MrJago/re3d

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https://github.com/SergGTAF/re3d
https://github.com/githuis/re3
https://github.com/GlorifiedPig/re3
https://github.com/gokaybalci/re3
https://github.com/goldenmob72/re3
https://github.com/gonnavis/re3
https://github.com/GranPC/re3
https://github.com/gtapwn/re3
https://github.com/GTAResources/re3
https://github.com/guard3/re3
https://github.com/hacs-dtvc/re3
https://github.com/hafixo/re3
https://github.com/hazelnot/re3
https://github.com/herallius/re3
https://github.com/HH45137/re3
https://github.com/hobbit19/re3
https://github.com/HopzCreation/re3
https://github.com/hotelzululima/re3
https://github.com/ianikitin/re3
https://github.com/Ice-robot/re3
https://github.com/Ice3man543/re3
https://github.com/IlDucci/re3
https://github.com/indirivacua/re3
https://github.com/iomeone/re3
https://github.com/jack9267/re3
https://github.com/JamesxX/re3
https://github.com/jemisa/re3
https://github.com/jprdonnelly/re3
https://github.com/JustADude123/re3
https://github.com/JustinRChou/re3
https://github.com/KavenArango/re3
https://github.com/kipyegonmark/re3
https://github.com/Krutonium/re3
https://github.com/libretro/re3
https://github.com/kusst/re3
https://github.com/TealHazel/re3
https://github.com/LightVelox/re3
https://github.com/LindleyWerner/re3
https://github.com/littlehaker/re3
https://github.com/ljyloo/re3

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https://github.com/LongJohnCoder/re3

https://github.com/lyrl/re3

https://github.com/majesticCoding/re3

https://github.com/maniacs-oss/re3

https://github.com/marcon100/re3

https://github.com/ManuelFF/re3

https://github.com/marysiamzawka/re3

https://github.com/mehrdad-shokri/re3

https://github.com/Mentos-/re3

https://github.com/MichaelGajda/re3

https://github.com/mmetzler/re3

https://github.com/mrprice/re3

https://github.com/MrYadro/re3

https://github.com/mszkopinski/re3

https://github.com/muhmuhhum/re3

https://github.com/mumer92/re3

https://github.com/murugan89/re3

https://github.com/Nanoposan69/re3

https://github.com/mwasa/re3

https://github.com/NauhWuun/re3

https://github.com/Nick007J/re3

https://github.com/NickBuryak/re3

https://github.com/njradford/re3

https://github.com/Nmzik/re3

https://github.com/noobshow/re3

https://github.com/ORG-MARS/re3

https://github.com/PerikiyoXD/re3

https://github.com/petrgeorgievsky/re3

https://github.com/phire/re3

https://github.com/pinkEden/re3

https://github.com/plumbwicked/re3

https://github.com/pr0fedt/re3

https://github.com/pramadito/re3

https://github.com/PsukheDelos/re3

https://github.com/q4a/re3

https://github.com/rae/re3

https://github.com/RanjitM007/re3

https://github.com/rawc0de/re3

https://github.com/rewindross/re3

https://github.com/RicardsRikmanis/re3

10

https://github.com/rjsg42/re3

https://github.com/rmolina/re3

https://github.com/rodrigobmg/re3

https://github.com/rollschuh2282/re3

https://github.com/rootofmylife/re3

https://github.com/rorgoroth/re3

https://github.com/roxblnfk/re3

https://github.com/rue-ryuzaki/re3

https://github.com/rul3rst4/re3

https://github.com/SaH4PoK/re3

https://github.com/s0lus/re3

https://github.com/Sainell/re3

https://github.com/SakuraPuare/re3

https://github.com/ScaredStorm/re3

https://github.com/Sergeanur/re3

https://github.com/SergioSav/re3

https://github.com/ShaggE/re3

https://github.com/sherief/re3

https://github.com/ShFil119/re3

https://github.com/shlee8405/re3

https://github.com/sithladyraven/re3

https://github.com/solveforce/re3

https://github.com/suryatmodulus/re3

https://github.com/swills/re3

https://github.com/TakeTwoInteractive/re3

https://github.com/Tatsh/re3

https://github.com/TBM13/re3

https://github.com/td512/re3

https://github.com/TempsGG/re3

https://github.com/TeoTwawki/re3

https://github.com/thelink2012/re3

https://github.com/TheOfficialFloW/re3

https://github.com/Ixeuticus/re3

https://github.com/kevinmel2000/re3

https://github.com/lex3a/re3

https://github.com/Rinnegatamante/re3

https://github.com/Cimmerian-Iter/re3

https://github.com/d4n1l3dm4tr1x/re3

https://github.com/Electric1447/re3

https://github.com/shadowknight1620/re3

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https://github.com/Yamino-Kageto/re3

https://github.com/TheSunSkys/re3

https://github.com/ThirteenAG/re3

https://github.com/thuanbvv/re3

https://github.com/tomlane/re3

https://github.com/theR4K/re3

https://github.com/Tyadav0972/re3

https://github.com/Ummi10/re3

https://github.com/Uncodedtech/re3

https://github.com/unrelentingtech/re3

https://github.com/userbig/re3

https://github.com/vest12385/re3

https://github.com/VinodhThiagarajan1309/re3

https://github.com/Voraxious/re3

https://github.com/waliedyassen/re3

https://github.com/weisk/re3

https://github.com/whampson/re3

https://github.com/WheatleyDotJPEG/re3

https://github.com/Wilgnne/re3

https://github.com/withmorten/re3

https://github.com/Kallywoo/re3

https://github.com/wpstudiods/re3-box

https://github.com/Xinerki/re3-psp

https://github.com/x87/re3

https://github.com/xyzzy3000/re3

https://github.com/zelorun/re3

https://github.com/zeruth/re3

https://github.com/ZLau92/re3

https://github.com/zynjec/re3

https://github.com/xxdeveloper/re3

Have you searched for any forks of the allegedly infringing files or repositories? Each fork is a distinct repository and must be identified separately if you believe it is infringing and wish to have it taken down.

Yes. They are all linked above.

[Note: Because the parent repository was actively being forked when this DMCA takedown notice was received, and the submitter had identified all known forks at the time they submitted the takedown notice, GitHub processed the takedown notice against the entire fork network.]

12

Is the work licensed under an open source license? If so, which open source license? Are the allegedly infringing files being used under the open source license, or are they in violation of the license?

The work is not licensed in any way.

What would be the best solution for the alleged infringement? Are there specific changes the other person can make other than removal? Can the repository be made private?

The best and only solution is complete removal of the aforementioned pages.

Do you have the alleged infringer's contact information? If so, please provide it.

We do not.

I have a good faith belief that use of the copyrighted materials described above on the infringing web pages is not authorized by the copyright owner, or its agent, or the law.

I have taken fair use into consideration.

I swear, under penalty of perjury, that the information in this notification is accurate and that I am the copyright owner, or am authorized to act on behalf of the owner, of an exclusive right that is allegedly infringed.

I have read and understand GitHub's Guide to Submitting a DMCA Takedown Notice.

So that we can get back to you, please provide either your telephone number or physical address.

[private]
Take-Two Interactive Software, Inc.
110 W. 44th Street
New York, NY 10036
Email: [private]

Please type your full legal name below to sign this request.

[private]

13

EXHIBIT 2

GitHub Trust & Safety (GitHub Support)

Jun 10, 2021, 5:57 PM UTC

Hi Josh,

As requested, we are providing an unredacted copy of the counter notice we received in accordance with our DMCA Takedown Policy.

Regards,

GitHub Trust & Safety

Are you the owner of the content that has been disabled, or authorized to act on the owner's behalf?

Yes, I'm one of the collaborators that developed and uploaded content in this repository.

Please describe the nature of your content ownership or authorization to act on the owner's behalf.

I'm one of the collaborators that developed and uploaded content in this repository.

What files were taken down? Please provide URLs for each file, or if the entire repository, the repository's URL.

https://github.com/GTAmodding/re3 and it's fork network.

Do you want to make changes to your repository or do you want to dispute the notice?

Dispute the notice.

Is there anything else you think we should know about why you believe the material was removed as a result of a mistake?

The code in this repo was developed by reverse engineering object code that is not contained in this repo. We believe that any code in this repo that is similar to code or other content owned by Take-Two is either unprotected by copyright or is permitted under fair use.

I swear, under penalty of perjury, that I have a good-faith belief that the material was removed or disabled as a result of a mistake or misidentification of the material to be removed or disabled.

I consent to the jurisdiction of Federal District Court for the judicial district in which my address is located (if in the United States, otherwise the Northern District of California where GitHub is located), and I will accept service of process from the person who provided the DMCA notification or an agent of such person.

I have read and understand Guide to Submitting a DMCA Counter Notice.

So that the complaining party can get back to you, please provide both your telephone number and physical address.

erorcunerorcun@hotmail.com.tr

Phone number: ████████████

Physical address: A.Menderes Bul. Kurtuluş Cad. 2027.sokak No:1 K:6 D:11, Aydın/Efeler, Türkiye

Please type your full legal name below to sign this request.

Eray ORÇUNUS

EXHIBIT 3

GitHub Trust & Safety (GitHub Support)

Apr 9, 2021, 6:05 PM UTC

Hello Josh,

As requested, we are providing an unredacted copy of the counter notice we received in accordance with our DMCA Takedown Policy.

Regards,

GitHub Trust & Safety

Are you the owner of the content that has been disabled, or authorized to act on the owner's behalf?

Yes, I am the content owner.

Please describe the nature of your content ownership or authorization to act on the owner's behalf.

Repo was caught in a DMCA wave by Take Two Interactive. This should not have happened, as it contained no code owned by Take Two.

What files were taken down? Please provide URLs for each file, or if the entire repository, the repository's URL.

https://github.com/td512/re3

Do you want to make changes to your repository or do you want to dispute the notice?

Dispute the notice.

Is there anything else you think we should know about why you believe the material was removed as a result of a mistake?

I swear, under penalty of perjury, that I have a good-faith belief that the material was removed or disabled as a result of a mistake or misidentification of the material to be removed or disabled.

I consent to the jurisdiction of Federal District Court for the judicial district in which my address is located (if in the United States, otherwise the Northern District of California where GitHub is located), and I will accept service of process from the person who provided the DMCA notification or an agent of such person.

Please confirm that you have you have read our <a
href="https://docs.github.com/articles/guide-to-submitting-a-dmca-counter-notice">Guide
to Submitting a DMCA Counter Notice.

So that the complaining party can get back to you, please provide both your telephone number
and physical address.

0275258549
PO Box 615
Christchurch 8140
NZ

Please type your full legal name below to sign this request.

Theo Morra

EXHIBIT 4

GitHub Trust & Safety (GitHub Support)

May 13, 2021, 4:46 PM UTC

Hi Josh,

As requested, we are providing an unredacted copy of the counter notice we received in accordance with our DMCA Takedown Policy.

Regards,

GitHub Trust & Safety

Are you the owner of the content that has been disabled, or authorized to act on the owner's behalf?

Yes, I am the content owner.

Please describe the nature of your content ownership or authorization to act on the owner's behalf.

Repo was caught in a DMCA wave by Take Two Interactive. This should not have happened, as it contained no code owned by Take Two.

What files were taken down? Please provide URLs for each file, or if the entire repository, the repository's URL.

https://github.com/AGraber/re3-nx

Do you want to make changes to your repository or do you want to dispute the notice?

Dispute the notice.

21

Is there anything else you think we should know about why you believe the material was removed as a result of a mistake?

I swear, under penalty of perjury, that I have a good-faith belief that the material was removed or disabled as a result of a mistake or misidentification of the material to be removed or disabled.

I consent to the jurisdiction of Federal District Court for the judicial district in which my address is located (if in the United States, otherwise the Northern District of California where GitHub is located), and I will accept service of process from the person who provided the DMCA notification or an agent of such person.

Please confirm that you have you have read our Guide to Submitting a DMCA Counter Notice.
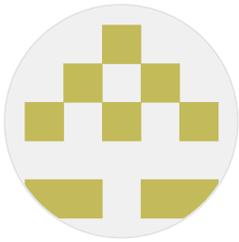
So that the complaining party can get back to you, please provide both your telephone number and physical address.

+49█████████████
Carl-Leverkus-Straße 17
Leverkusen 51373
Deutschland

Please type your full legal name below to sign this request.

Adrian Graber

EXHIBIT 5

erorcun · GitHub

erorcun

👥 **27** followers · **16** following · ⭐ **8**

Follow

Achievements

Block or Report

📖 **Overview**   📑 Repositories **6**   🗂 Projects   📦 Packages

Popular repositories

SACarCam

GTA San Andreas vehicle camera port for III and VC

🔴 C++   ⭐ 27   ⑂ 3

android_kernel_oneplus_msm8974-3.10

3.10 kernel for Bacon running CM

⚫ C   ⭐ 18   ⑂ 24

LCSSnow

LCS PSP Snowfall for III/VC/SA

🔴 C++   ⭐ 3   ⑂ 1

re3

Forked from GTAmodding/re3

24
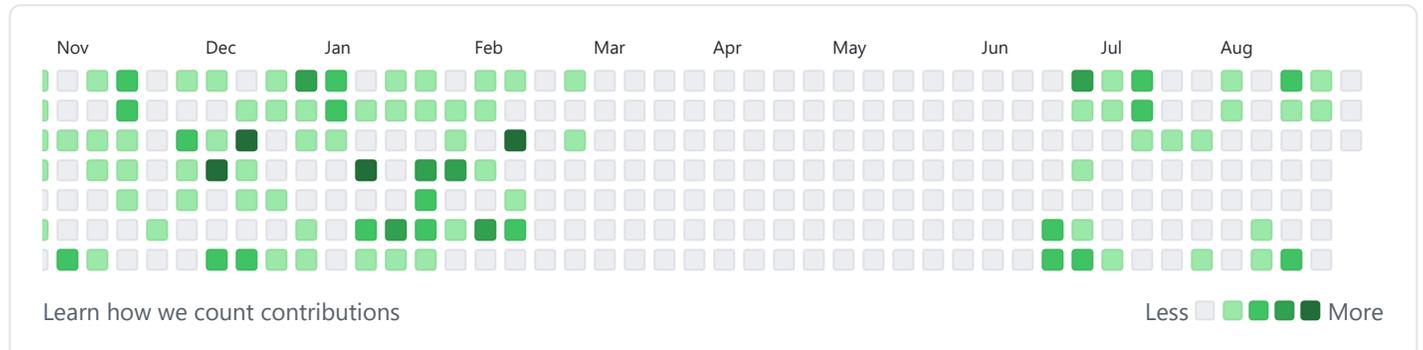
Reversed code of GTA III

🔴 C++

OptimisationHomeworks

🟣 Julia

premake-autoconf

Forked from Blizzard/premake-autoconf

AutoConf tools for Premake

🔵 Lua

290 contributions in the last year

Learn how we count contributions   Less ⬜🟩🟩🟩🟩 More

Contribution activity

August 2021

Created 10 commits in 1 repository

GTAmodding/re3

10 commits

Created 1 repository

🍴 erorcun/premake-autoconf   🔵 Lua   Aug 15

Opened 4 pull requests in 1 repository

GTAmodding/re3   ③ merged   ① open

Auto-detect X11 dependency   Aug 15

25

erorcun · GitHub

Fix impossible bullets   Aug 14

Experimental MPEG stuff   Aug 2

Add ped&car density sliders, fix peds don't spawn   Aug 1

Show more activity

Seeing something unexpected? Take a look at the GitHub profile guide.

Fix impossible bullets

Experimental MPEG stuff

26

EXHIBIT 6

↑ 618 ↓ | ▤ G... | Other   ✕ Close

Posted by u/erorcun 7 months ago

GTA III and Vice City fully reverse engineered, with ports to many platforms

Other

You can find the source code, instructions, and prebuilt packages for many platforms in:

https://github.com/GTAmodding/re3

re3/reVC requires game assets to work, so you must own a copy of GTA III or VC.

Hi, I'm a member of re3 team.

re3, GTA III reversing project was started sometime in the spring of 2018 by aap (u/kotzkroete). It made into the GitHub in May 2019 and other members including me quickly joined the effort(Fire_Head, shfil, erorcun(me) and Nick007J in time order, and Serge a bit later).

After re3 was completed, **reVC** - GTA VC reversing project was started in early May 2020 by starting from re3 code.

After a few months of mostly steady progress, we considered reVC finished in December 2020.

We've also added many additional features which can be toggled on compile-time basis and/or run-time basis(which is either from debug menu or .ini file), like;

- Support for all aspect ratios
- Much shorter loading times
- Menu map for III (including adding a waypoint and teleporting)
- Instant mission replay for III
- Ported Mobile, PS2 or Xbox specific screen effects, vehicle reflections

28

actually, has many features)

- Rotatable vehicle camera, as in San Andreas
- Anti-aliasing
- XInput support
- Japanese, Russian and Polish languages for III
- Settings are stored in a readable .ini file, instead of some binary
- New cheats! :P
- And much more, a more comprehensive list is available on our GitHub page.

Of course all can be turned off, so you can get the accurate vanilla GTA III/VC experince to the extent we've been able to achieve.

Both re3 and reVC can be compiled on Windows, Linux and FreeBSD, on x86, amd64, arm and arm64, and prebuilt binaries for most of them are available.

Rendering is handled either by original RenderWare (D3D8 - you should provide RW static libs then) or the reimplementation librw (D3D9, OpenGL 2.1 or above, OpenGL ES 2.0 or above), which is done by aap.

Audio is done with MSS (using dlls from original GTA) or OpenAL.

The project has also been ported (and made it to the public before main re3/VC repo which they're derived from) to the Nintendo Switch, Playstation Vita and Nintendo Wii U, which you can find on reddit and various news sites.

Edit: Forgot to write one of the contributors name.

💬 **126 Comments**   ↗ **Share**   ⋯   100% Upvoted

┌───┐
│ 🗄 **This thread is archived**   │
│   New comments cannot be posted and votes cannot be cast   │
└───┘

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View discussions in 4 other communities

roby_65 · 7m

EXHIBIT 7

Kid
td512

Building good software from the ground up is kinda what I do.

🔗 https://theom.co.nz

👥 **32** followers · **4** following · ⭐ 16

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📖 **Overview**   🔖 **Repositories** 51   🗓 **Projects**   📦 **Packages**

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td512 / README.md

You found me! 👋

Well, you did it, you found me! I'm Theo. My most well known project is the ~~Humble Trove Downloader~~ Well, this is awkward. re3 is now my most well known project, and I didn't even create it. If you want to contact me for whatever reason, shoot an email to `<your-name>` AT `theom.nz` .

Specialisations 🐧

I have over 7 years of experience with Linux system administration mainly RHEL based, and plenty of experience with backend development.

Statistics

Kid's GitHub Stats

31

⭐ **Total Stars Earned:**   754

🕐 **Total Commits (2021):** 55

⑂ **Total PRs:**   37

ⓘ **Total Issues:**   47

▦ **Contributed to:**   5

A+

Most Used Languages

- CSS 45.33%
- JavaScript 37.55%
- HTML 12.00%
- Ruby 3.72%
- Visual Basic .NET 0.56%
- Visual Basic 0.54%
- C# 0.22%
- Shell 0.10%
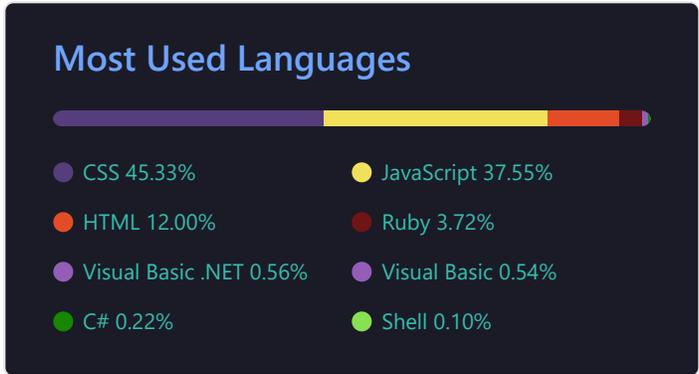
visitors **3663**

Pinned

▦ **re3**   Archived

Forked from GTAmodding/re3

GTA III, Vice City

🔴 C++   ⭐ 700   ⑂ 131

▦ **Humble-Trove-Downloader**

This repo contains a VB.NET version of Silver's rust reference implementation of the Humble Trove API

🟣 Visual Basic .NET   ⭐ 37   ⑂ 3

▦ **ird-validator**

NZ IRD Number Validator

🔴 Ruby   ⑂ 2

▦ **ipsw-downloader**

This script polls the IPSW.me API and builds a list of files for aria2 to download
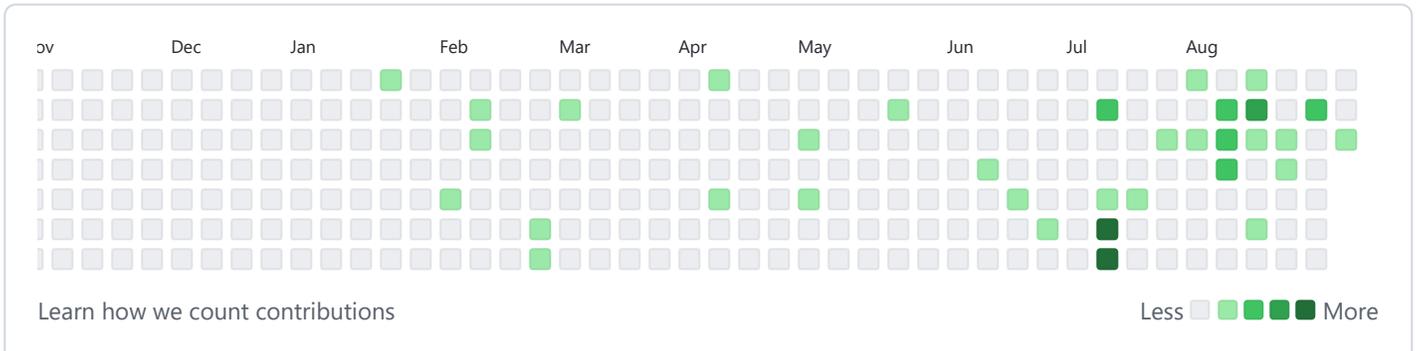
32

● Ruby   ☆ 2   ⅄ 1

📖 **ansible-playbooks**

Various Ansible Playbooks from my collection

☆ 2

📖 **browser.js**

● CSS   ⅄ 1

95 contributions in the last year

Learn how we count contributions

Less ▢ ▨ ▨ ▨ More

Contribution activity

September 2021

⊙ Opened 1 issue in 1 repository

ngosang/trackerslist   ① open

⊙ New tracker   Sep 7

Show more activity

Seeing something unexpected? Take a look at the GitHub profile guide.

33

EXHIBIT 8

TF

Github Restores Reverse-Engineered GTA Code Following DMCA Counter Notice

May 7, 2021 by **Ernesto Van der Sar**   💬 **6 comments**

GitHub has restored a fork of the fan-made "Re3" project that published reverse-engineered code of the popular GTA 3 and Vice City games. The action follows a counter-notice sent by a third-party developer in response to Take-Two Interactive's takedown. Github followed the DMCA procedure and isn't publicly taking sides.

In February, a group of developers released "Re3" and "reVC," two fully reverse-engineered releases of the GTA III and Vice City games, which originally came out two decades ago.

The reverse-engineered code opens the door to many tweaks and modifications that make the old games much more playable on modern computers. Importantly, however, an official copy of the games was still required for the code to work properly since game assets are not included.

Take-Two Takes Down Reverse-Engineered GTA Code

35

GTA fans welcomed the releases with open arms but the same can't be said for Take-Two Interactive. A few days after "Re3" and "reVC" were posted on GitHub, the game publisher took them offline, claiming copyright infringement.

"The content in the links below consists of copyrighted materials owned by Take-Two. The use of our copyrighted content in these links are unauthorized and it should be removed immediately," Take-Two Interactive wrote.

When the news first broke, project leader "aap" said that the team was considering possible options to restore the code. That is not without risk. Under US law, reverse-engineering can be seen as fair use, but this area is a bit of a minefield that could open the door to an expensive legal battle.

The DMCA takedown notice didn't just target the official GitHub repository. There were more than 200 forks that were pulled offline too. One of these forks was created by a New Zealand-based developer named Theo, who, unlike the main developers, decided to take a stand.

Fork Owner Sends Counter-Notice

Last month, Theo submitted a counter-notice, arguing that his fork was taken down without a proper reason. "This should not have happened," he informed GitHub.

> **Please describe the nature of your content ownership or authorization to act on the owner's behalf.**
>
> Repo was caught in a DMCA wave by Take Two Interactive. This should not have happened, as it contained no code owned by Take Two.
>
> **What files were taken down? Please provide URLs for each file, or if the entire repository, the repository's URL.**
>
> https://github.com/td512/re3
>
> **Do you want to make changes to your repository or do you want to dispute the notice?**
>
> Dispute the notice.

36

Speaking with TorrentFreak, the developer says that the reverse-engineered code is not completely identical to Take-Two's original. Since it's not copied verbatim, he believes that the game publisher can't claim it as theirs.

"It would appear that the code in the re3 repo is reverse engineered, not a straight decompilation. I believe Take-Two's claim to be wholly incorrect if this is the case, since the code may be functionally identical, but not exactly identical, they hold no claim to the code.

"I do not agree with how Take-Two handles events like this," **Theo** adds, referencing an earlier debacle when Take-Two targeted the OpenIV modding tool. "Taking down code that does not belong to them is abhorrent."

Github Restores Forked Repository

While this may seem like a David vs. Goliath battle, the developer's counter-notice was successful. After two weeks, GitHub restored the fork, which is now accessible to the public again.

This doesn't mean that GitHub has taken sides. The DMCA rules simply dictate that disputed content has to be restored between 10 and 14 business days, unless the rightsholder takes legal action.

Theo tells us that he hasn't heard from Take-Two in response to his takedown notice. While he's aware of the legal risk that he faces, the developer doesn't expect the game publisher to pursue this any further. This would mean that the reverse-engineered code remains online.

Next Post

Previous Post

37

There are 6 comments. Add yours?

Comment Policy
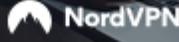
POPULAR POSTS

Netflix Intensifies 'VPN Ban' and Targets Residential IP-addresses Too (Updated)

Which VPN Providers Really Take Privacy Seriously in 2021?

SPARKS Piracy Busts: Facts, Rumors & Fear Point to Something Huge

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How 'Anonymous' is a Seedbox Provider?

Meet FitGirl, The Repack 'Queen' Of Pirated Games

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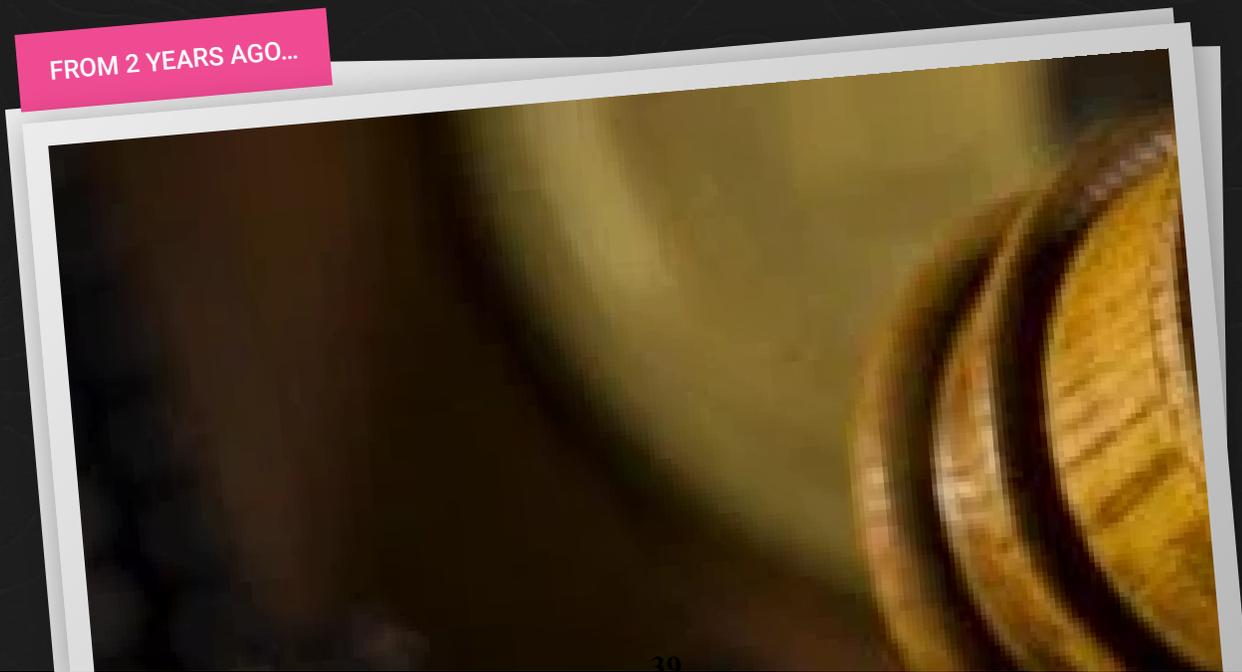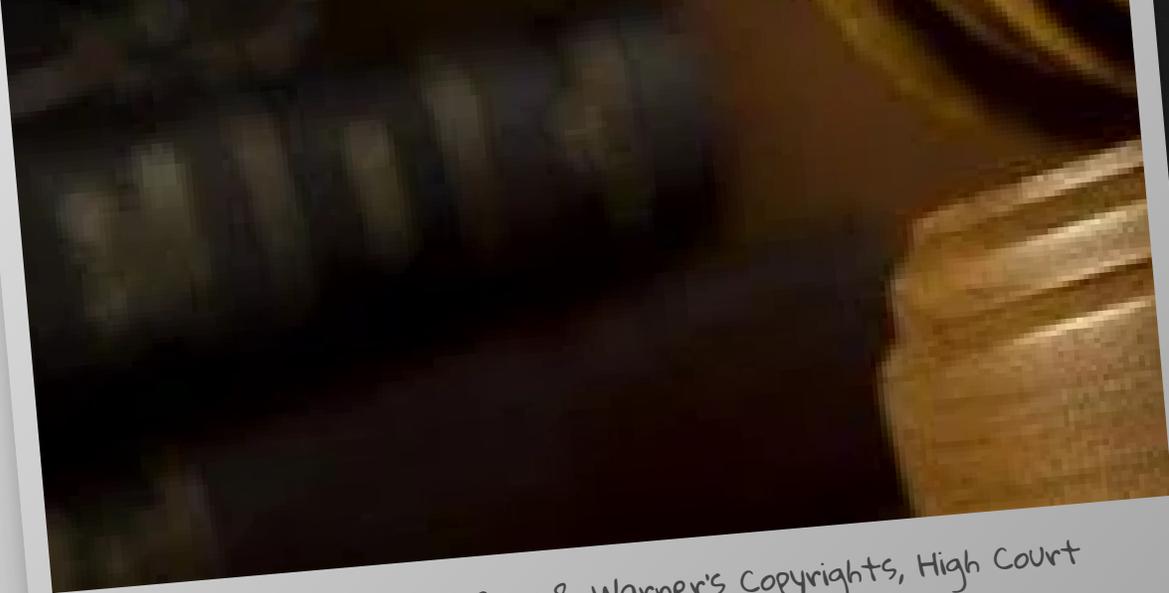**19**	Netflix Intensifies 'VPN Ban' and Targets Residential IP-addresses Too (Updated)

6	Usenet Giant Newzbin Shuts Down, BREIN Still Intends to Pursue Operators

14	Movie Companies Want VPNs to Log User Data and Disconnect Pirates

FROM 2 YEARS AGO…

TuneIn Radio Infringed Sony & Warner's Copyrights, High Court Rules

Copyright · Privacy Policy · VPN Providers · About TorrentFreak

41

EXHIBIT 9

AGraber (Adrian Graber) · GitHub

Adrian Graber
AGraber

🔗 https://adriangraber.com

👥 **69** followers · **31** following · ⭐ **58**

Follow

Achievements

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📖 **Overview**   📓 **Repositories** 17   📋 **Projects**   📦 **Packages**

Pinned

📦 **re3-nx**

GTA III Switch port

🔴 C++   ⭐ 198   ⑂ 2

📦 **ed7hook_switch**   Archived

Localization patches for the Nintendo Switch versions of Zero no Kiseki and Ao no Kiseki from CLE.

🔴 C++   ⭐ 1

📦 **samp-compat**

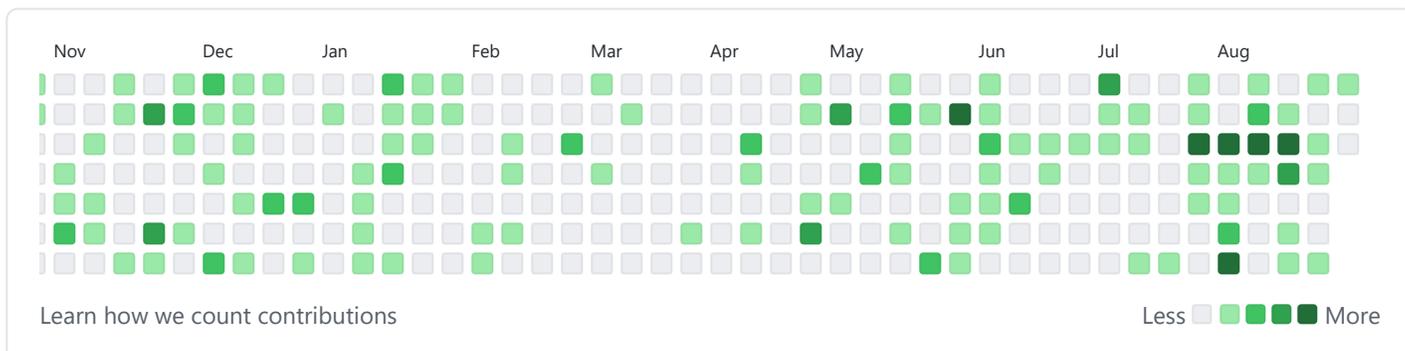Plugin to allow other client SA-MP versions in the server

🔴 C++   ⭐ 16

42

AGraber (Adrian Graber) · GitHub

🖥 **samp-async-dialogs**

Task-based SA-MP dialogs

🟤 Pawn   ☆ 11   ⑂ 1

529 contributions in the last year

Nov   Dec   Jan   Feb   Mar   Apr   May   Jun   Jul   Aug

Learn how we count contributions   Less ☐ ☐ ☐ ☐ More

Contribution activity

August 2021

Created 8 commits in 4 repositories

AGraber/image-resizing-frontend
4 commits

AGraber/image-resizing-service
2 commits

AGraber/re3-nx
1 commit

AGraber/ed7hook_switch
1 commit

Created 2 repositories

🖥 AGraber/image-resizing-frontend   ● TypeScript   Aug 5

🖥 AGraber/image-resizing-service   ● TypeScript   Aug 5

Opened 2 pull requests in 1 repository

GTAmodding/re3   ① closed   ① merged

⚡ Get opengl dxt support availability from librw   Aug 29

⑃ re3 -> reVC on Switch build workflow file   Aug 18

43

AGraber (Adrian Graber) · GitHub

🔒   91 contributions in private repositories   Aug 3 – Aug 28

Show more activity

Seeing something unexpected? Take a look at the GitHub profile guide.

45

EXHIBIT 10

Adrian Graber

Adrian Graber

 @AGraber

✉ adrian@adriangraber.com

📍 Leverkusen, Germany

My Projects

GitHub repositories that I've built.

📖 AGraber / **pawn4rage**	📖 AGraber / **PawnPlusCMD**
Pawn (3.2) scripting language for RAGE.MP	Command processor powered by PawnPlus
★ 13 ⑂ 0	★ 3 ⑂ 0

📖 AGraber / **samp-async-dialogs**	📖 AGraber / **samp-compat**
Task-based SA-MP dialogs	Plugin to allow other client SA-MP versions in the server
★ 10 ⑂ 1	★ 15 ⑂ 0

My Interests

Topics that I want to learn more about.

Adrian Graber

PHP

Pawn

TypeScript

C++

47