

# Nintendo Switch Brick Victims sue Third-Party Dock Maker



Nintendo Switch Dock | Nyko - (Photo – Edgy Labs)

By Juliet Childers - April 30, 2018

***This article reports the latest regarding a class action lawsuit against Nyko for faulty equipment that rendered connected Nintendo Switch consoles inoperable.***

By now, you’ve heard about people’s Nintendo Switch consoles getting “bricked”. TL;DR: the 5.0 version of the Nintendo Switch firmware caused issues with third-party docks.

When connected to a non-Nintendo dock, Switches lost some if not all functionality. People use the term “brick” because that is basically what you’re left with.

Since the officially licensed Nintendo dock ranges from \$70 – \$90 USD, many people opted for third-party manufactured goods. Subsequently, many of those people now have inoperable Nintendo Switches.

But there may yet be hope for vindication in the form of **California** state law.

Who is **Michael Skiathitis** and what does his class action lawsuit against Nyko allege?



## A Tale of Two Companies and Wayward Consumers

Michael Skiathitis purchased his third-party Nyko dock in Jacksonville, Florida at a Walmart. After the new firmware update, he couldn't determine why his Switch kept malfunctioning. After sending it into Nintendo for service, he found the culprit: his third-party dock.

As reported in **Kotaku**, the Nyko docks had issues from the beginning.

Some Switch Reddit commenters said that the Nyko docked "busted the USB-C port" on their Switches. This made the console unable to charge.

But a more pressing issue emerged in March of this year when Switch consoles started "bricking". The same culprit of the USB-C port was to blame.

After sending his Switch into Nintendo for service, Skiathitis took aim at Nyko. He claims that Nyko did not do enough to make users aware of these potential bugs.

**Pennsylvania** based firm **Sauder Schelkopf Attorneys at Law** [filed](#) the class-action lawsuit in a **U.S.** district court of central California. The suit alleges that:

unbeknownst to consumers, the Nyko Portable Docking Kits for Nintendo Switch are prone to causing numerous problems to the devices that they are intended to support..."

Support from Nintendo comes in very little amounts with no customer recourse. Nintendo did explain which available USB-C cables are compatible with the firmware update in early April. But that was after many users reported inoperable Switch consoles.

Furthermore, the Nintendo Switch seems to be a semi-proprietary product. The cable needs to have a 56K OHM resistor which is not clearly stated on Nintendo Switch packaging.

## An Unofficial fix for an Unofficial Dock

Despite Nintendo's discouragement of third-party products, Nyko's docks cost less. Many people opt for the more affordable solution after buying a \$300 USD console and several \$60 USD games.

The company **TFix Service** recommended an unofficial fix for the Nintendo Switch issues.

It relates to a particular part of the Switch's hardware — the M92T36 chip. When damaged, the silicon that negotiates USB-C port power causes video output and charging problems.

Of course, this process entirely voids any manufacturer warranty and is very technical. It isn't a cure-all for every victim of USB-Cport-gate 2018.

But, those intrepid enough to attempt this fix recover all functionality and save data.

That's an improvement over Nintendo's response to Skiathitis when he sent his Switch to be fixed. He, like many other users, lost all of his save data though it is unclear whether or not his Switch lost full functionality.

The bigger question in all of this relates to how far video game companies can push the consumer's envelope before experiencing repercussions.

The **EA** loot box scandal raises a different issue, but the accountability question remains unanswered. **Destiny 2** players also grumble about choices made regarding microtransactions and player progression.

Perhaps this lawsuit will set a new precedent regarding transparency and accountability within the games industry.

*What recourse should consumers have in a situation like this?*

*Is Nyko to blame for fraud or is Nintendo at-fault for designing systems that fail under the right circumstances?*