Lawsuit: Nintendo is getting tariff refunds—its customers should get them instead

The lawsuit also alleges violations of the Washington Consumer Protection Act, which prohibits unfair and deceptive acts. “Nintendo engaged in unfair acts by: (i) raising prices due to tariffs; (ii) failing to disclose that it intended to seek tariff refunds; and (iii) retaining tariff refunds despite having passed the costs to its customers,” the lawsuit said.

Of course, Nintendo didn’t know when it raised prices that the Supreme Court would strike down the tariffs the next year. It’s also unclear what it intends to do with tariff refunds that it will presumably receive sometime in the next 60 to 90 days.

Nintendo raised prices for Switch 2 accessories

The lawsuit points to price increases for Nintendo Switch 2 accessories that were announced in April 2025. The increases ranged from $1 to $10 per product. “For example, Nintendo raised the price of the Nintendo Switch 2 Pro Controller from $79.99 to $84.99 and the Nintendo Switch 2 Dock Set from $109.99 to $119.99,” the lawsuit said.

The lawsuit also mentions the August 2025 increases for the original Switch console, which ranged from $30 to $50 depending on the model. Nintendo President Shuntaro Furukawa told investors in May 2025 that “if tariffs are imposed, we recognize them as a part of the cost and incorporate them into

the price," the lawsuit said.

The lawsuit seeks a return "of all monies wrongfully obtained by Defendant." It didn't ask for a specific amount in damages, but said that federal court is the appropriate venue because the class includes people from multiple states and "the amount in controversy exceeds $5,000,000." Nintendo of America is headquartered in the Washington district where the complaint was filed.

Even if the Trump administration issues all owed refunds, Nintendo and other companies will still have an ongoing tariff problem. Trump reacted to his Supreme Court loss by imposing a 10 percent tariff, claiming he has the authority to do so under the Trade Act of 1974, and more Trade Act tariffs could be on the way. States have sued to block Trump's new tariffs, and there may be another long round of litigation over whether the president can issue tariffs under the Trade Act.

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