IP for Gamers, Developing Awareness

What is the importance of IP in game development?
Do you need it?
What is Open Source Software?
Are the two things Mutually exclusive?
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Business Strategic Questions for Gamers

What are your intangible assets?
Any potential value?
What are the threats to them?
Do I need to protect them?
What are my options to protect?
How can I exploit the value?
Does the cost of different protections stack up against the return?
Finally
If I go down this road who might I be in conflict with?
Do I have the resource to get the conflict resolved?
Negotiate, mediate, litigate
IP Insurance: BTE (Before the Event) LEI (Legal Expenses insurance)

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Patents?
Copyright…Software, music, images, characters, stories, sequels
Licensing
Trademarks
Don’t infringe, Don’t be infringed
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<table>
<thead>
<tr>
<th>Copyright</th>
<th>Trade Secret</th>
<th>Trademark</th>
<th>Patent</th>
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<tr>
<td>Music</td>
<td>Customer mailing</td>
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<td>Hardware technical solutions</td>
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<tr>
<td>Code</td>
<td>Pricing information</td>
<td>Company logo</td>
<td>Inventive game play or game design elements in some countries. In most countries this is copyright.</td>
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<tr>
<td>Story</td>
<td>Publisher contacts</td>
<td>Game title</td>
<td>Technical innovations such as software, networking or database design in some countries. In most countries this is copyright.</td>
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<td>Characters</td>
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Case Studies: Tattoos, Tunes and Tales

- **Tattoos**: Solid Oak Sketches and 2K Games
- **Tunes**: Radiohead/Lana del Ray/ The Hollies
- **Tales**: Lord of the Rings
Open source software is different. Its authors make its source code available to others who would like to view that code, copy it, learn from it, alter it, or share it. LibreOffice and the GNU Image Manipulation Program are examples of open source software.

As they do with proprietary software, users must accept the terms of a license when they use open source software—but the legal terms of open source licenses differ dramatically from those of proprietary licenses.

Open source licenses affect the way people can use, study, modify, and distribute software. In general, open source licenses grant computer users permission to use open source software for any purpose they wish. Some open source licenses—what some people call "copyleft" licenses—stipulate that anyone who releases a modified open source programme must also release the source code for that program alongside it. Moreover, some open source licenses stipulate that anyone who alters and shares a programme with others must also share that programme’s source code without charging a licensing fee for it.

How do open source principles apply to games?

Games and software are similar because they are both collections of rules. Just as software is really a set of rules that determines what is and is not possible for users to do with a computer program, a game is a set of rules that defines what players can and can’t do in pursuit of a goal.

Open source software is software anyone can modify and enhance because its source code is publicly available (and because its creators have given everyone permission to alter it). Open source games are likewise games that players can adapt to fit their preferences. The open nature of these games allows players to build on designers’ ideas.

Taking an open source approach to games means recognizing that the rules governing what people can and can’t do are arbitrary—they are not permanent, and people should feel free to tinker and tinker with them. Like writing laws, creating games is the practice of crafting the rules by which people can act. The same is true of writing software.
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Version Control Systems

Repositories

Github/Bitbucket/Subversion
Creative Commons is a framework providing written licences which can protect your work and regulate how it is shared in a number of different ways.

Visiting the website will give a good understanding of the different types of licence which are available.

https://creativecommons.org/

CC - the creative commons symbol can be matched with:

Person - you can copy this but must acknowledge the creator

= - no derivatives, use it as it is, ie no adaptation

Dollar - not for profit, only non-commercial use is licensed

Circular arrow - share alike, do as you like but share on the same terms

None of this is obligatory, in UK law you don’t even have to use the C symbol, but you do need to be clear what people can and can’t do with your work and be prepared to challenge infringement.
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Who is this for?
This interactive, CPD accredited e-learning tool helps students and lecturers understand intellectual property rights, trade marks, patents, copyright and designs and uses case studies to show why intellectual property is important.

What's available?
IP Tutor provides four tailored learning pathways, each adapted to suit the needs of different areas of study: creative, science, technology, engineering, maths (STEM), law, business and accounting, and humanities.

Free course
Software and the law

Copyright information
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This presentation is not legal advice

Talk to an Intellectual Property attorney before proceeding with using or applying for rights – most will offer a free half hour consultation. We can direct you to online directories of specialist patent and trade mark attorneys.

With thanks to the British Library BIPC, the IPO and WIPO for use of their information in particular WIPO’s article entitled “Video Games and IP, a Global Perspective.”

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www.plymouth.ac.uk/enterprisesolutions