INTELLECTUAL PROPERTY AND VIDEOGAMING

What can you protect with IP in videogames?

- SOFTWARE ELEMENTS
- AUDIOVISUAL ELEMENTS

Which IP tools can you use for protection?

COPYRIGHT
protects original and expressive works of authorship including:

- MUSIC
- CODE
- STORY
- CHARACTERS
- ART & DRAWINGS
- BOX DESIGN
- WEBSITE DESIGN
- ADVERTISEMENTS
- USER INTERFACE
- MOTION CAPTURE
- VOICE ACTING

TRADEMARKS
protect words, phrases and images used in the game, including

- COMPANY NAME
- COMPANY LOGO
- IDENTIFIABLE "CATCHPHRASES"
- GAME SUBTITLE
- GAME TITLE

DESIGN-RIGHTS
protect certain graphic elements including

- COMPANY LOGO
- CHARACTERS
- USER INTERFACE
- WEBSITE DESIGN
- ART & DRAWINGS

PATENTS
protect inventions including

- INVENTIVE GAME PLAY OR GAME DESIGN ELEMENTS
- HARDWARE TECHNICAL INNOVATIONS
- TECHNICAL INNOVATIONS SUCH AS ELEMENTS IN SOFTWARE, NETWORKING OR DATABASE DESIGN

TRADE SECRETS
protect confidential information such as

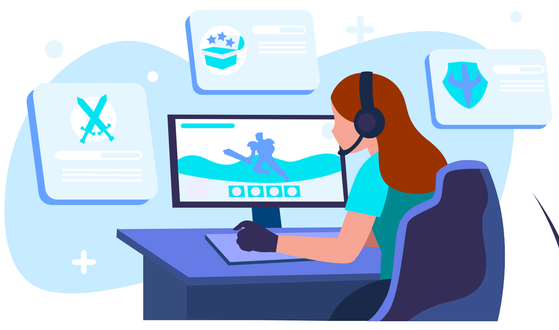
- CUSTOMER LISTS
- PRICING INFORMATION
- DEAL TERMS
- IN-HOUSE DEVELOPMENT TOOLS
- CONTACTS

THE LIFE CYCLE OF A GAME

CONCEPTION & DEVELOPMENT

BUILD YOUR IP STRATEGY

- PROTECT YOUR CREATIONS
- RESPECT AND GET PERMISSIONS FOR THE CREATIONS OF OTHERS



LUNCH PHASE

NEGOTIATE AND DOCUMENT LICENSE AGREEMENTS

- ADAPT YOUR LICENSING MODEL TO DIFFERENT USERS
- DEVELOP END-USER LICENSE AGREEMENT (EULA) AND TERMS OF SERVICE (ToS)

CONDUCT A RISK ASSESSMENT

- LEVELS OF RISK WITH REGARD TO THE USE OF IP WILL GUIDE YOU WHAT IS SAFE TO USE, WHEN THERE IS POTENTIAL RISK AND WHEN YOU SHOULD REFRAIN.

MONETIZATION PHASE

- MONITOR THE MARKET FOR POTENTIAL INFRINGEMENT AND TAKE APPROPRIATE ACTIONS TO PROTECT YOUR IP
- EVALUATE YOUR IP ASSETS

- PAY CLOSE ATTENTION TO REGULATIONS WITH REGARD TO:
  - Content ratings and classification
  - Age restrictions
  - Consumer protection
  - Privacy and data protection
  - Loot boxes
  - Online safety