

Andrew Jackson

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Intellectual Property & Computer Games

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Introduction

- Intellectual Property (“IP”)?
- What rights are of particular importance to the games industry?
- Why is it so valuable?
- Intangible asset

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Copyright

- Key legal protection for games
- Nature of copyright
- Protects form not content
- Automatic right
- Works protected:
 - Copyright is source code and executable code
 - Music
 - Photographs and other images
- Duration

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Copyright

- Author
- Commissioning
- Employment
- Joint Ownership

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Trade Marks

- Distinguishes your product or business from those of others
- Top Brands:
 - Microsoft (windows logo)
 - Disney (Mickey mouse character)
- Games:
 - Title
 - Characters

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Other Relevant Intellectual Property Rights

- Confidentiality:
 - Source code
 - Trade secret
- Database right:
 - Modules or catalogues
- Design right:
 - Unregistered and registered
 - Screen displays and graphics
- Patents:
 - Not usually applicable

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Ownership

- Ownership of the intellectual property rights in a game
- Both registered and unregistered
- Complex and diverse
- A number of different elements of the game

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Using Your Rights

- Register your rights wherever possible
- Document ownership rights
- Seek advice before launching/using new trade marks/products

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Exploiting Rights

- Games developer and games publisher
- Licensing
- Publisher may provide funds upfront for development
- Funding and development agreement
- Confidentiality and publishing agreement

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Protecting Rights

- Act quickly
- Warning shots
- Commercial resolution

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Conclusion

- Awareness of Rights
- Protection and exploitation of rights
- Use – Exploit – Protect

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Thanks For Listening.....

.....Any Questions?

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