The Stop Killing Games Report

StopKillingGames.com

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Contents

Chapter 1

Introduction

1.1 Stop Killing Games

This report gathers and presents the evidence and argumentation for why governments should take action to preserve videogame ownership. It includes a description of what killing a game involves, examples of where games have been killed and counter-examples of games that have seen support ended in a responsible fashion, a summary of the arguments made, and a series of recommendations for how to protect game ownership. We also include a glossary to explain technical or videogame specific terms.

The core request we are making is that, where games need publisher support to function, once publishers stop offering this support, they ensure that the games remain in a playable state.

This document is an accompaniment to the Stop Killing Games campaign [15], which will target government action through petitions and contacting consumer rights groups.

1.1.1 Videogames

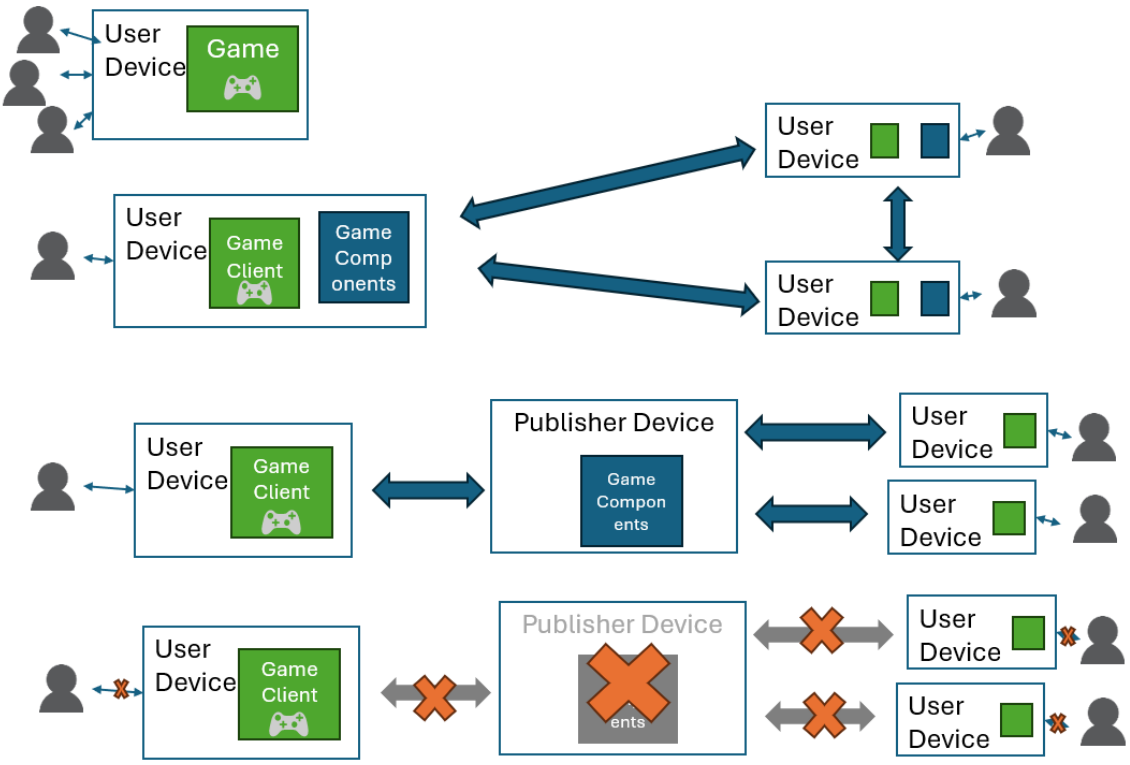
The first videogames were released in the latter half of the 20th century. From videogames played in an amusement arcade, the industry changed, developing for home games consoles, PCs, and more recently handheld devices including mobile phones. Globally, the videogames industry is a huge industry, worth as much as $227B in 2023[12], with an audience possibly reaching 3 Billion by 2024[10]. Players encompass audiences from the very young to the very old, and gaming is popular across demographic groups. Videogames are a relatively new form of entertainment, but are becoming an important part of culture and art.

Citation Needed

Early videogames were sold as physical products, such as cartridges that could be installed into a device, or on storage media such as CD-ROMs. For games sold in this fashion, they could not be easily updated after sale, and any multiplayer capability was limited to local play. It also meant that the task of keeping the game in a working state was left to the player who purchased it. As long as they kept their console and media in good condition, they could keep playing the game as long as they wished.

More recently, internet connectivity has made it easier to connect games, and has enabled development of new features for singleplayer games such as online leaderboards. Players could connect directly to each other's machines and engage in multiplayer games without needing to be in the same room. As internet connections improved, it has become cheaper to sell and distribute videogames through online storefronts such as Steam, Google Play, and more viable to include online connectiv-

Figure 1.1: Evolution of games



ity features within games. Even some physical games sold now only serve as an activation key for a game delivered over the internet.

Citation Needed

A major shift in the concept of videogames, brought about with improvements in internet connectivity is that it is easier for publishers to retain control of key game components. As a result, games rely on the internet and on online components controlled by publishers, so the longevity of games is becoming tied to continued internet access. These online components will not always be available: there may be temporary service interruptions, difficulties with international relations resulting in censorship of communications, and at some point the publisher may choose to end support for these online components. When an interruption occurs, players may lose access to part or all of a videogame, this poses an unprecedented level of disruption for a consumer owned product.

Figure 1.1 shows the change in technology over time. From games that could exist entirely on one device, and be playable as long that device was in good condition, to online games where players each could control the game in its entirety, to modern online games where playability is dependent on continued support from the publisher.

LM: This is a placeholder graphic. It may be necessary throughout the report to use diagrams to illustrate the various ways that videogames are vulnerable, and how they can be protected. Use a diagram early on to present the history of games, from running on one device, to the publisher having more control over the net. Decide on a common visual language to represent various aspects and use these throughout

While a publisher is supporting a game, minor disruptions will not cause a permanent loss of

the product[1]. However, when a publisher ends support, this could permanently render a game unplayable. We call this *"Killing a Game"*. Publishers argue that this is permitted under the license with which the game is sold. Players argue that this is damaging a product that has been sold.

LM: Make sure these two preceding sentences are correct and agreed upon terminology.

The goal of this campaign is twofold:

1. Settle the legal status of killing games — Are publishers legally allowed to render a game completely unplayable when they choose to end support, and under what conditions is this legal or illegal.

2. Guarantee playability of games sold after support ends — Create a framework requiring publishers to take action when planning, developing and distributing games such that after the support period ends, players can keep playing their game in some form.

We recognise that there will be cases where it may not be possible to ensure post-servicing playability of some game features. What we are asking for is that the core parts of a game remain playable even after support ends. In the remainder of this report we will provide examples of games that have been shut down appropriately, and games which have been killed outright. We will also describe in more detail the action we would like to see applied to publishers.

[1]Though some games have seen such poor support from publishers that they are left unplayable even shortly after release, this issue is out of scope of this campaign.

Chapter 2

Dead Games

2.1 Intro

LM: Present the concept of dead games

There are many ways a game can "die". For our purpose, we will consider cases where a game has lost playable features at the end of the support period, which it had at the start. Games could be partially functional, for example retaining a singleplayer version of the game but losing access to features within it like online leaderboards. Games could have major loss of features, for example a combination single and multiplayer game completely losing the multiplayer aspect but retaining the singleplayer version. Separate components of a game could die at different rates, for example a game could still be playable, but with additional online content delivered via DLC no longer playable. Or a game could be completely dead, with no recourse for the player to interact with any of it.

LM: Big question: What about during the servicing period if a feature is added and then removed? Minecraft lets you download and choose from almost all of the public builds of the game, if there is a particular feature you want to play with. A game like Overwatch is constantly tweaking gameplay features throughout and you can only play the latest version. At end of life, which version should the player have access to

LM: Question: Delivery. This campaign is not targeting delivery / download of games assets. Are we making the assumption that backing these up is the responsibility of the player. And if so, how should we mention it with regards to copy-protection systems? What about consoles where it may not be easy to back up game assets?

LM: Summarise the differences between killed games, at risk games, etc.

2.2 Continued Playability Case Studies

We do not expect publishers to keep support for games forever. We also accept that in the transition to end of support, some features of games may be lost. But partial loss of features does not mean a game needs to become completely unplayable. In this section we will observe some case studies of games where the end of support was handled well and feature loss was minimised.

2.2.1 Retaining Singleplayer

This case study looks at a game where the core functionality of the singleplayer offline game is retained, so even though online connectivity and parts such as multiplayer were lost, players can still play the game in some form.

'Gran Tourismo Sport' (Polyphony digital, published by Sony Interactive Entertainment) released for the PlayStation 4 is a racing motorsports game. It was published in 2017 and end of support took place in 2024. The game sold almost 13 Million copies [8] worldwide. The game carried a combination of online and non-online gameplay features, including singleplayer mode and competitive multiplayer. When the game's support was ended, the publisher issued a statement [7] describing how end of support would function, including noting where features would remain and would be lost. This notice was published 3 months ahead of the final end of support date.

LM: Did they advise the date further in advance of this?

Gameplay features that would be retained:

- Singleplayer mode
- Individual player unlocks, save files
- Content included in the base game
- Content included in DLC, if it was purchased before end of support

Gameplay features that would be lost after end of support:

- Online play, including online multiplayer
- Customised 'liveries' applied to vehicles
- Trophies for online play

Discussion

Offering a good lead time is important so that players know in advance when support will end.

That players can continue to play a majority of the core content of the game is a good post-support outcome. The loss of online multiplayer means a large function of the game has been lost, which is not good, as a core part of the game involved competitive racing.

LM: Local multiplayer? Leaderboards? Time tracks? Daily challenges?

The game was updated to ensure that all of the content in the base game and any purchased DLCs would be retained post-support, which is a good outcome. The removal of Trophies, awards for online play, is an unavoidable consequence of the loss of online support, however this does not impact the core gameplay. The removal of player-customised appearance settings for content (such as car 'liveries') is unfortunate, but this is a cosmetic change which does not impact the core gameplay.

Overall, the main game can still be played in some form, which is preferable to losing all access to the game, and as long as players retain the console they purchased the game on, they will be able to continue playing it beyond end of support. The loss of online play is unfortunate, and had the game been designed with an option to use an alternative server or direct player-to-player connection this could have been avoided. The loss of player customisations need not have happened if the game were designed such that these customisations could be stored locally.

Other Examples

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2.2.2 Offering Private Servers

This case study looks at a game that released a version of the game capable of using private servers, enabling players to retain online play after official support ended.

'Knockout City' (Velan Studios) was a multi-platform multiplayer game similar to dodge-ball published in 2021. The game is an online multiplayer, free-to-play title, with purchases an in-game currency with which players could purchase cosmetic customisations. The game had 12 million players[17], and in 2022 the developers Velan Studios took over publishing from Electronic Arts. In February 2023, the studio announced plans to end support for the game in June 2023 [18].

This game was an online-only game, meaning that after end of support, without further intervention, the game would be left in an unplayable state. However, the developers decided to release a private server copy of the game for PC players [19]. This new PC version would allow players to connect directly to each other rather than requiring going through the publisher's servers. It also included all of the previously paid-for cosmetic items and game levels. Private server versions were not made available for console platforms such as Nintendo Switch, Xbox or PlayStation. The new PC version was made available for free.

Discussion

The final outcome for this game is that it will be playable forever, as long as players have a working copy of the game and server. This is an illustrative example that even modern massively multiplayer competitive games can be built using the old model of distributing server software to players, and that this is the best model for ensuring long term game playability. Allowing players of the new PC private server version to retain access to all content means that there would be no loss of purchase to the player.

LM: How to word that this demonstrates there is no loss of sales / profit, given the game is already shut down and cosmetics were just given away free to everyone

The original developer took charge of publishing from Electronic Arts before the game's end of support, which may have allowed them more control over how to handle the shutdown. It offered 4 months of lead time in it's end of service announcement.

That console players lost access to the game is unfortunate, this is a limitation of the distribution model on consoles where players have less freedom to configure games. However as it is freely available for PC, players could pick the game back up at any time, if they have a PC available.

Other Examples

- Scrolls / Caller's Bane (Mojang) released server software at end of support[11]

2.2.3 Releasing an offline version

LM: This example, MegaMan X Dive, isn't a very good one. I notice the new game offered seems to require an additional purchase, rather than being offered to existing players. Is there a better example somewhere? Or a better way to explain this option.

This case study looks at an example of a game which was launched as an online only game, but where the publisher later released an offline version ensuring that the game would continue to exist in some form.

"Mega Man X DiVE" (Capcom) was an action game released for mobile platforms in 2020. It launched with singleplayer, co-operative and competitive multiplayer. Over its lifetime it has TODO players,

Citation Needed

LM: and the game offered micro-transactions to players???

In June 2023, the publisher announced end of support for the game, which would end in September 2023[2]. In August 2023, an offline version of the game was announced [1].

The offline version of the game was offered for sale on multiple platforms, including PC and mobile. This offline version includes the singleplayer part of the game, and instead of microtransactions, it offers additional content as DLC.

Discussion

This is an illustration of a case where a game has been changed from online to offline, essentially creating a new game with features from the previous one. The shift from a free to play online game to a paid offline game demonstrates that it is economically viable for a publisher to build both types of game.

LM: As the original game was free, but with microtransactions, it is questionable whether players who have paid for in-game content should have to pay again to

The loss of the multiplayer portion of the game is unfortunate, but with the new version of the game at least players can continue to experience the main singleplayer gameplay.

Other Examples

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2.2.4 Releasing source code

"Duelyst" (Counterplay Games) was a card strategy game self-published and later published by Bandai Namco. The game includes online multiplayer and singleplayer. The game was originally self-published in 2016 and later published by Bandai Namco. In 2020 it was announced that the game would be shut down, and 3 years later the source code of the game was released[13].

Discussion

Releasing the full source code for a game is a very concrete way to ensure a game will never die, as it means any and all players have full access to play and customise the game in perpetuity. That they were able to do this indicates that when a game reaches end of support and a publisher wishes to no longer invest in a game, there is no harm that comes from releasing the core functionality of the game for for players to use freely. Offering source code also means that the game is future proof as interested players will be able to modify the game to run on new systems as they are developed over time, meaning that retaining older hardware or developing emulators is less important for preserving the game.

Other Examples

LM: `https://en.wikipedia.org/wiki/List_of_commercial_video_games_with_later_released_source_code`

- Warfare Incorporated (Spiffcode, 2003) was a singleplayer and multiplayer strategy game. Its code was released using different branding in 2014[16]
- Some indie games, such as multiplayer racing game Super Tux Cart (2019), were developed in an open source fashion from their inception[9]

2.3 Killed Games

LM: Highlight some large examples of killed games. Include figures for player counts, pricing, dates, evidence and commentary

LM: Include a summary table of killed games, and the reason

Table 2.1 shows a summary of high profile games that have been killed, drawing from information crowd-sourced online [6].

Table 2.1: List of killed games

Game	Publisher	Launch Date	Support End	Lifetime	Player Count	Note
Example Game	Example Publisher	2010–01–31	2012–01–31	2 Years	200K	Online server removed

Table 2.2: List of games with good end of support action

Game	Publisher	Launch Date	Support End	Lifetime	Player Count	Note
Example Game	Example Publisher	2010–01–31	2012–01–31	2 Years	200K	Server exe offered

Chapter 3

Arguments

3.1 Arguments in favour of our proposals

In this section we will summarise the main arguments we are making for why we want new regulations to stop publishers killing games.

3.1.1 Player Choice

Players want to play older games. A recent report found that at up to 60% of play time is spent playing games that are 6 years old or older [21]. This shows that recency or newness is not necessarily a major factor players consider when choosing what game to play. However, when a publisher takes steps that result in killing a game, that takes choice away from players.

LM: How to make the argument that publishers shouldn't be allowed to kill older games to push players to sequels? Example the overwatch 1 ¿ 2 debacle. This isn't anti-competitive in the strictest sense as it's all within one publisher.

3.1.2 Ownership

When a consumer purchases a physical product, they own that product. After point of sale, neither the manufacturer nor the seller of the product can take interact with that owned product without the purchasing consumer's consent. They can neither take it back nor they cannot modify it. If there is some reason to do this, they can issue a recall or offer a refund, and the choice is left to the consumer whether to take up this offer.

With digital only and internet connected products, this paradigm is changed dramatically. Unless the consumer takes specific action to protect their purchase[1], manufacturers and distributors of digital products have a strong level of control which takes precedence over the ownership rights of the consumer. Choices publishers make could result in unwanted changes to the products or damage to the products rendering them unusable as evidenced in this report, effectively taking purchased products away from the consumers who bought them.

During a support period, where prior to purchase consumers are made aware that publisher led changes may take place, this kind of activity is not in contention. However, after the support period

[1] Owners may resort to making personal backup copies or may take measures to remove DRM, but depending on interpretation of the law this may or may not be legal.

ends, we argue that selling products which will end up unusable, preventing the consumers who purchased them to retain them in the long term, is tantamount to theft.

LM: Is theft the correct term to use here?

3.1.3 Planned Obsolescence

All physical goods have a shelf life, either because the way they are manufactured allows them to degrade, or as a result of natural wear and tear. With digital goods there is no wear and tear, so when the support period ends, there is no reason that a digital file (such as a videogame) should have to stop functioning.

Some physical goods are sold with a warranty for a set period disclosed at time of purchase, in which manufacturing faults may be repaired at no cost. An analogy for videogames is the support period during which the publisher will make a game available in its entirety. When the warranty (support) for a physical good expires, the item that was under warranty does not immediately stop functioning. When a support period ends, there is no practical reason why a consumer should not be allowed to continue using the product they purchased, as long as the customer retains a working copy of the game assets and system it was intended for.

The publisher would not be obligated to provide any support for things like malfunction or bugs after the support period ends, much as a physical item sold under warranty does not carry any support requirement after the warranty expires. A corollary is that publishers of videogames should not be allowed remove functionality at the end of support. For them to do so is effectively a form of planned obsolescence.

LM: Is this what it is?

3.1.4 Consumer Confidence

Consumer confidence is related to planned obsolescence. Videogame players are increasingly aware of the risk of game shutdowns, and this may factor in their decision to purchase games. Having a framework in which consumers can be confident about the support period for their purchase, and a plan of what will happen at the end of this, could result in increased sales for publishers.

Citation Needed

Citation Needed

In practice, many publishers will release "roadmaps" discussing release dates for new game, planned new content such as DLC, and different competitions. Unfortunately, these roadmaps often omit an end date and a description of what state the game will be left in when support ends. This means that potential buyers are missing key information that may be relevant to their purchase, if game longevity is a factor they are worried about.

LM: Are there *any* games that explained their end of support date at launch time? Has any publisher ever bothered to plan this out?

3.1.5 Impact on Culture

Videogames, though a relatively new form of entertainment, has already cemented a significant place in modern culture. Exhibitions of videogame history, including showcases of certain old videogames, have toured museums, indicating that videogames may even be a form of art. We should strive to ensure the longevity of videogame media for future generations to explore. If we look to early examples of broadcast media such film, TV, and radio we see many examples of culture which has been lost, possibly forever. Whenever old recordings are recovered, this is usually met with celebration, showcasing the cultural value in retaining access to old media. However, videogames

Citation Needed

Citation Needed

are subject to damage and loss just as any other form of media. One of the most useful techniques for safeguarding games for cultural preservation is archival of game assets and gaming systems. But when publishers make choices that result in killing games, it makes it impossible to preserve them without turning to legally questionable means[2].

LM: It is different if a product was designed by an independent artist with a view to destroy it at a certain point, with the destruction forming part of the artistic work (ref banksy). But this is never the case for works published commercially. Any refs to back this up,is this point worth making?

3.1.6 Impact on Broader Consumer Rights

The issue of preserving videogame playability is strongly related to adjacent areas of modern consumer rights as our world becomes more intertwined with technology.

Right to repair legislation is increasingly gaining attention from lawmakers, with recent announcements made in the USA[20], the EU[5], and the UK[3]. Some of these right to repair proposals impose new requirements on the manufacturers or sellers of devices, but this is considered a good trade-off for the wider benefit to society. An accompaniment to right to repair for physical devices could include the right to repair or modify software components. This may be necessary where software upgrades are needed in order to ensure that devices can work in the long term, and a natural consequence of this would be that players of games that they own should be allowed to repair or modify game assets to ensure that they remain playable. Just as physical device manufacturers will need to engage with right to repair, game publishers could be subject to right to repair rulings as well.

Ownership rights are increasingly coming under threat with the rise of technical measures such as DRM. Decisions about how consumers can interact with and the state of ownership of digital files they have purchased has an impact on the videogames, but also adjacent creative industries such as ebooks, audiobooks, TV and Film.

LM: needs a stronger final sentence

The impact on digital entertainment products may seem frivolous, but the decisions made here have an impact in setting precedent with regards to safety critical systems. Globally farmers are seeing an impact to their ability to work and maintain economic stability as a result of internet connected technology in appliances such as tractors, impacting our food production security. John Deere, a farm equipment manufacturer, has placed restrictions on how farmers can interact with and repair their technology, resulting in financial burdens from call out fees to repair equipment, to loss of crops due to wait times for repairs that previously could have been done directly. DRM,resulting in an impact on repairability, was recently found in use in trains in Poland, resulting in a threat to transport infrastructure. We will also face similar issues with medical security as more medical devices use internet connected and digital components.

Citation Needed

Citation Needed

Citation Needed

3.2 Impact on individuals and groups

We consider some of the impact that could be faced by certain groups or individuals as a result of our proposals.

LM: Some government actions needs to consider the impact on marginalised groups, or other impacts. find if there is a correct term for this. “impact assessment”? Does that need to be something more formal?

[2]Such as bypassing DRM or using emulators which may violate copyright laws.

3.2.1 Minority demographic groups

We do not envision any negative impact on minority demographic groups as a result of these proposals.

3.2.2 Socio-economic challenges

Buying a game can be a large investment, so for players facing economic difficulty, during a Cost of living crisis, these proposals may help. Assurances that games would be playable in the long term would mean that any purchases made will last longer and so could be more justifiable. Citation Needed

Games may be used by some people as a way of connecting to others and combating loneliness or social isolation, and well designed multiplayer games can help with this[4]. Continued support in some fashion for online multiplayer games could ensure that such players can continue to connect through games even post-support.

3.2.3 Videogame Developers

Our proposals are applicable to videogame publishers. It is very unlikely to have a negative impact on videogame developers and other workers in the industry, and is far more likely to benefit them. Many videogame developers have voiced their dissatisfactionwith having a game they spent years of their lives working on destroyed by their publisher, being powerless to stop it. By having laws requiring the game to function, it would help their work and legacy endure. It is possible a small number of developers could find new requirements problematic if they were unprepared for them, but we anticipate if our proposals were implemented, there would be a significant lead-in time giving developers time to prepare for the changes. Citation Needed

3.3 Counter-arguments

Opponents of the Stop Killing Games campaign may make certain counter arguments which we will discuss here.

3.3.1 Status of Legality

Questions may arise over the legal status of game ownership and the responsibility of publishers to customers.

Publishers may make the case that games are not sold as products to be owned, but are merely licensed. This is a legal grey area, depending on how each country interprets the agreements made. In the United States, this is generally the case. In other countries, the law is not clear at all, since license agreements cannot override national laws. Those laws often consider videogames as goods, which have many consumer protections that apply to them. So despite what the license agreement may say, in some countries you are indeed sold your copy of the game license. Some terms still apply, however. For example, you are typically only sold your individual copy of the game license for personal use, not the intellectual property rights to the videogame itself. Citation Needed Citation Needed

The issue of game ownership, and whether publishers have a responsibility to build games with long term playability in mind may be settles in the US but not in many other countries. Many existing laws are not written for a scenario where the seller destroys the product sold to the customer after the point of sale, since this is not something that normally happens in the real world. The fact that there is so much ambiguity on this practice is part of why we are running this campaign. Citation Needed

3.3.2 Impact on Multiplayer Games

The way end of support is handled may differ greatly between singleplayer games with online connectivity and always-online multiplayer games. However, we still believe that publishers must ensure long term playability of games after end of support in all cases.

It may be argued that making multiplayer games work without publisher support is impossible. This is not the case. The majority of online multiplayer games in the past functioned without any company servers and connectivity was handled by the customers privately hosting servers themselves and connecting to each other. Games that were designed this way are all still playable today. Whether it is practical to build multiplayer games that are playable in the long term, this can vary significantly depending on the development process behind the game. If a company has designed a game with no thought given towards the possibility of letting users run the game without their support, then yes, this can be a challenging goal to transition to. If a game has been designed with proper end of support as a requirement for completion of the project, then this process can be trivial and relatively simple to implement, as demonstrated by examples of games given in Chapter 2. Making existing games playable may be problematic if they were not designed with this in mind, but with an appropriate framework set out by law, there is no reason it needs to be difficult for games of the future.

Some games with very large player counts, such as MMORPGs, may have unique requirements for online technology like servers. It may be argued that this precludes offering post-support playability. while it may never be possible to completely recreate the infrastructure used for the game during support, limited playability can still be achieved, ensuring that players can at least play their purchased games in some form. Several MMORPGs that have been shut down have seen "server emulators" emerge that are capable of hosting thousands of other players, just on a single user's system. Not all will be this scalable, however. For extra demanding videogames that require powerful servers the average user will not have access to, the game will not be playable on the same scale as when the developer or publisher was hosting it. That said, that is no excuse for players not to be able to continue playing the game in some form once support ends. So, if a server could originally support 5000 people, but the end user version can only support 500, that's still a massive improvement from no one being able to play the game ever again.

Citation Needed

It may be argued that this is not worth pursuing as it will not be possible to recreate and maintain every single feature post-support. We understand some features can be impractical for an end user to attain if running a post-support game.That said, we also see the ability to continue playing the game in some form as a reasonable demand from companies customers have given money to. There is a large difference between a game missing some features versus being completely unplayable in any form.

Publishers may argue that post-support playability requirements would ban or pre-empt online only games from being developed in the first place. We are not asking to interfere with any business activity whatsoever while the game was being actively supported. The regulations we are seeking would only apply when companies decided to end support for games. At that time, they would need to be converted to have either offline play or private hosting modes. Until then, companies could continue developing and publishing games any way they see fit.

The status of multiplayer games where players get banned may be raised. While the game is being supported, we do not ask for any action. All our measures are focused on what becomes of the game once support ends. So if disruptive players in an online-only game become banned, but regular players may continue playing with active support, then they would not be entitled to run the game offline until support officially ended, which could be many years later. By end of support, any official infrastructure for handling player authentication or banning would be shut down anyway,

Citation Needed

and community run or private servers would take responsibility for configure banning as they please.

3.3.3 Impact to publishers

Publishers may argue hat the proposals we make would have an undue impact on the viability of the videogame publishing model. Here we offer explanations for why this is not the case. The primary reason that publishers will not see any long term impact is that we are not asking for any changes to the law or handling of games during the existing support period model.

We are also not asking for publishers to support games forever. We are in favour of publishers ending support for a game whenever they choose. What we are asking for is that they implement an end-of-life plan to update the game so that it can run on customer systems with no further support from the company being necessary. We agree it is unrealistic to expect companies to support games indefinitely and do not advocate for that in any way.

The proposals we make would not have any impact on videogame piracy. Piracy, and any argument of resulting financial loss, takes place when a game is supported and is being sold. As this action is targeting games after support ends, the problem of piracy is out of scope. Citation Needed

Some publishers create free-to-play games where there is no initial purchase. While free-to-play games are free for users to try, they are supported by microtransactions, which customers spend money on. When a publisher ends a free-to-play game without providing any recourse to the players, they are effectively robbing those that bought features for the game. Hence, they should be accountable to making the game playable in some fashion once support ends. Our proposed regulations would have no impact on non-commercial games that are 100% free, however. Citation Needed

Our proposals focus on ensuring that games are playable post-support, and this may raise issues of licensing and intellectual property. We are not asking for any changes to copyright or intellectual property laws. So there would be no requirement that the publisher to give up any of its intellectual property rights. We simply want to ensure players who purchased the game can continue running it. In no way would that involve the publisher forfeit any intellectual property rights. Some games are sold containing assets which include licensed content, such as music tracks. While licenses like this can be a problem for the industry, those would only prohibit the company from selling additional copies of the game once their license expires. They would not prevent existing buyers from continuing to use the game they have already paid for.

In terms of information and technological security, we do not foresee any risk to publishers or players. In asking for a game to be operable, we are not demanding that all internal code and documentation be released, just a functional copy of the game. It would be no more of a security risk than selling the game in the first place was. There would also be no impact for privacy legislation like the GDPR as we are not asking for private data about players or purchasers to be released, we are only focusing on playability of the game itself.

The question of cost to implement the changes we ask for may be raised. It is extremely unlikely that this will risk bankrupting or financially burdening any companies. The costs associated with implementing this requirement can be very small, if not trivial. Furthermore, it often takes a company with large resources at its disposal to even construct games vulnerable to loss of playabilityin the first place. Small or independent developers with constrained budgets are less likely to be contributing to this problem, and as noted in Chapter 2, it may be that smaller companies are better able to offer good end of support for their games. Citation Needed Citation Needed

Chapter 4

Action

4.1 Recommendations

LM: Include some recommendations for action or how laws / instructions for consumer body groups could work

These are a set of recommendations that could be put in place to achieve the goals of the Stop Killing Games campaign.

4.1.1 Recommendations for publishers

The recommendations would apply to any game where:

- A player has purchased the game
- A player has made an in-app purchase in a free-to-play game
- The publisher has decided to end support for the game

If the game has a singleplayer component:

- The core singleplayer part of the game must be playable
- Non-essential components such as leaderboards or other online decorations do not need to be supported

If the game relies on streamed assets:

- The publisher must offer an asset containing at least the minimum viable resources needed to be able to play the game without support
- The publisher should offer documentation allowing for players to download or make their own copies of online assets

If the game has a multiplayer component:

- Local play must be playable
- Server based play must be playable through a server software made available by the publisher

- The publisher should offer documentation allowing for setting up and managing server discovery, matchmaking

If the game has DRM, Anti-Cheat, or some other technical measure that relies on an online connection:

- A game must be updated to remove it at end of support
- Or it must be changed so that an online connection is not required for it to function after end of support

If there is a provisioned support period:

- The publisher could notify the consumer prior to purchase how long that support period will last

4.1.2 Recommendations for government

Create a consumer action group or ombudsman capable of investigating claims of game support loss and subsequent loss of play, or grant powers to an existing consumer action group capable of offering this support.

Ensure that when someone purchases a game, this is considered the purchase of a good, and all the rights that consumers are subsequently entitled to apply.

Glossary

asset A game asset is a digital file which is necessary for the game to function. It could be a media file such as a sound effect or graphic. It could be a piece of code that implements functionality in the game.. 4, 12, 13, 16, 17

DLC Downloadable Content. Some games offer additional game content available to download after the game is published. This could be paid for or free content. Some may be available at launch time, such as game soundtracks, and other content like new game modes may be made available much later.. 7, 12, 19

DRM Digital Rights Management is a form of technology that allows the publisher or manufacturer to impose their own rules or limitations on how a player can interact with their game. DRM is often considered a means of imposing restrictions rather than offering rights, and at times has been linked to game breakage. It is also present in other digital media such as ebooksor hardware such as printers.. 13

Citation Needed

Citation Needed

Citation Needed

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local A local game is one that can be played entirely on one player's machine without an outside internet connection, or on multiple player's machines attached to the same network, e.g. a WiFi network in one player's house.. 20

matchmaking In a multiplayer game, the game will be responsible for matching players together. This could be randomly, based on player ability level, based on their geographic location, or some other factor. In a multiplayer game without matchmaking players need to manually connect with another player, for example by exchanging connection details over email or social media.. 18

microtransaction A microtransaction is a small purchase that a player can make within a game. Microtransactions are distinct from DLC in that they are typically much smaller purchases, much more spur of the moment, and the purchased content often exists in the game already in some form rather than being a payment for brand new content. Some games offer in-game currency, which players can obtain either as a reward for playing or can purchase through a microtransaction. A common microtransaction is to buy loot boxes, which have been subject of scrutiny in recent years[**bbc-lootboxes-2023**].. 16

online An online game is one which requires internet connectivity to function. An online game may need an internet connection for parts of the game. If the online connection is missing, those parts of the game may not function correctly. Contrast with online-only.. 20

save A game save is a description of the state of the game, and the player's progress in games which have a long duration. A save may also record things like unlocks. If the save file is lost, the player will have to start from scratch. Saves may be local or synchronised online between multiple machines.. 5

source Source code is the original text written by a game developer that gets turned into machine code which then runs the game. A game can be open or closed source, depending on whether the source code is publicly available or not.. 7

streamed assets Some games assets are too large to fit on the player's device, so need to be streamed from a server. Microsoft Flight simulator has 'petabytes' [14] of data, which is too large to store on one machine.. 17

unlock Some parts of a game might be "locked" and unavailable when a player first starts playing a game. As the player progresses, parts may be unlocked, for example by spending points earned in the game to unlock a new playable character. Some games allow the player to spend real money to unlock things.. 5, 20

update A change made to add, remove or modify some behaviour or content in the game or fix a bug. Players may or may not have a choice in whether to accept updates in games. Publishers can deliver updates to owners of the game over the internet.. 1, 16

videogame A game played on a computer system. 1

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