

# Title Page

**Title:** Don’t Trust: A Critical Look Into The Video Game Industry

**Author:** Martin Baagø Nejsum

**Pages:**  80

**Characters w. spaces:** 161.129

**Semester:** 10. Interactive Digital Media

**Deadline:** 8/6/2015

**Institution:**  Aalborg University

**Supervisor:** Anne-Mette Bech Albrechtslund

* Thanks to Anne-Mette Albrechtslund for professional guidance throughout the semester
* Thanks to my friend, Dennis Jetmar, for creating the front page (original image from Don’t Starve)

Index

[1. Introduction 1](#_Toc421523876)

[2. Method 2](#_Toc421523877)

[2.1 Science Theory 2](#_Toc421523878)

[2.2 Methodology 2](#_Toc421523879)

[2.3 Empirical Research 3](#_Toc421523880)

[2.4 Source Criticism 3](#_Toc421523881)

[3. Theory 6](#_Toc421523882)

[3.1 Collaborative consumption 6](#_Toc421523883)

[3.2 Moral Economy 9](#_Toc421523884)

[3.3 Consumer Trust 16](#_Toc421523885)

[4. Business Practices 19](#_Toc421523886)

[4.1 Business Models 19](#_Toc421523887)

[4.2 Shovelware 20](#_Toc421523888)

[4.3 Early Access 22](#_Toc421523889)

[4.4 Used Games 24](#_Toc421523890)

[4.5 Pre-Orders 28](#_Toc421523891)

[4.6 Downloadable Content 31](#_Toc421523892)

[4.7 Disc-locked Content 34](#_Toc421523893)

[4.8 Pricing & Marketing 38](#_Toc421523894)

[4.9 Sub-conclusion 42](#_Toc421523895)

[5. Piracy & DRM 44](#_Toc421523896)

[5.1 History of Piracy 44](#_Toc421523897)

[5.2 Pirate Motivations 45](#_Toc421523898)

[5.3 Consequences of Piracy 47](#_Toc421523899)

[5.4 Countering Piracy 50](#_Toc421523900)

[5.5 Sub-conclusion 54](#_Toc421523901)

[6. Relationships 56](#_Toc421523902)

[6.1 Review Embargos 56](#_Toc421523903)

[6.2 Copyright & Censorship 57](#_Toc421523904)

[6.3 Perpetration & Apology 61](#_Toc421523905)

[6.4 Sub-conclusion 63](#_Toc421523906)

[7. Conclusion 65](#_Toc421523907)

[8. Discussion 67](#_Toc421523908)

[9. Literature 68](#_Toc421523909)

[9.1 Figures 76](#_Toc421523910)

# 1. Introduction

I was born in 1988 and as far back as I can remember, video games have been a part of my childhood, my upbringing, and my ongoing adult life. From back when LAN parties and split-screen games were the way of being social in games, to the vast and vibrant age of the internet and mobile devices, where games are social, always online and free-to-play (F2P). Having played a large portion of games and being a part of the specific subculture of gamers back in the 90’s, I came to have an insight into the many types of genres, platforms, hardware, and business models. Furthermore, I was an avid consumer of games, having spent my share of money on them, and so I have a sense of what it means to be a customer, economically as well as influentially. With that said, I have witnessed a certain shift in how the world in general relates to the industry, as well as how the industry itself has changed. Through my years of gaming, I have played great games and not so great games, but the reasons for why a game might be bad are not always subjective, like the game being boring. In fact, some ‘bad’ games have decent or even great gameplay, but turn off the gamer e.g. with certain business practices that in worst case scenarios can have a dominating impact on the game itself in an anti-consumer manner. Furthermore, the games themselves are not the only places where examples of anti-consumerism can be found, not even in the video game industry alone.

The title of the project is a reference to the hacker game Uplink (2001), where the catchphrase was ‘trust is a weakness’. The reason why I chose this title, is that by observing the plentiful and varied practices of the industry and the public’s response to them, I have been wondering what the source of this discontent was and why. One word that seems to link all the cases together is ‘trust’. This seems to be an invisible force that can be used for both good and ‘evil’, and in this project I intend to use trust as a red thread through the chapters. I will also research the history of the industry, and provide an overview of the how the different practices have shifted, in regards to business, culture and trends. Additionally I will not only identify the problematic elements of the industry, but also investigate why these problems arise in the first place, and then seek to present solutions to those problems. Condensing this agenda, my knowledge and preconceptions of the industry, I present the following problem statement:

* “I want to investigate media-specific conflicts between game industry and its audiences, tackling topics such as business models, software piracy and copyright. Furthermore, I will investigate the consequential impact of these conflicts on the nature of the relationship between said industry and audiences.”

# 2. Method

## 2.1 Science Theory

The main research methodology for this project will be that of hermeneutics. This science theory represents a specific approach to viewing and handling knowledge. In short, hermeneutics deal with the perspective that the present knowledge of a given topic is limited, and in order to gain more knowledge about it, using the existing knowledge as a stepping stone is required. The new knowledge then becomes the current knowledge, which is again used to put perspective between current and new knowledge. This creates a metaphorical repeating spiral pattern of knowledge, where one is constantly using the latest knowledge to further one’s learning.

Due to the natural and wide use of this approach in research, I will not be including literature of this theory in the report. Instead the actual implementation hermeneutics will be in the form of the introductions and sub-conclusions, respectively in the start and end of each chapter. This report structure will allow me to introduce the following subject of the given chapter, as well as sum up the key points throughout it, ultimately functioning as a what-did-we-learn overview. The different sub-conclusions of each chapter will refer to previous ones, adding to the new knowledge has become, and proceeding to form a base for the report’s final conclusion. This should allow for me to maintain a red thread throughout the report, always updating the reader on new findings and shifts in the thought process.

## 2.2 Methodology

For this report I have been using a combination of inductive and deductive reasoning to form the working approach. Inductive reasoning bases the nature of a project on initial observations without an expected outcome. Based on the empirical data, theories are then formed to explain and support said data. Deductive reasoning is somewhat the opposite, in that a hypothesis forms the basis of the project, followed by an amount of theories that aid in confirming, disproving or otherwise learning about the validity of the hypothesis. Given that this project is mostly based on empirical data, and supported by auxiliary theoretic literature, this forms the case for the use of inductive reasoning. Given the fact that I have indeed had a hypothesis to test in mind, my chosen methodology also includes an element of deductive reasoning.

The type of investigation I will be approaching this project with, is that of critical theory, which is an interest in investigating the motivations behind decision-making in society, especially concerning decisions that become distorted due to a certain parties or interests being represented unevenly. As such I will be investigating the motivations behind varying practices and attitudes of the video game industry. Moreover, this project can also be said to have a state-of-the-art approach, in that investigates the given problem area as to give an overview in its current state.

## 2.3 Empirical Research

Initially in this project, I had planned to conduct interviews with game journalists, but I eventually I scrapped that idea. This was because I realized that their videos and articles that I use as part of my empirical data, already presented their viewpoints and arguments well enough. As such, I deemed such interviews to be redundant.

In this report I will argue that there are largely two sides that are at odds with each other, which I will elaborate on throughout the chapters. One side consists of consumers and most game journalists, while the other side consists of most industry figures, such as developers and publishers. Normally it would be mandatory to represent both sides with interviews, as to avoid biased research. In this case however, the basis of this project has a long history of suspicion and distrust towards many industry figures, which I will discuss throughout the report. By this I am in part referring to public statements that have later turned out to be false, or statements that have cause public backlash. To this extent, I will argue that interviewing these parties would not yield a result to be trustworthy as empirical data, given the potential bias and behavior afforded in the first place. Therefore, the empirical data representation of the industry will, like the opposing side, be without interviews, and consist solely of publicly documented material.

## 2.4 Source Criticism

The purpose of the this section is to justify my use of video game critics and YouTube personalities as expert sources, as well as an explanation of how and why I decided to use the specific sources that I do. When investigating ‘what people think’ about the game industry, there are several groups to have an opinion about. There are industry figures such as developers and publishers, and there are the video game journalists as well as the consumers. One can make the observation that that particular order also represents the supply chain of a traditional game, in that the developer first creates a game, then the publisher makes sure that it is marketed and distributed, then journalists review it and based on those reviews, the consumer will decide whether or not to try the game. There are likely a lot of people who buy games without paying attention to reviews, but in this internet age of easily accessible information, people can almost instantly learn of other peoples’ opinions about a certain game. There is also the amount of trust that consumers attribute to different categories of people, when deciding to let themselves be influenced by others. If a friend or a video game journalist, whose taste in games matches your own and he recommends a game to you, you are more likely to value that recommendation higher than the influence of the game’s marketing department, or the opinion of a random person on the internet. Because of the above reasons, I will therefore argue that video game reviews have a greater influence in this day and age.

As I mentioned, with the rise of the internet and prevalence of YouTube, it has become much easier to learn about games from other people. There are the obvious questions of how credible a person’s opinion is compared to another’s, and to which degree that person’s opinions and tastes matches one’s own. After all, everyone with an opinion can review a game on YouTube and declare himself a video game journalist, but the way YouTube functions gives every user a quantifiable voice and a measuring stick. Every video records the number of views, and though the number does not state anything about the video’s content, videos that do not have a lot of views typically indicate that relatively few people like, show interest or agree with the opinions presented in the video. In itself, this statistic can mean a lot of things and is therefore of lesser importance. The user’s ability to subscribe to the video’s creator’s channel however, gives a much clearer image of the creator. If he has a lot of subscribers, it must mean that viewers find his content exciting, entertaining, thought-provoking or otherwise interesting. In a way, subscriptions can be interpreted as a form of social currency, not just for companies to know who has potential to become advertisers for their products, but also for the average user to gauge who the most credible creators are. Subscriptions are essentially endorsements, people giving their thumbs-up-of-approval and stating that this creator is worth their time, that while they could subscribe to an ocean of different creators, this individual creator stood out. In this age of multiple choice and countless possibilities, subscriptions are therefore regarded highly. A high subscription count is of course no absolute assurance of credible and objective quality. I will argue that for a video game journalist to be regarded as credible and unbiased, that person has to employ a high degree of transparency. Transparency can be defined as the following (Ref: 3.2 Moral Economy):

* “…the degree to which brands and audience members alike are forthcoming about their ties to one another, ensuring that potential customers have access to all the information needed to assess the credibility of a recommendation”[[1]](#footnote-1)

By transparency I then refer to not only reviewing a game with an open mind, but also inviting the audiences into the journalist’s frame of mind, letting them know his motivations and preferences, as well as opinions of other topics of the industry. The more an audience knows about the motivations of a video game journalist, the better the audience can determine whether or not the individual is sincere and credible. But even with this, people are still subject to a bias known as selective exposure (or conformation bias), according to a study published by the American Psychological Association (APA). The study, Feeling Validated Versus Being Correct: A Meta-Analysis of Selective Exposure to Information, describes conformation bias as the following:

* “Selective exposure enables people to defend their attitudes, beliefs, and behaviors by avoiding information likely to challenge them and seeking information likely to support them”[[2]](#footnote-2)

In essence, the theory of selective exposure is based on the human-nature element, that we do not like to be wrong in our opinions, and we will therefore subconsciously be more lenient towards information that let us stay in the ‘right’ frame of mind. Such is the case with some American news channels that more or less act as propaganda machines for certain viewpoints, such as Fox News where the study mentions that a Pew study found republicans to be five to seven times more likely to watch the O’Reily Factor and Rush Limbaugh segments than democrats, and resulted in more polarized opinions.[[3]](#footnote-3) When aware of this potential skew of opinion in one self and making sure to have an open mind to be challenged however, one can form more intelligently informed and rational opinions, which is also the common practice being taught in universities, the one of critical thinking. With all this said, biases will never cease to exist but after having applied this awareness, I will argue that the video game journalists I have used as sources, represent not necessarily all gamers but the interests of all gamers. Through several years, some of these game journalists have managed to present a good degree of transparency towards their audience, stating their opinions on controversial subjects in the industry, and this is where their credibility and popularity stems from.

# 3. Theory

In this chapter I will be introducing theory that is not necessarily directly relatable to the game industry and the topics throughout the report. Rather, I will argue that the theory I present here can be seen as a parallel to the industry, in that the topics presented are relevant to the situations that consumers of the industry find themselves in. This includes the effects on the trust of consumers, as well as how society is changing their views and behaviors. Furthermore, given that is first and foremost driven by the empirical data, this chapter is meant to provide auxiliary theory that I will use in a comparing and concluding manner.

## 3.1 Collaborative consumption

In their book, What’s Yours Is Mine: The Rise of Collaborative Consumption, Rachel Botsman and Roo Rogers discuss the global shift in paradigm that followed the rise of internet. More specifically, they discuss how both business and the public have intertwined to create a consumer market, built on collaboration. They discuss the first two stages of the internet, popularly known as Web 1.0 and Web 2.0. For context, Web 1.0 refers to the early years of the public internet in the 90s and early 2000s, where sites were mostly static in their form of content, such as informational sites and personal profiles, where users were merely consumers of the content. As the internet gained popularity and more utility was implemented, it spawned sites with much greater interactivity and user-generated content. This came to be known as the Web 2.0 stage of the internet’s evolution, with the most prominent examples being Facebook, YouTube, Wikipedia etc. It blurred the lines between companies and users, as users became not only the consumers but also the content creators of these sites. Botsman and Rogers use bottlenose dolphins as an example of collaborative effort, as these intelligent creatures will group together when hunting, to collectively wall of schools of fish and take turns feeding.[[4]](#footnote-4) The morale of this example is that greater results can be achieved by cooperating with one’s peers. Even though society for the past 50 years has been highly individualistic, collaborative consumption is on the rise again:

* “We are relearning how to create value out of shared and open resources in ways that balance personal self-interest with the good of the larger community. People can participate without losing their autonomy or individual identity”[[5]](#footnote-5)

Examples of this new type of economy are sites such as Zilok, Relay Rides and TaskRabbit, where users can be not only the customer, but also the product- or service provider, the role of which has historically been confined to a company. According to Botsman and Rogers, collaborative consumption is made possible by the four principles it is based on: Critical mass, idling capacity, belief in the commons and trust between strangers. Critical mass, in this context, refers to the point where a business becomes self-sustaining. This point requires sufficient choice in competitive and satisfactory products or services, as well as social proof. The latter is a form of evolutionary peer recognition, where in this context, people will be more inclined to be part of a business’ customer base, because ‘everyone else seems to be doing so’, essentially creating a social stamp of approval of said business. Idling capacity refers to the fact that many people own appliances, tools or other products that are not being used, and can therefore be considered an untapped resource. The principle also encompasses intangible things like combining one person’s lack of gardening skills and desire of exploiting his unused land, with another person’s gardening skills and willingness of labor. Belief in the commons is the belief in the shared, public concepts that exist for everyone to use, such as roads, parks, libraries etc. Its importance to collaborative consumption comes from the idea that every participant contributing to a common goal, increases the value of it for everyone. Prime examples of this are mobile phone networks, Wikipedia pages and the Creative Commons licenses, where the number of contributors are essential to the strength and value of these ‘goals’. Trust between strangers refers to the fact that collaborative consumption is an economy of trust, and that sites like Ebay and Airbnb could not thrive without its users trusting each other. With the ability to rate and share your consumer experience with other users, the policing middle-men that are tasked with protecting consumers are rendered obsolete. Botsman and Rogers argue that this element fosters attitudes that makes trusting strangers easier:

* “New online and off-line marketplaces are forming where people can once again “meet” in a global village and form nonlocal trust. We have returned to a time when if you do something wrong or embarrassing, the whole community will know. Free riders, vandals, and abusers are easily weeded out, just as openness, trust, and reciprocity are encouraged and rewarded.”[[6]](#footnote-6)

In recent years, the attitude towards physical products is changing, as people do not want the music discs, the movie DVDs or the answering machines, but rather the content that these products hold. As such content is becoming increasingly digitized, the perception of ownership is changing as well. With platforms such as Spotify and Netflix, the music and movie industry respectively, have to a certain degree moved away from the business model of selling products, but instead licensing services that allow for greater convenience of access.

On the subject of fairness, Botsman and Rogers discuss why marketplaces based on trust are working, seeing as a common economist view of a seller, is one that should logically be selfish and seek maximum profit over fair trade. They then discuss the world-wide findings of the times that ‘The Ultimatum Game’ has been played. It is an experiment game of behavioral economy, where one person has an amount of wealth that he has to distribute between him and another person, with the twist being that both have to be satisfied with the deal, or neither get any wealth. Results found that fairness was prioritized over selfishness:

* “People will turn down free money rather than let someone else walk away with too much. They don’t care that they would be better off with something rather than nothing. They care about what is fair…the primary reason a proposer makes a fair offer is that he or she can imagine how the responder will feel and anticipate rejection and anger”[[7]](#footnote-7)

The reason why trust-based marketplaces such as eBay are successful, is because of the innate sense of fairness towards others that users exhibit toward each other, thereby fostering a mutual understanding of sympathy. Users with ill intentions will always exist but due to the reputation system, such people cannot hide from their reputation which is clearly displayed. When discussing the findings of an experiment where monkeys were given different rewards for giving their pebbles to humans, and the monkeys’ were outraged by this unfairness, Botsman and Rogers comments on the similarity to humans:

* “Like capuchin monkeys, humans often become focused on what something is worth and what constitutes a fair exchange. And if we experience what researchers call an inequity aversion, we refuse to trade altogether, even if we would be better off taking what we can get”[[8]](#footnote-8)

The experiment showed that the innate sense of fairness is not limited to humans, but rather that this sense is shared among species. Also, the importance of a person to punish another for being unfair, even though the he himself will be punished equally as well, suggests how important the notion of a fair transaction is to people.

In recent years, Nike has taken a shift in marketing direction with its social hub, Nikeplus, which allows consumers to document their physical activities online, as a form of social expression. Botsman and Rogers point out that the focus has moved a great deal from product to the consumer:

* “Brands are realizing that they need to offer experiences, not just products. And now it’s not all about Nike, the sportswear company, but more about you, the athlete, meeting your own needs through the facilitation of the brand. Power is shifting to consumers”[[9]](#footnote-9)

With this power shift, Nike communicate that they recognize the desire for consumers to be part of a group and an identity. In a way, Nike implements the social expression identity of Web 2.0 in their business strategy, thereby mimicking Web 2.0 businesses that operate on empowering their communities, such as Skype and Facebook.

On the topic of value, Botsman and Rogers mentions the faulty simplicity of the gross domestic product (GDP) as a way of assessing economic success. They air the notion of ‘GDP fetishism’, a term for overly relying on GDP as the sole measure for success. A hypothetical example is used, where a thief steals a truck with toxic waste, which then topples in the following police chase and spills onto the surrounding area. All the involved rescue and cleanup efforts result in increased GDP since said efforts are not free, but the increased GDP figure does not account for the intangible, non-economic factors, such as physical, emotional and environmental trauma and devastation.[[10]](#footnote-10) The morale of this example is that measuring success in revenue alone, is an antiquated view and cannot be used to measure the increasingly present, intangible factors such as those vital to collaborative consumption. On a final note Botsman and Rogers instead envision a new reputation currency, given that the world is increasingly becoming a trust-based economy.

## 3.2 Moral Economy

In their book, Spreadable Media: Creating Value And Meaning In A Networked Culture, Henry Jenkins, Sam Ford and Joshua Green discuss several concepts relating to the different relationships between people in the modern age of the internet. One of these relationships is that of the mutual trust between producer and consumer that is called the moral economy, and can be defined as the following:

* “…the social norms and mutual understandings that make it possible for two parties to conduct business.”[[11]](#footnote-11)

The idea is that there needs to be a certain agreement and level of trust between two parties, for an exchange of goods or services to take place fairly. Thompson argued that there needs to be a certain legitimacy that allows each party to preserve their claim in the relationship. More precisely, he used the example of food riots in the 18th century, where the peasants legitimized their protests with the argument that they wanted the morals of a fair relationship enforced, and that they were backed by the social consensus of the community. Each party is therefore to be held to a certain obligation or standard by the other party and vice versa. The argument for a fair relationship is argued by Jenkins, Ford and Green:

* “In many cases, the moral economy holds in check the aggressive pursuit of short-term self-interest in favor of decisions that preserve long-term social relations among participants. In a small-scale economy, for example, a local dealer is unlikely to “cheat” a customer because the dealer counts on continued trade with the customer (and, the dealer hopes, the customer’s friends) over an extended period and thus must maintain his or her reputation within the community.”[[12]](#footnote-12)

When a consumer visits a store to buy a TV, the makers have enough confidence in the consumer to believe that he will choose quality, which encourages them to create a decent product. They even trust their products enough to risk having to take them back, should they be faulty. The store trusts the quality of its selection of products enough to allow me to return the TV, knowing full well that they might lose money on me, but that they will be appreciated for taking that risk. By going out of its way to serve the consumer, by willingly assisting him with their product to make sure he will be happy about the purchase, the company is providing the consumer with non-mandatory services and signs of good faith. Supported by the study about business ethics and consumer trust, these signs make the consumer feel valued as a customer. This feeling in turn provides the company with loyalty, increasing the chances of consumers becoming repeat customers and/or recommending the product and company to other people. This is an ancient truism of the relationship between consumer and producer that both parties generally understand and respect.

Though not all games are a returnable commodity, the point about the necessity of trust, remains the same. After all, if a company continually delivers products that in some form deceives the consumer, there is no incentive to keep placing trust in that company. In the game industry however, this relationship is of another character. With the mentioning of piracy, it has not always been enough for a developer to make a great game that captivates its consumers, and then trusting the consumer to show their appreciation by buying the company’s next game. In the early days of piracy, the effects of the different methods of dealing with the problem were still unknown, and the only way of combating the problem, seemed to be through Digital Rights Management, such as CD keys (Ref:

5. Piracy & DRM).

Another aspect to consider is that of labor. As mentioned in the previous section, users have been encouraged throughout the Web 2.0 era, to create their own content and networks and amass their own audiences, rather than just being part of audiences. Certain sites were designed explicitly to cater to this possibility, like YouTube and Flickr, where the framework of the sites and the services they provide, have encouraged this new culture of networking in this new way, sharing content as well creating it. A lot of the content involves copyright material however, and that has caused the companies of these copyrights to threaten users with legal action, arguing that the users are distributing content that they do not own the rights to. This leads to an expectation of the Web 2.0 culture that does not match the reality, as Jenkins, Ford and Green describes:

* “There is a considerable gap between the Web 2.0 rhetoric of happy collaboration and users’ actual experiences working with companies. On the one hand, the mechanisms of Web 2.0 provide the preconditions for spreadable media; many of the key tools and platforms through which material is spread operate according to Web 2.0 principles. On the other hand, conflicting expectations of what constitutes fair participation means that the actual spreading of media content remains a contested practice.”[[13]](#footnote-13)

The book mentions Richard Sennett and his proposition, that the relationship (the moral economy) is not a strictly monetary relationship. Like guild craftsmen of old, people can take pride in the product or service they provide, even though that aspect might be financially irrelevant. [[14]](#footnote-14) This pride in unique quality becomes respected however, and thereby higher valued by one’s peers, in comparison to society’s affinity for mass-produced goods or services of average quality.

Lewis Hyde is also mentioned, as his theory supports the notion of the moral economy being about more than money, as he differentiates ‘value’ from ‘worth’. [[15]](#footnote-15) Accoding to Hyde, value is attributed to commodities that can be exchanged, measured and quantified in a way that allows people to estimate a certain value of said commodities. Worth on the other hand, is the more intangible concept of the two, in that it is attributed to relationships and the social dynamics of gifting and reciprocity. For example, I may treasure the relationship of a close friend deeply, but not be able to put a price on it. Thus, it might not have an inherent monetary value like commodities or a business relationship, but regardless be invaluable to me as a source of social bonding and companionship.

To emphasize the difference of value and worth, Jenkins, Ford and Green uses an episode of The Big Bang theory as an example. The episode tackles Sheldon’s anxiety of expectations when he learns that his friend Penny has bought a gift for him. He argues that he now has to reciprocate that gift with a gift of equal monetary value, but eventually learns that the gift for him is a napkin autographed by his celebrity idol. He perceives the act of gift-giving as a value relationship, and when learning that is in fact a worth relationship, he realizes that his own gift value does not match the napkin’s sentimental worth. To make up for this, he tries to match the worth of the gift by giving Penny a hug, as a sign of gratitude of worth. Jenkins, Ford and Green then argue that the social and cultural values of old, are very much relevant to this day, and that they do not exist separately of economic values, but are in fact intertwined:

* “In many ways, these older values of craftsmanship — reciprocity, collectivity, and fairness — continue to exert a residual influence on contemporary commercial culture…Social and cultural practices operate in an economic context, but economic practices also operate in a social and cultural context” [[16]](#footnote-16)

They emphasize this mutual relationship of the two value sets by introducing the generalized term of ‘freeconomics’, which revolves around the economic advantages to provide products or services for free. The band Nine Inch Nails are used as a prime example, as they released their album The Slip (2008) for free, with the thankful message of giving something back to their fans. This is then a commercial product whose value has been converted to worth, as consumers will be thankful and remember this:

* “What at first glance seemed to be “free” was actually a reciprocal exchange of social worth within an ongoing relationship between producer and fans.”[[17]](#footnote-17)

Reciprocation as a marketing tactic can also be found in many other places of society, such as companies that offer services or miscellaneous goods for free, with the hope of generating enough loyalty and goodwill to potentially create future customers. Likewise, companies that follow this practice usually make sure to make their brand’s logo visible, since providing something of value for free, usually comes with the social expectation that we as consumers accept advertisements as reciprocation. Social expectations like this are also the reason why nothing is actually free, even though it can initially appear so. Web 2.0 websites such as Facebook and YouTube are examples of this, as their services are free to consumers, but generate value by building a large user base that then becomes profitable for licensing and advertising relationships.

On the topic of transparent marketing, Jenkins, Ford and Green mentions that while the term PR has mostly stood for Press Relations, due to companies’ focus on influence through mass media, it is now more fittingly described as Public Relations. This is due to the consumers themselves playing an increasingly important role as advertisers for companies, given the influence that social media- and network sites have among peers:

* “…the importance of recommendations from “the average person” have become a renewed priority, and word of mouth, the original form of marketing, is treated as a new phenomenon due to one major distinction: online communication creates a textual trail of the conversations audiences have about a brand or media property which may be archived indefinitely for all to see”[[18]](#footnote-18)

The popularity of the word-of-mouth marketing tactic comes from the countless advertisement messages that consumers are exposed to on a daily basis. This leads to greater doubts about authenticity of said messages, but these doubts seem less likely to be justified, if another real-world person is the one praising a certain product. The problem then becomes how these real-world people might be biased and incentivized by the companies they advertise for. Jenkins, Ford and Green mention Stacy Woods, who addresses this problem:

* “Firms must be careful to create a testimonial-giving space that is clearly not linked to prizes or other financial benefits, a space that highlights the voluntary nature of testimonial contributions. In this way, the facilitation of consumer engagement and testimonials must occur in the social economy (moral/gift) rather than in a traditional commodity-based economy. This acts as a signal of credibility, not only to the testimonial writer but also to other consumers who read the resulting testimonies”[[19]](#footnote-19)

According to this statement, social credibility is a result of other people recognizing that the advertiser in question does not hold a ‘bought’ opinion. This lack of bias is then interpreted by the person’s peers as sincerity. The term ‘transparency’ has already been defined (Ref: 2.4 Source Criticism) as the means of identifying potential biases and informing consumers, but Jenkins, Ford and Green also mentions the term ‘authenticity’. This term refers to the more general assessment of e.g. a person’s credibility, which transparency is a part of, but also a more general questioning of consistency of coherence. The presence of both terms builds trust in consumers and audiences, but the social creditability that often comes with advertisers and grassroots evangelists (early adopters of a concept), has led to the presence of ‘astroturf’. This is ‘fake’ grassroots, the practice of a company employees camouflaging themselves as real fans on social media and praising the company’s given brand or product. The aim is to exploit social credibility through deception of consumers, but the practice is widely condemned e.g. in the case of Sony and their PlayStation Portable in 2006:

* “…myriad gamers saw the situation as an example of Sony’s disrespect for the gaming community. Marketers profiled the site as a “worst practice” example; watchdog groups highlighted the campaign as an example of the need for greater regulation of corporate marketing; and journalists and bloggers used the story (as we do here) to highlight missteps made by major companies”[[20]](#footnote-20)

Another case of astroturfing in 2006 is one of a couple, their RV van, their desire to travel throughout the country and blog about their experiences. Incidentally, a lot of their experiences happened to include Wal-Mart, due to the free parking offered there, and the couple contacted the Working Families For Walmart to make sure it was ok to write about the company in their project. Wal-Mart gave their blessing and even sponsored the couple with another RV and additional funding to extend the trip. This contribution was discovered by the public however, and even though the project was born out of sincerity and non-bias, the debacle was still perceived as astroturfing, because the sponsoring was not disclosed and therefore was not transparent.

On the topic of software piracy, Jenkins, Ford and Green discuss the popularity around the TV show Heroes, more specifically the fact that more people downloaded the show illegally than there were ‘legal’ viewers. This is partly attributed to the delayed viewing schedule of different countries, and consumers’ desire to be up to date to participate in online community discussions about such TV shows. Furthermore, the reasoning for this piracy is related to convenience in general, such as skipping ads, viewing on other platforms and avoiding dissatisfactory streaming services:

* “These “pirates” are not taking content because they refuse to pay for it (especially since they could watch it free when it is originally aired); they are seeking to change the conditions under which they view it”[[21]](#footnote-21)

Despite the vast number of illegal viewers, they are not being used as a measuring stick for TV shows’ popularity, even though they are consumers as well. The common TV network attitude to this demographic has been hostile, regarding pirates as criminals. According to Tim Kring and Javier Grillo-Marxuach from Heroes and The Middleman respectively, this is the wrong approach, as they view pirates as fans of their work that raise awareness of the TV shows to their peers, and as such these pirates should instead be monetized on. Jenkins, Ford and Green point out the differences in attitudes, and how piracy as a problem is treated:

* “…these illegal downloads are most often routed to the legal team rather than to the research or marketing divisions. Instead of seeking ways to engage these torrenting viewers in legal practices, to recognize the potential value of their engagement, or to understand what might motivate them to step outside the law to access content, the preferences and interests of unauthorized viewers of Heroes and other shows are more often delegitimized”[[22]](#footnote-22)

The essence of this difference in attitude then seems to be, that instead of learning the nature of piracy and learning how to benefit from it, companies are instead viewing it at as a legal matter of exclusively negative effects, and try to fight fire with fire. Jenkins, Ford and Green argue that the appoint-based paradigm of aligning ones schedule to the broadcast schedule, is changing to an engagement-paradigm where content can be accessed on demand. They further state that the underlying cause of piracy arises from this shift in paradigm across the entertainment industry, where situations of frustration for audiences arise, as they deal with this transition in distribution channels and systems that overpromise on the access and availability of content:

* “This situation is what we mean to describe when we suggest that “piracy” is more often a product of market failures on the part of media industry than of moral failures on the part of media audiences”[[23]](#footnote-23)

## 3.3 Consumer Trust

Leonidas Leonidou, Olga Kvasova, Constantinos Leonidou and Simos Chari have written a paper on the ethicality of businesses, and how code of conduct of these businesses reflects on the consumer’s perception of them. In recent years, the trend of consumer involvement in business practices has become more significant, with consumers taking greater notice of the ethical conduct of businesses.[[24]](#footnote-24) This is due to several factors, one being the increasing exposure of unethical practices in the media. This increase is likely due to the rise of the internet as a media that not only allows news to be reported globally, but also enables users of sharing their personal experiences with companies. Another factor is the increase in competition of a given market, which leads to increased availability in choice of products and services, which in turn affords alternatives to consumers, if they are dissatisfied with said goods and services. Another but more ideological factor is that of the rising focus on social identity, where consumers are pursuing their need for self-esteem by getting involved with companies, which are praised for their ethical conduct. An example of this can be seen in cases where consumers in a public consensus of disapproval, distance themselves from an otherwise popular brand, after learning that the brand has been associated with child labor. The study conducted in the paper examines the chain effect that perceived deception has on the popularity of a business, as well as several demographic and cultural attributes. It found that perceived unethicality in business practices affect consumer trust of said business, which in turn affects consumer satisfaction which ultimately affects consumer loyalty. The paper concludes the following:

* “Indeed, firms behaving in an unethical manner can harm the feeling of security, reliability, and integrity that consumers have for them, which are basic prerequisites for building trust. Hence, ethical behavior is of paramount importance, since an increasing number of consumers consider corporate social responsibility issues as key driving forces in making their purchasing decisions. This is especially true nowadays, when the market is characterized by cut-throat competition, stringent regulatory conditions, and greater consumer connectivity”[[25]](#footnote-25)

A different paper written by Kuang-Wen Wua, Shaio Yan Huang, David C. Yen and Irina Popova, investigates consumer trust regarding online privacy. They conducted a study based upon the Federal Trade Commission’s five principles of fair information practice, which are notice, choice, access, security and enforcement. Notice is the principle of providing the consumer information of privacy policy, prior to involvement with the business. Choice refers to the consumers’ option to decide how their personal data should be handled by the business. Access refers to the consumers’ option of viewing and editing said personal data that they initially provided to the business. Security is the principle of storing consumer data securely as well as providing anonymity to consumers and deleting said data when the consumer halts involvement with the business. The principle, enforcement, refers to the measures taken to enforce the other principles, such as business inspections with potential litigation.[[26]](#footnote-26) The importance of principles like these is emphasized when looking at the vast amount of information that the age of the internet has brought. Email systems introduced benefits of communication as well as malicious content, that preys on unsuspecting consumers, and with the sheer number of websites on the internet, the consumer risks contact with computer viruses and malware. The vast number of different online businesses has made it possible for parties with questionable intentions, to sell consumers’ personal data and shopping habits without consent. With so many online pitfalls that prey on consumers’ trust and lack of information, authoritative principles such as the FTCs are therefore necessary to protect consumers. Wua, Huang, Yen and Popova mentions the applicability of the model used for the study: concludes

* “The Privacy–Trust–Behavioral Intention model describes the relationship between FTC dimensions, trust, and intention to participate in online business activities. Mostly it can be applied to online shopping and activities involving online transactions and focused on investigating relationships between Trust and Behavioral Intention”[[27]](#footnote-27)

The study found that the content of privacy policies had a significant impact on the participants’ level of trust, as well as their concern of online privacy. Additionally, the participants’ concern of online privacy also had a direct influence on their level of trust, and these two factors ultimately impacted their willingness to provide personal information, with the paper concluding:

* “…the content of the Privacy Policies of websites is important for users and influences their intentions to interact with websites if there is a requirement to provide personal information.”[[28]](#footnote-28)

# 4. Business Practices

In this chapter I will be introducing a number of business models as well as practices that are being used throughout the industry. There has been controversy for said business models and practices, which I will also be introducing, as well as discussing the varying ethical issues that can follow. Furthermore, this chapter will look at industry figures’ arguments for these practices, as well as consumers’ arguments against them.

## 4.1 Business Models

Traditionally, games have been created by a developer, funded and marketed by a publisher, sold in stores by a retailer and then played by the consumer. This is the premium or buy-to-play (B2P) business model where the customer has to pay for a product up front, like most other products sold in society, has been the customary business model since video games’ inception. Around the 80s, the shareware model was being popularized, a trial-based model that allowed users free access to a limited portion of a software’s functionality, where the full version with the rest of the features could then be purchased at will. The term itself is a portmanteau of share and software, directly encouraging users to freely share the software with their peers. Freemium is an umbrella term for free software that allows for additional premium content to be purchased, just like shareware. Unlike shareware which was mainly used for trial- and full versions of games, freemium models such as free-to-play (F2P) are known to rely more on repeatable content purchases, allowing for sustained income streams. Around the turn of the century, many Massive Multiplayer Online (MMO) games were technically free to play before converting to the subscription-based or pay-to-play business model. They were entirely free experiences before that however, which is different from today’s F2P model. Modern F2P games also deliver a free experience, but usually with the option to enhance this experience through aforementioned repeatable content purchases (micro-transactions) that involves real money. This modern F2P model was first popularized in Asia in the mid 2000s, and was more widely applied in the western world in the late 2000s, and the use of the model has seen varying outcomes. Just to name a few, games such as League of Legends (2009), World of Tanks (2010), Defense of the Ancients 2 (2013) and Team Fortress 2 (2007) have enjoyed tremendous success. In terms of player base, some of them have even surpassed World of Warcraft (2004) by several magnitudes, which used to be famous for its enormous amount of players.[[29]](#footnote-29)

In contrast, countless other games have had comparatively mediocre success at best, and have implemented the F2P model in questionable ways. According to Portnow, this is in many cases due to games either allowing players to pay to skip the challenging gameplay, or games that force players up against ‘paywalls’.[[30]](#footnote-30) A paywall is a restriction of access to content, where payment is required to gain access to said content, but the term has negative connotations due to its invasive use in many mobile games. In some multiplayer games, paywalls allow players to gain gameplay advantages over their opponents, causing such games to be dubbed pay-to-win (P2W). I will be mentioning examples of unsuccessful or unpopular F2P games throughout the report, and some can also be considered a part of the topic of the following section.

## 4.2 Shovelware

The term originates from the 90s, where game bundles were being distributed on CDs through magazines, as a bonus for buying the magazine. Because of the quantitative nature of the games, where quality was not necessarily assured, the term denotes the act of ‘shoveling software out the door’. The reason for this was mainly to fully utilize the vast storage amount of the new CD technology, given that most games took up little space at the time. Shovelware can also be seen distributed on newly released gaming consoles such as the Nintendo Wii. The reasons for this can be to showcase the console’s capabilities as well as boosting its library of games, by licensing other developers to launch games on the platform. The term shovelware was mostly used to describe bundles of small games, but this kind of shovelware declined due to the rise of the internet as a distribution technology. There is another kind of shovelware that has existed since video games first became popular however, typically that of licensed movie tie-ins, or games that are based on a certain movie franchise. The idea behind movie tie-ins is a sound concept in itself, since a given movie that has been critically acclaimed, often allows for great inspiration and potential to make a great game based on that movie. Many movie tie-in games have been praised, such as Dune 2 (1992), GoldenEye 007 (1997), Star Wars: Knights of the Old Republic (2003), The Chronicles of Riddick: Escape From Butcher Bay (2004), The Lord of the Rings – The Battle For Middle-earth (2004) etc. These acclaims are in the minority however, since most movie tie-ins are given low development time that does not favor a focus on quality. This has caused movie tie-ins to become synonymous with shovelware as a derogatory term. In an Extra Credits episode, Portnow elaborates on these problematic aspects of shovelware:

* “…the fundamental reason shovelware is so terrible, is that most of it is created off the idea, that just being associated with the licensed property they’re working with, will sell the game…these publishers are willing to wager, that most of their sales will come from brand recognition, rather than the actual quality of the game itself. Therefore, making a quality game is not their priority at all”[[31]](#footnote-31)

The reason for shovelware becoming a derogatory term then, is because games of this type do not exist for the pleasure of the consumer. They exist for the sole purpose of generating revenue from unsuspecting fans of a given franchise. This reason alone makes small shovelware games unpopular, and many industry figures of AAA games are also pursuing this goal, albeit to a smaller extent. Downgrading the quality of an initially-popular franchise, and incorporating features that encourage buying DLC, expansions etc. Assassin’s Creed 3 (2012), Mass Effect 3 (2012) and Dead Space 3 (2013) are AAA examples of this. The reason for the concept of shovelware being considered such a nefarious business practice however, is that deception of the consumer is a core principle of the business practice. The aforementioned AAA games might be oriented in a more revenue-hungry direction than their predecessors, but they still have to be decent games that deliver decent experiences. Multiple factors indicate that shovelware does not have this requirement. I already mentioned the anti-consumer goal behind this type of games, but another reason is the proportionately low development time and amount of resources allocated to making these games, as Portnow mentions in the aforementioned video. He also states that effect of this practice may generate short-term revenue, but in the long run will go so far as discourage users, for which shovelware was their first gaming experience, from pursuing gaming as a past-time entirely. He claims that this is damaging not only to the company in charge of making such games, but also to the medium of video games itself.

The state of shovelware today depends on where one is looking. For the AAA gamer demography, shovelware on PC and consoles is on the decline according to Portnow, partly because games have become more expensive to make for these systems, and partly because of the stigmatization of shovelware. Gamers wise up to the practice after being subjected to it for a relatively long time, and social media help consumers become more educated and aware of the perpetuators of the practice. On mobile devices however, shovelware thrives better than ever, as Portnow explains:

* “Mobile platforms are generally easier to develop for than our major AAA platforms, which makes them the perfect marketplace for shovelware. Games are cheaper to make and take less time to crank out, which makes it way easier to hit those crazy deadlines, and perhaps most importantly, mobile represents a whole new customer base to sell to. One that isn’t necessarily as up to speed as the core AAA audience”[[32]](#footnote-32)

With the growing popularity of digital distribution and ‘early access’ games however, I will argue that shovelware has found a new outlet, which I will discuss further in the next section.

## 4.3 Early Access

With the traditional B2P business model, publishers have almost always been a factor in the development and funding aspects, which means that the developer will get a salary regardless of whether the game is successful or not. If it is successful however, the publisher will usually profit exponentially more than the developer. Furthermore, because developers’ paychecks come from publishers, the developer has to be on fairly friendly terms with the publisher when discussing their contract, which can give publishers relatively much influence over the developer and the decisions of the game’s design. Also, publishers are naturally not inclined to risk funding alternative games that do not conform to known profitable concepts, since said games are harder to predict to be successful. These factors of the traditional method of game development are the primary reasons for the rise of independent (indie) game companies. Indie developers manage to secure funding for their games from other sources, whether it is through early access, crowdfunding or private investors.

Early access is a marketing tactic where the developer allows users to pay for the game in a pre-release state. This enables them to experience the vision of the game, and follow the direction that the game is headed in throughout development. Some examples of early access games are Mount & Blade (2008), Minecraft (2011), and Prison Architect (2015), all of which are relatively popular. The benefits of early access are guaranteed early funding for the developers, as well as feedback from the users who essentially function as game testers. This can be important for small developers, since e.g. quality assurance in game development can be costly. There are also downsides of early access however, one being that there are never any guarantees that a given game will be released. If the developers have mismanaged the production budget, they will likely have spent all the consumers’ funds trying to develop the game, meaning that consumers risk never receiving a product for that money. Furthermore, games in an early access state can be anything from a game that is far along in development and delivers a decent experience, to a game that is barely playable. This has spawned many games that have been criticized for being the latter, most notably on Valve’s digital distribution platform, Steam. Since 2013, developers have been able to mark their games as early access on the platform. While this has undoubtedly been a help for some games, it has also had the consequence that the early access section of Steam has been flooded with what is essentially shovelware. This creates market saturation where the good games of early access are hard to find. Sterling notes the problematic aspect of funding early access games on trust, rather than quality of product:

* “…buying games on early access in utterly disheveled states, sends the message that we’re willing to pay top dollar for a skeleton of a game, just on the off-chance it will get some flesh on its bones on a far-flung date”[[33]](#footnote-33)

The problem then is that developers of shovelware in early access are being rewarded for not providing quality in their games. While some AAA titles ship with some missing features, such as Grand Theft Auto 5 (2015) missing its GTA Online mode, or Ryse: Son of Rome (2013) missing its multiplayer, these are largely accepted by consumers, due to the main draw of the games being complete.

The mentioned drawbacks of early access so far solely hurt the consumer, but according to Portnow, the worst downsides hurt the developers themselves:

* “First up is the problem of retention. The early adopters who are willing to jump into the game when it’s incomplete and unfinished, are usually the ones who are the most excited about the product…but many of these people don’t end up sticking around all the way to launch”[[34]](#footnote-34)

He goes on to explain that some developers are essentially losing their otherwise most core community before the games are even released. Along with having less people playing the game, it also means that auxiliary user content that bolsters a game’s presence, such as guilds, fansites and game guides, are much less present. This in turn discourages more users from trying out the game due to its loss of critical mass (Ref: 3.2 Moral Economy), which in this context is the amount of users required to create a social consensus of quality that draws in a sustaining stream of new users. Portnow attributes this premature loss of users to them already having a sense of having played the entirety of the game, despite it still being in development. Since that experience is unfinished, it leaves a mediocre impression on users and lowers their willingness to endorse it to friends. He goes on to state the damaging effects this has on the potential of the game, as well as the problematic aspect of long exposure times of early access games:

* “For smaller titles, this kind of word of mouth can be devastating. Not only does it anchor expectations where you don’t want them, it lowers the amount of general hype around the game, and therefore the likelihood of it getting more press or publisher attention…By not having a single day that you can focus all your media efforts on, and with members of the press hearing about your game off and on for months, it makes it much harder to get the attention you desperately need when you finally do launch your game”[[35]](#footnote-35)

Crowdfunding can also be said to be a form of early access, where the developer has to pitch their game to potential investors, e.g. on sites like Kickstarter. This model generally requires more commitment from the developer to convince people to invest in their game, such as a well produced introductory video, tiered investor rewards, regular updates and generally a greater sense of transparency of the game’s development. Like early access, investors run the risk of the game never being released, and a study made of kickstarted games, showed that only little more than a third of successful campaigns from 2009 to 2012 were released.[[36]](#footnote-36)

## 4.4 Used Games

Many industries that create and sell new physical products, like TVs and cars, have also created a market for used products. Buying used products instead of new ones, is an old and common practice throughout society. Buying used often comes with a cheaper price tag, albeit with potential wear and tear, which has always been an implicit understanding in those markets. When it comes to digital goods like game software however, there is no wear and tear. Digital software does not degrade over time and it either works or it does not. This is the first difference between physical and digital goods, in this section about the debate about used games. Just like other industries, the game industry has spawned a market for its used products as well, but according to several game industry figures, this market has been damaging for their economies. The main reasoning for this, is that used game sales only profit the retailer that is reselling the games and not the developer or publisher. The following quote is from former THQ game director Cory Ledesma, commenting on locking online content away from buyers of used games:

* "I don’t think we really care whether used game buyers are upset, because new game buyers get everything. If used game buyers are upset that they don’t get the online feature set I don’t really have much sympathy…when a game is bought used we get cheated”[[37]](#footnote-37)

Ledesma’s statement was generally ill-received by the public, with consumers feeling disrespected and angry. In response to this reaction on the statement, Penny Arcade artist Jerry Holkins claimed that these reactions were wrong and a misunderstanding of Ledesma’s point:

* “I honestly can’t figure out how buying a used game was any better than piracy. From the perspective of a developer, they are almost certainly synonymous.”[[38]](#footnote-38)

Mike West from Lionhead has also expressed his discontent with used games:

* "It's just a depressing situation we're in that people don't think it's worth spending money on computer games. What they're doing is making sure there are fewer games coming out in the future and more people out of work“[[39]](#footnote-39)

This statement along with the others mentioned above, is the general sentiment that many industry figures have conveyed. Buying used games is seen as a source of wrongdoing and stigmatizes the market of said games. Essentially the argument is that buying used games makes you a customer of a retailer, like GameStop, not a customer of the industry figure, and thus it is equal to or worse than piracy.

The piracy comparison is a fallacy however, since a game has to be sold as new before it can be sold as used. A pirated game is either leaked or bought once, and can be copied many thousands of times instantly for distribution, which physical used games cannot. As for which party the consumer’s money goes to, while he might not be supporting the developer or publisher in the particular instance of buying a used game, he might have bought their games in the past or will be buying them in the future. In an industry with a vast ocean of games, as well as dubious advertising and misdirection, used games allow consumers to sample a given franchise with a lower financial risk. This can in turn attract new customers to the franchise, as Sterling points out:

* “If a gamer buys a cheap game used and absolutely loves it, there’s a good chance he’ll want to pay full price for the sequel as soon as it comes out…Used games represent cheap ways of trying untested products, and if the product is good, the consumer’s trust will bloom.”[[40]](#footnote-40)

One of the ways the industry combats used games are through online passes, used to restrict access to the online portion of a game. They function like serial keys that have to be entered in before online access is unlocked, and they are shipped for free with new games that use them, but have to be purchased for used copies separately. This balances out the lowered price of used games, making them just as expensive as new games, which essentially devalues used games. This factor forces retailers to lower prices of used games further, and in turn offer less money for the games that customers trade in to get store credit. With most new AAA releases priced at 60 USD and new releases being plentiful, not everyone can afford to buy more than one game at the time. Because of this, consumers can rely on trade-in store credit to buy used and new games. The fact that store credit can also be used to purchase new games, touches on another argument against used games, which is that one used game sale equals one new game sale less. An OTX survey presented at the game marketing conference MI6 in 2008 says otherwise however. According to the survey that looked at gamers and the market in the United States, of the 26 million gamers that traded their games in, 61% of those used the money towards purchasing new games. Furthermore, the survey showed the top reason for game trade-ins to be “The game is not very good”. [[41]](#footnote-41)

The argument used to justify online passes is that online maintenance in games cost money, which the buyers of used games do not pay for. While it is true that online maintenance is not free, it is yet another fallacy that the developer is not being compensated by used games for online maintenance. Seeing as the online space was paid for when the game was originally sold as new, the first customer paid for that space, and him keeping the game would change nothing. By transferring that space to another customer by trading in the game, the online space still only belongs to one customer. The online space can be regarded as an indefinite parking lot ticket, with no additional expenses on the developer’s part, regardless of how many times it has been transferred. A counter-argument to this is that the online space is then used much more than expected, and therefore adds unexpected expenses. I find this argument problematic, in that it has to be very difficult to accurately estimate a customer’s online usage of a given game. The reason I say this is that if a consumer does not like a game or just finds it to be mediocre, he might play it briefly or even for several months. If he absolutely loves the game however, he might find himself playing the game for many months or even several years, and this is a very big variable to account for. Even if the developer is able to estimate an average of consumers’ online use, it is ultimately irrelevant since every consumer of new premium games have paid for the game in its entirety. That includes indefinite and unrestricted use of the game’s online access, regardless of whether the game is played online for one day or until the developer eventually shuts down its servers, years later. Customer A who buys a given game as new, can still be active online for much longer than customer B who buys the game used. As long as it is possible for consumers of new games to be a greater expense of online space than consumers of used games, the argument of increased online maintenance cannot justify discrimination against used games.

Online passes also complicates access, e.g. in the case of Dirt 3’s (2011) launch, where players were unable to redeem their online passes, due to the PlayStation Store being offline after a hacker attack. Thus, people could not play online for weeks, despite the online portion of the game itself functioning perfectly. Another aspect about the inconvenience of online passes, is that of the plug-and-play mentality that older games used to have, as well as many parts of the modern media services have, according to Sterling:

* “In a world of instantly streaming movies and mobile phones that deliver us information instantaneously, there is no reason for games to be holding shit back from us, without forcing us to waste our time first”[[42]](#footnote-42)

When he mentions that there is no reason for this inconvenience, the point to take away is that online passes and said inconvenience that follow, do not exist for the customer’s benefit, but rather for the publisher and developer. With the stigmatization of the used games market, consumers of used games and consumers of new games are all feeling the effect of this demonization, but even if the used games market caused economic ruin, the buyers of new games still end up as collateral damage. If a customer buys a game and does not like it, there is no pro-consumer reason why he should be forced to keep it, and ultimately, the trading of used games are legal and the byproduct of the industry. As Sterling points out in response to the piracy comparison made earlier, used games are legal for a reason:

* “…(used games) operate within the same capitalist system, that directly benefits publishers in a way that base theft does not. You see the likes of EA, THQ and Ubisoft have benefitted immensely from a western business system that grants them a huge amount of rights, without an equal amount of responsibilities” [[43]](#footnote-43)

In this capitalist system, GameStop has exploited the market of used games, by offering consumers to trade in their games, just like the major industry publishers have exploited the system by acquiring companies and exclusive rights to build monopolies of intellectual property. After having mentioned all the arguments for and against used games, but there is also the very real effect when trying to remove the used games market. When Microsoft initially revealed their policy regarding sharing games for the Xbox One, they would enable publishers to bar their games from being sold used, as well as bar users from lending each others’ games.[[44]](#footnote-44) This caused a massive consumer uproar that caused Microsoft to revert their position a month later, as Chris Kohler from Wired recounts:

* “Look what happens when you try to take the ability to share games away from players: They get really, really, really mad…So mad that when they say they’re not going to buy an Xbox One and Microsoft can get stuffed forever, Microsoft actually believes it, and they actually cause a corporate goliath to engage in a lightning-quick, remarkably humbling turnaround of the policies that it had spent so much energy developing, explaining and defending”[[45]](#footnote-45)

## 4.5 Pre-Orders

Concerning premium games, industry figures can make their games available for pre-order as part of their marketing tactic. This is essentially a reservation for a copy of the game, where the customer pays for the game up front, prior to its release. As with other products in society that can be pre-ordered, the main advantage for the consumer is to secure a copy of the given product, instead of risking it being sold out. This advantage is only present with physical goods that typically need to be stored in a shop to be sold however, and it has diminished with the rising trend of games becoming digital, and therefore unlimited in supply. The main advantage of pre-orders for developers and publishers has been providing additional accuracy in projecting the sales statistics of a given game. The importance of knowing how well a game will sell, allows the industry figure to plan out development and budgets for future game content and future games. Given that around half of new games are sold within the first month of their release, this naturally makes for a short amount of time to work out a lot of projections. [[46]](#footnote-46) Pre-orders allow the industry figures to make these projections earlier, and even measure the success of their pre-order marketing. Pre-orders are being used as a method of incentivizing the early purchase of games, where the consumer pays with trust and money for quality experience, and is usually rewarded with additional game content, price reduction or pre-release access etc. Retailers like GameStop also employ pre-order bonuses that uniquely reward customers of that specific retailer. Ideally the use of pre-orders creates a win-win situation, but there are many examples of it being abused in several ways.

Game conferences like E3 present great opportunities for game developers and publishers to showcase their upcoming games, which is in part done by showing gameplay videos. Such videos are meant to give the viewers an overall impression of the way the game looks, sounds, plays etc. These showcases have also come to be known as vertical slices, which are commonly regarded as type of milestone, benchmark, or deadline, with emphasis on demonstrating progress across all components of a project. Essentially, these are polished and prepared videos for demonstration purposes, and the common distinction between those and regular ‘raw’ gameplay videos, is that vertical slices have come to be associated with an unrepresentative experience. This is due to the degree of extra polish vertical slices receive, as well as long history of vertical slices not matching the finished product. Given the widespread pre-order culture that is present in the game industry, videos that present a great impression of the game can contribute a lot to the hype of the game, increasing the likelihood of a customer pre-ordering it. It is understandable that publishers would prefer the videos to look as spectacular as possible. This becomes a problem however when a game is presented at game conferences in one way, but fail to live up to the expectations of the user when the game is released. There was controversy regarding Watch Dogs (2014) and accusations of it being visually stunning in its presentation at E3 in 2012, to being downgraded in later instances and ultimately in the final release of the game.[[47]](#footnote-47), [[48]](#footnote-48), [[49]](#footnote-49) The game was marketed as the leading game to use the cutting edge graphics of the next-generation consoles, and when it was learned by the public that the game did not deliver the experience it had promised through the promotional videos, outrage ensued. Sterling accounts for the underlying issue that this represents:

* “If you’re truthful about the way your game looks, people will be far more impressed and forgiving with the finished product. If you lie, if you make your game look better than it is before it’s out, people will start to say it looks terrible, even if it doesn’t, because the human brain cannot expect one thing, get something inferior, and then process that in a forgiving way”[[50]](#footnote-50)

Watch Dogs is not a graphically underwhelming game in itself, but when having set the high initial standards of graphical fidelity that turned out to be a false representation of the real experience, the game came to look bad in comparison. This has garnered the game a bad reputation that would not exist if Ubisoft had presented the game in honesty, since the outrage is not about the game itself, but rather a broken promise and the attitude that it represents. This attitude of deception is unfortunately to be expected, judging from the history of game conferences like E3. In 2005, a gameplay trailer of Killzone 2 (2009) was the cause of much controversy, showing a high fidelity of graphics that few people believed the Playstation 3 to be capable of.[[51]](#footnote-51) The company remained adamant that it was in fact gameplay footage, but would years later admit that it was in fact a pre-rendered guess at the capabilities of the PS3.[[52]](#footnote-52)

At its release in 2013, Aliens: Colonial Marines became notorious when its final state was compared against the gameplay demo that had previously been showcased to the public. Large portions of the demo were either missing or had been downgraded in terms of quality, much to the detriment of its reputation as Matt Lees and Steve Burns from VideoGamer.com details in a walkthrough video.[[53]](#footnote-53) Bain also commented on the debacle, as well as the legality of it:

* “It is not representative of the game because they made something completely different and a lot better, solely to impress the actual media themselves, which to me boggles my mind and as far as I’m concerned should be downright illegal, and that’s a gigantic example of false advertising and bait-and-switch tactics”[[54]](#footnote-54)

In regards to the legality for companies in general to pursue this level of misdirection without legal recourse, a class-action lawsuit was indeed filed. The case, Perrine v. Sega of America Inc. et al., was ultimately dismissed however, due to lacking evidence of the plaintiffs’ exposure to the game demo, prior to purchase.[[55]](#footnote-55)

There are several problems with this deceptive practice, one of which is the exploited trust, where games present one experience and delivers an inferior one, which I mentioned earlier as vertical slices. Trust is an essential ingredient in the pre-order business model, as Sterling also points out:

* “The AAA industry is knee-deep in pre-order culture…but pre-orders operate on trust. People pre-order games, trusting the people making them. Every bullshot, every vertical slice, every falsified video presenting itself as authentic, is an erosion of that trust” [[56]](#footnote-56)

While pre-orders guarantee a final product for consumers, unlike early access and crowdfunding, there is still no guarantee of satisfactory product quality. Another problem is that industry figures have been known to cut up and divide their finished game, and lock the different pieces behind varying types of paywalls, one of which is pre-order bonuses. I will discuss this practice further in the coming sections.

## 4.6 Downloadable Content

Downloadable content (DLC) is an umbrella term for digital content that is downloaded and contributes to a game, and though some DLC may be free, consumers are usually charged a smaller fee for it. In the earlier days of the industry, the large expansion packs, the small add-ons, map packs and other extra content for games, were typically distributed on CDs. As mentioned earlier, more and more games are becoming digital, including such extra content, and as such all extra game content that can be downloaded is generally called DLC. Before DLC became a popular term and method of distribution, a lot of extra content consisted of small add-ons such as skins for a characters or weapon models. These small additions were easy to create and easy to distribute and install, due to the modular capabilities of DLC. They were also the reason why DLC has come to be synonymous with small isolated content, as opposed to large and coherent expansion packs. Due to this I will be referring to said small add-ons only, when I speak of DLC as to not include expansion packs under the same banner. The reason for this is that while DLC, like pre-order bonuses, is a clever method of handling extra game content, it too can been abused in varying ways. DLC have been known to be another example of the aforementioned types of paywalls. Like pre-orders, DLC has also been used to limit game content to have more DLC to sell, even content that is considered essential to a game’s story. Alien: Isolation (2014) was based around the first Alien movie (1979), with the location and events from the first movie as well. Sigourney Weaver’s character, Ellen Ripley, and other of the original cast of the movie, is available as DLC however. While some may be glad to have the option of playing as the cast from the original movie, others like Sterling find it troublesome:

* “An Alien game that sells the cast of Alien separately, that’s like a Die Hard game withholding Bruce Willis…that content should be part of the finished package, that’s what you use to sell the finished package” [[57]](#footnote-57)

Another instance of the same aspect is seen in Mass Effect 3 (2012), where an ancient and unknown race called the Protheans, are central to the trilogy’s plotline. One of the DLC packs that can be purchased, allows a living Prothean to become a member of the player’s team, along with story elements surrounding his journey and background. This means that consumers that opt out of buying the DLC are not receiving the complete experience, but are instead left with an inferior experience of the game. A problem this represents is that a part of the most essential ingredient of not only Mass Effect 3 but the entire franchise, has been locked away behind a paywall. The issue is not only of an ethical view, but also an artistic one. When the industry figure’s story team is crafting a narrative for the core game itself and for a piece of DLC, this communicates one of two things to the consumer. The first option is communicating that the core game does not offer the complete narrative experience, which in turn communicates that the complete experience is being held ransom by the industry figure right from the start. The second option is communicating that the consumer is in fact getting the complete experience with the core game, and that while the DLC narrative is complementary and not important for the complete experience. Most industry figures will likely choose the second option, as to not be accused outright of blatant cash-grab practices. The problem with the second option however, is that it lacks artistic integrity, because it is stating that even though narrative is critical to the given franchise, there now exists a piece of it that is not important. To translate this to a movie experience where the narrative is also essential, The Avengers (2012) is a movie about a common evil that requires a lot of famous superheroes to champion together, such as Captain America, Thor, Iron Man and The Hulk. They all contribute to the narrative in a meaningful way and get their own back-story explained. If the consumer was watching this movie but with knowledge that for an extra fee, the superhero Hawkeye would also be included in the movie, it would likely be decried as a deplorable practice. In the case Mass Effect 3 and the aforementioned Protheans which are considered to be critical to the narrative, the industry figure took the opportunity to bolster the core narrative in a coherent way, but chose to create filler DLC, a mere side note to be glimpsed over and thrown away. Even though I have discussed this particular topic in the context of narrative, the ultimate issue it represents is that by reducing video games to a model for generating revenue, the medium is also being undermined as a form of entertainment. Video games are of course business products that need to generate revenue, but product quality is being comprised without a lowered asking price to compensate for this degradation. As such, this creates consumer expectations that are not met, the results of which I will discuss further in a later section (Ref: 4.8 Pricing & Marketing).

Setting aside all the aforementioned talk of DLC implementation, EA and BioWare faced massive criticism for Mass Effect 3, due to the multiple endings of the game being essentially identical. The reason why this caused so much outrage was the importance of consequences of the player’s decisions in the game, as mentioned earlier. The general sentiment was that the decisions and consequences that were critical to the core of the game, the narrative effects of which were even carried over from game to game, but ultimately meant nothing regardless of the chosen ending. The outrage sparked an online campaign to demand a better ending from EA and BioWare, and part of the campaign was a charity drive that raised 80.000 USD, despite confusion over the use for the funds.[[58]](#footnote-58) One fan went so far as to send a complaint to the Federal Trade Commission (FTC), the Better Business Bureau (BBB) and eventually the Advertising Standards Authority (ASA):

* “This is not somethign I was happy to do, but after the terrible ending that was in no way the product that had been advertised to me and the lack of any kind of response from BioWare/EA to address this, I felt it was one of my only recourses. I'll be returning my copy of the game before the end of my 30 day return policy if the ending still hasn't been addressed by then”[[59]](#footnote-59)

While it was deemed that there technically was false advertising involved, it was not substantial enough to warrant legal action. Kristal Heffley from BBB commented on the case:

* “The lesson to be learned here is companies should give careful consideration to how they word their advertisements. Otherwise, there could be detrimental effects, especially in the era of social media and online forums”[[60]](#footnote-60)

It is easy to claim the debacle to be nothing more than entitled gamers throwing a tantrum, and it can easily be argued that the original endings of Mass Effect 3 are a result of creative and artistic expression, and thus will not suit everyone’s taste. I will argue however that this is about neither of those things, but instead boiling down to expectations. Like I mentioned earlier, decision-making and consequence-experiencing are essential to the franchise, and because BioWare has been so skillful in conveying and implementing this in the games and their narratives, consumers have come to expect a certain level of quality. My argument is then that this controversy is about a perceived, significant degradation of quality, as the endings were simply not representative of what the franchise is about. The complaints raised of false advertisement were likely not a result of the consumer thinking that they paid for 60 USD content but only got content worth 50 USD. Rather, the consumer felt so deceived by the difference between expectation and result, that he felt urged to make sure EA and BioWare were held accountable by authority. The fact that the rest of game might have been perfectly executed, and that this comparatively tiny portion of the game had such a great impact, is a sign of the level of investment that consumers have in the narrative. One thing to understand about choice throughout the Mass Effect trilogy however, is that it only offers the illusion of choice. There are plenty of choices that get the player invested and change the experience of the narrative, but ultimately these decisions have no impact on the direction of the plot. The same is true for The Walking Dead (2012) by Telltale Games. This game is about a zombie apocalypse and the protagonist’s struggle of surviving it. There are many choices that impact the way the other survivors interact with the player, and while this leads to a difference in how the game is experienced, the plot remains exactly the same. With the two games being so similar in that aspect, the question to ask is “why was The Walking Dead universally praised, while the endings of Mass Effect 3 were criticized so heavily?” Once again I point to the argument of expectations in quality. Bobby the Tounge is a fan of the Mass Effect franchise and has in a YouTube video analyzed, why the endings of Mass Effect 3 were objectively deemed bad. Through lengthy explanations he essentially states that the game abandoned the concepts of established genre, character focus and central conflict towards the end of the game, all of which led to a loss of narrative coherence[[61]](#footnote-61). Without going into detail, these are principles that make up narrative structure, and principles that The Walking Dead adhered to.

## 4.7 Disc-locked Content

On-disc DLC is a variation of regular DLC, in that it is content that is made before a game is finished, and put on the final game’s disc as a pre-packaged add-on. Because it is not actually downloadable, I will refer to it as disc-locked content instead. The critical difference is that regular DLC is made after the game itself is completed, and while the game can purposely be underdeveloped to allow for more regular DLC to be sold, this is only one among several possibilities. With disc-locked content however, it is the only possibility. There is no distinction between the finished game’s content and the extra content that is locked away on the disc, because both the game and the disc-locked content are developed before the game’s release. Therefore, the industry figure is selling less content for the same price, while selling the rest of the content separately, to be able to charge more in total. Consumers and game journalists alike are calling this out as a blatant cash-grab practice, though there is the argument of development idleness, as Cliff Bleszinski from Epic Games mentions:

* “When you're making a game, and you're getting into a ship cycle, there's often three or four months where the game is basically done. And you have an idle team that needs to be working on things”[[62]](#footnote-62)

Along with this statement is the argument that because not all parts of the team are equally relevant at all stages of development, such as graphics artists in the testing phase, said parts of the team would face the threat of being laid off, if not put to work on e.g. disc-locked content. While this might be true, it is essentially a false positive since the team is not forced to create content that has to be sold alongside the finished game at launch. The team can just as well begin working on other games, or a on a future expansion pack that would include a much more coherent collection of patches and new content, that support each other to improve the game as a whole. Another problem with Bleszinski’s argument is that if the game is done and shipped out to stores, the extra content made in the final months before release would be regular DLC content, which is not necessarily a bad thing in itself. If the game had not shipped to retailers when the content was made however, there is no fair reason why it should not be included in the game. Capcom’s fighting game Street Fighter X Tekken (SFxT)(2012) has received strong criticism, partly because of their use of disc-locked content, and partly because of their handling of complaints levied against it from the consumer rights advocacy, BBB. The first complaint was due to its use of disc-locked content, and the official response from Capcom was dismissive of the problematic aspect of disc-locked content:

* “There is effectively no distinction between the DLC being ''locked'' behind the disc and available for unlocking at a later date, or being available through a full download at a later date, other than delivery mechanism”[[63]](#footnote-63)

In this response, it was also stated that the game would launch with 38 characters available, but 12 of those were DLC, meaning that more than 30% of the game content was locked behind a paywall. More criticism followed when Brett Elston from Capcom tried to explain the necessity of disc-locked content:

* “By including these 12 characters on the disc, the idea was to ensure easy compatability between players who do and do not choose to download the characters when they arrive as DLC”[[64]](#footnote-64)

There are two things to be said about this argument. Firstly, while there may be the issues of compatibility when players with differing DLC try to play with each other, this only justifies the act of using disc-locked content. It does not justify charging the customer extra money, for what Capcom states is a technical requirement for the game. Secondly, the problem belongs to Capcom and the customer has no control over how the game was developed, and yet the problem has been shifted onto the customer. Another criticism that Capcom received has concerned essential features of SFxT. When answering why the game’s co-operative modes, Scramble Mode and Pair Play, could not be played online with two players on the same system, Christian Svensson from Capcom stated that it was due to the platform restrictions of the Xbox360:

* “It will not be patched and apologies for the manual inclusion. Seems it was an oversight. The difference has to do with how XBL differs from how it handles online and offline accounts…360 version: It is NOT possible to mix and match online and offline players for scramble battles and pair play battles”[[65]](#footnote-65)

This explanation is not truthful however, since other Xbox360 games have Pair Play fully implemented, such as Gears of War (2006), Mortal Kombat (2011) and Halo: Reach (2010). After receiving a complaint from BBB due to the lack of these game modes, Capcom claimed that it had never promised the modes in the first place:

* “Capcom did not advertise this feature with respect to the Xbox 360 version… none of the packaging or other advertising collateral for the Xbox 360 version of the Game advertised the ''4-player co-op mode,''”[[66]](#footnote-66)

This response contrasted the information on the fact sheet that the press received however, where the feature was in fact advertised:

* “Scramble Mode – Four separate players, online or offline, control each of the four characters on screen for the ultimate battle royale”[[67]](#footnote-67)

At a later date, Tomoaki Ayano from Capcom explained why the promised game modes were not available:

* “Unfortunately, due to time and resource issues, we weren’t able to get that feature into the Xbox 360 version...there are times when new features are added…and there are also times where we have to make tough decisions regarding things to cut. This was one of those times.”[[68]](#footnote-68)

If this statement is true, that means that the advertised content that has been used to sell the game, was sacrificed to prioritize disc-locked content. During a Q&A session some time after the release of SFxT, Capcom officially stated that the low sales of the game were due to market saturation:

* “Sales of “Street Fighter X Tekken” have fallen short of our plan. We believe one of causes is cannibalism because of the large number of other games in this genre that were launched within a short time”[[69]](#footnote-69)

While market saturation can be a hindrance and competition can be fierce, none of the other fighting games launched around the same time as SFxT could compete, according to Christian Nutt from Gamasutra:

* “…there are the real competitors…such as Skullgirls and Soulcalibur V, neither of which sold nearly as well as Street Fighter X Tekken. More relevantly, any student of capitalism tells you you weather competition by having a superior product”[[70]](#footnote-70)

The last part of his comment is probably the best counter-argument to that of Capcom’s, since it focuses on the fact that they have not adhered to that rule of capitalism. Capcom did not strive to make a superior product, and given the lower sales of the competitors at the time, the argument of market saturation is invalid as well. I say ‘as well’ to point out the fact that right from the start, Capcom has played a game of cat and mouse with the public, coming up with a new excuse every time the previous one has been seen through. Before the topic landed on Capcom’s controversy, I was discussing the problem of disc-locked content and regular DLC in general. Continuing from that point, while still in the context of Capcom’s excuses, Sterling addresses the notion of necessity and the contrasting fact that DLC is a relatively new technological addition to the video game medium:

* “Where were all this necessary DLC last generation? I don’t remember it being important for my PS2 games to ship with extra characters and costumes, gated behind a paywall, like some freemium game that I’ve nonetheless had to pay top dollar for”[[71]](#footnote-71)

Furthermore, as a comment on the collective justifications for DLC, he speaks against the industry figures’ behavior on the matter:

* “(Industry figures) acting like DLC itself is some malevolent entity that forced its way into a studio’s game against that studio’s will. No, you put it there. Any problems you have delivering it to consumers, are problems you created yourself”[[72]](#footnote-72)

The points of both Sterling’s quotes can be boiled down to a single issue, which is that of attitude. In the same video as the above quotes, he even encourages the industry figures to just admit that they use DLC because they want to generate even more revenue, and that it is ok. It suggests that the sheer honesty in attitude alone would be enough for him to condone the practice to a certain extent. Regardless of whether or not Sterling was being sincere, I will be discussing the topic of honesty in the coming chapters.

## 4.8 Pricing & Marketing

So far in discussing DLC and disc-locked content, a pattern of rhetoric seems to emerge when viewing the criticisms levied against it. The majority of this criticism is based on the pricing point of the content made available. In relation to Evolve (2015) by Turtle Rock Studios, the game was highly anticipated due to its concept and game mechanics, but simultaneously deterring in the way it was marketed. The game’s pre-order bonuses were being advertised just one week after its initial reveal to the gaming media, before there was even any gameplay footage.[[73]](#footnote-73) Furthermore, Chris Ashton from Turtle Rock stated that the game had been built from the ground up to support DLC and extend the longevity of the game.[[74]](#footnote-74) This sentiment implied however that the motive behind this decision was not to benefit the consumer, as Sterling explains:

* “Pretty much confirming the game’s intentions right from the bat, and I’m sorry, as much as I like some downloadable extras now and then, being told that a full-priced retail game has been built from scratch to sell me more shit for as long as possible, does not make me excited, it makes me feel gross”[[75]](#footnote-75)

I will argue that a parallel can be drawn between Evolve and disc-locked content. As I have argued earlier, disc-locked content that is not free, has no inherent benefit to the consumer in comparison to regular DLC. Likewise, a game like Evolve that was specifically built to sell DLC, carries the same negative connotation, as both are attributed to an implied intent-of-exploitation of the consumer. Furthermore, Evolve launched with an overwhelming amount of different editions of the game, raising confusion amongst consumers. The game offers a season pass, a Digital Deluxe Edition, an Evolve PC Monster Race Edition, Exclusive Xbox One pre-order bonuses, and varying exclusive pre-order bonuses from varying retailers. This form of content saturation is emphasized when viewing the spreadsheets composed to gain an overview of the different options, gaining infamy for games like Evolve (Ref: Figure 1) and especially Watch Dogs (Ref: Figure 2).

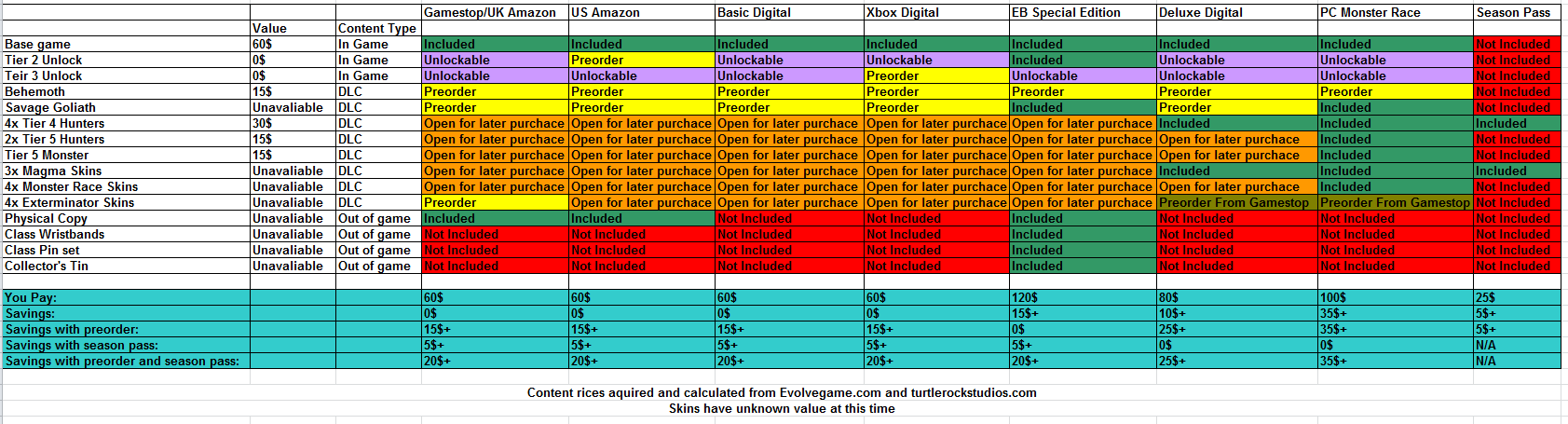


Figure 1 - Evolve pre-order editions

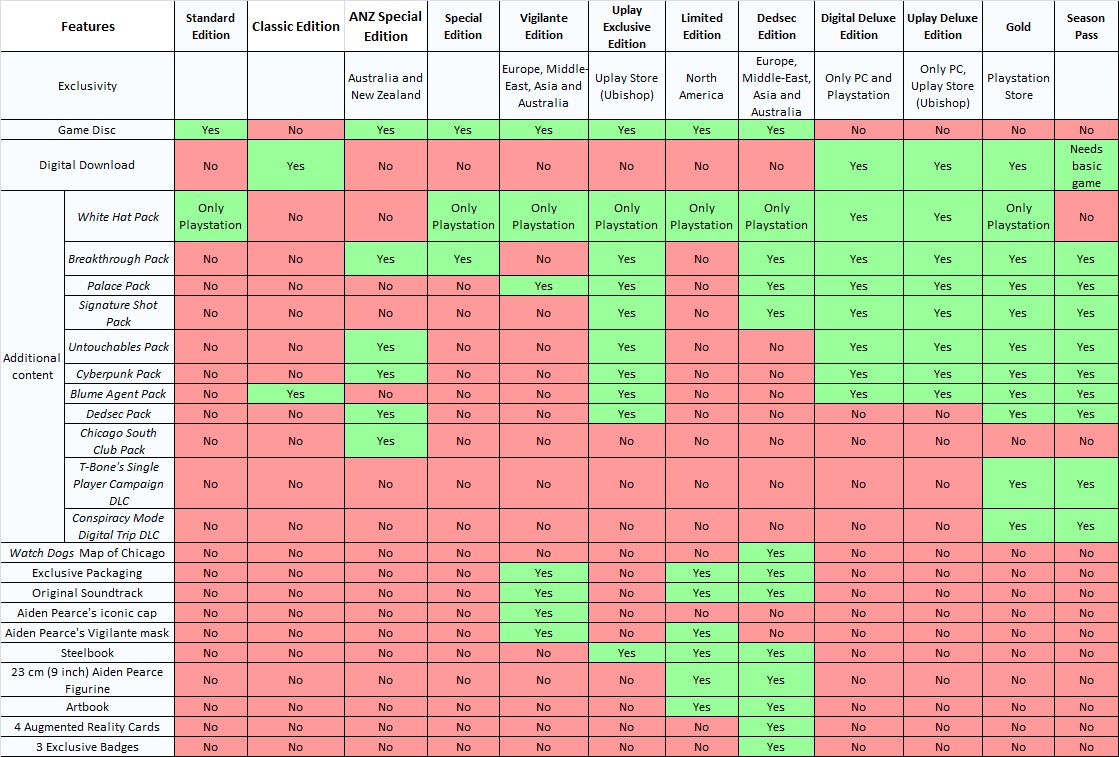


Figure 2 - Watch Dogs pre-order editions

Usually, most AAA games have a standard edition, a collector’s edition and maybe a pre-order bonus, but most games are also introduced to the public well before these options are advertised. It can be argued that having many options is beneficial for consumers, but Sterling points out the flaws of too much choice:

* “No customer wants to plan like that, they wanna know: where can I buy the thing, and play the fucking thing…once you start complicating the process of accessing entertainment, when you start shoveling bonuses and extras and exclusives and presumptuous extra purchasable content before the game is even out, a lot of people will find it either tacky, or distractive, and they’ll be less likely to, you know, just buy it”[[76]](#footnote-76)

A point to make on the subject is that by offering optional editions and content, the industry figure is also communicating that by not buying a special edition and additional content, consumers are missing out on the complete experience. Spending 60 USD on a video game is generally considered a lot of money, and so when consumers finally do spend a large amount like that, they want the full experience. On the topic of DLC in Evolved, Bain mentions several other prominent games, where the related industry figures are historically known for producing great content, but in recent times have been offering less value for money:

* “We’re looking at ridiculously priced stuff for Destiny…overpriced stuff for Borderlands…Game of the Year editions of Borderlands that don’t actually contain all of the DLC, season passes that don’t contain all of the DLC. That’s why people are so hostile at this point, because they view DLC as the enemy, they view games as service platforms to be milked for DLC later on…of course I want new content for my game, if it’s worth paying for, but it so rarely is”[[77]](#footnote-77)

In his review of The Elder Scrolls Online (2014), Joe Vargas mentions that in the enormous MMO world, means of faster travel such as buying a horse to ride are grossly overpriced. Normal creatures are expected to give low rewards e.g. a few gold pieces, but more powerful creatures and even bosses provided the exact same amounts. Horses in the game are priced at more than 17.000 gold, and more than twice the amount for better horses. Normally this would be an issue of game balancing, but if the player bought the collector’s edition of The Elder Scrolls Online for 20 USD extra however, he would get a horse for free. This essentially places a paywall between players and the game, forcing them to buy the more expensive edition to avoid excessive grinding, a constant process of menial repetition of the same tasks to slowly accumulate gold. Also, the 10th playable race of The Elder Scrolls lore is also locked behind this paywall, even though this race has been available in every previous Elder Scrolls game. Vargas comments on the effect of this practice:

* “Tactics like these put your audience on edge right at the beginning, and weary of the whole thing. You just start off on the wrong foot”[[78]](#footnote-78)

In regards to the same franchise, Pete Hines from Bethesda Softworks comments on the infamous Horse Armor DLC for The Elder Scrolls 4: Oblivion. The DLC was almost universally mocked by the consumers, for being overpriced and purely cosmetic. In retrospect he states:

* "The reaction to horse armour wasn't just about price; it was more a lesson on when you're going to ask somebody to pay X, do they feel like they're getting Y in exchange. If they don't feel like they're getting their money's worth they're going to bitch”[[79]](#footnote-79)

From this perspective, the actual price in dollars and cents seems irrelevant, especially in this age of huge differences in price between newly released AAA titles and indie-games for a single dollar. Rather, the more relative ‘value for money’ is a dynamic factor that exists in all games, though consumers deem it too low in many games. Of course, expectations rise in proportion with the price tag, perhaps with the exception of F2P games. In those cases it is more likely that the value for money is determined partly by how much of the core experience is available for free, and partly by the level of contribution that micro-transactions add to the experience. I realize that value for money is a loose and abstract term with no fixed point of agreement. Despite the subjective nature of the term and how it is based on individuals’ feelings however, value for money is nonetheless an important attribute when spending time and money on not only video games, but on any product across industries. The term is also influenced by historical changes in society, such as the pricing of extra content in the earlier years of the game industry. Consumers were happy to pay a retail price and a subsequent monthly subscription price, when World of Warcraft launched in 2004, but after it was announced that The Elder Scrolls Online would be using the same two business model, consumers voiced their outrage in the comment sections.[[80]](#footnote-80), [[81]](#footnote-81), [[82]](#footnote-82) Over the years, consumers have gotten accustomed to business models that offer free experiences, and that is likely why the general perception of having two business models for a game, has gone from being acceptable to excessive. Consumers have collectively raised their requirement for satisfaction in regards to value for money. As such, Dead Space 3 (2013) was likewise criticized for being a B2P game with micro-transactions, since these are normally only acceptable on the premise that the game itself is free. Sterling believes that as a result, the game delivered a worse experience because of it:

* “60 dollars for a game that is designed not to give you an entertaining experience foremost, but to tease you with better experiences before attempting to psychologically pummel you into submission…(Dead Space) was one of the most immersive IPs of the new generation, and that immersion was traded in for frequent reminders to buy things, constantly dangling carrots in front of your nose and telling you: You can take a bite, so long as you stomp up the green and pay the piper”[[83]](#footnote-83)

Time has not only decreased the perceived acceptable level of spending on games, it has also decreased the amount of content that would otherwise have been free. Extra content such as new maps, skins and other small add-ons used to be given out for free, but this is rarely the case today. Furthermore, content that would have been a part of a given game in earlier years is instead being sold separately, according to Sterling:

* “Costumes used to be available in games for free, as part of the game, as rewards for beating it…you look at companies like EA and Capcom and they’re selling you cheat codes now…the fun, secret stuff we used to find out for ourselves…for free…But now (the cheats) have been carved out the experience and sold back to us…they’re charging you for something that is less fun than it used to be for free, and we know, we all know it didn’t used to cost us”[[84]](#footnote-84)

## 4.9 Sub-conclusion

In this chapter I have presented the various business practices that are used by the game industry, as well as the problematic aspects of them and how consumers react to them. I have also presented how the general industry itself reacts to said practices. Almost all of the negative business models and practices presented in this chapter are not inherently anti-consumer, rather the opposite is the case. The problem is that they can all and have all been abused towards the exploitation of consumers, but these models and practices operate on trust. Trust is like fire, in that it has a multitude of uses that can be used to enrich people’s lives throughout history. It can also be wielded as a weapon however, and the trust of consumers has been used to lure them to buy different products than what they were expecting. With the theory of Jenkins, Ford and Green, it is clear that the moral economy between consumers and the industry is skewed, given the difference in views about the practices. By viewing consumers as wallets to be emptied, especially in the case of shovelware, companies are viewing the relationship between themselves and consumers as purely transactional. This causes the companies to make decisions in the marketing and production of their games, which do not benefit the consumer. I am not trying to insinuate that these companies are evil, but merely that there seems to exist a general consensus that it is perfectly ok to engage in the mentioned practices, so long as the consumer backlash does not lose more than is gained. Ethically, this is of course still unacceptable, but even from long-term economic standpoint it is a zero-sum game where the negatives can easily outweigh the positives under the right conditions. The extra revenue that is gained through deception or inferior product quality is ultimately offset by damage to companies’ reputation and the emigration of their consumers.

Good games should be appealing on their own merits, rather than needing pre-order bonuses, DLC and every other addition that consumers may not like. These extras are instead used to sell games, rather than using the game to sell the game. Extras should only be considered to bolster a game, when the core game is already delivering the best experience possible at the time of making.

# 5. Piracy & DRM

In this chapter I want to shed light on another aspect of trust, or rather mistrust, in the game industry. This aspect is that of Digital Rights Management (DRM) which is an umbrella term for copyright protection, used to combat copyright infringement also known as software piracy (mentioned as piracy). I will be looking at the different aspects of DRM methods, what effects they have had, as well how prominent the problem of piracy is. I will also try to explore alternatives to existing DRM methods, and look at how different companies deal with the issue.

## 5.1 History of Piracy

Before continuing, it is important to understand what exactly piracy is, as many draw parallels between theft and piracy. This is however a false interpretation as I will explain.

Theft (from ‘steal’):  
*“Take (another person’s property) without permission or legal right and without intending to return it”[[85]](#footnote-85)*

Piracy (software):  
*“The unauthorized use or reproduction of another’s work”[[86]](#footnote-86)*

In the case of theft, a piece of property is being taken from the owner and placed in another’s belonging. The result of this is a removal of the victim’s possession where he no longer has access to the given piece of property. In the case of piracy however, the piece of property is being copied from the owner and the copy placed in another actor’s belonging. The result of this is not a removal of the victim’s property, since he still possesses and has access to his piece of property, as it was only copied. Of course, if one was to copy and delete said piece of property from the victim’s possession, then the effect thereof would be the equivalent of theft. Morally however, one might argue that the act of theft and piracy are equally condemnable, as both acts are cheating someone of profiting from their work, e.g. a video game. These acts are still different however, since when a video game or any digital product is being copied, the owner can still use and profit from their work, albeit with a lower income potential. Subjective as this issue may be, this fact objectively makes piracy the lesser of two evils, as some profits are better than no profits.

With the rising popularity of the PC in the 80s and 90s, it began to find its way into most people’s homes, letting them explore the possibilities of this ever-evolving platform and its digital content. Two of these possibilities were the ability to copy content without data loss, and the physical means of distribution, mostly in the form of CDs. With exposure to the Windows operating system, commercial products such as video games, music files and programs also became popular. With the prevalence of the internet, these products could be mass-distributed, which revolutionized software piracy, which so far had been restricted to physical distribution channels.

Since the earlier years of gaming distribution in the 90s, DRM has been included in an increasingly amount of games, and having an increasing impact of the ease of access to the game for legitimate users. There is a history of many games being almost plug-and-play-like, where the steps from buying a game to playing it have been minimal. With the rising emphasis of countering piracy however, these steps have increased in number and complexity, such as disc checks, CD keys, online activation, activation or installation limits, account-based locks, always-online internet connection requirement, and cloud gaming where the game is played remotely.[[87]](#footnote-87) Some games implement several of these, and while they may hinder a certain portion of piracy, they still act as a general annoyance to legitimate users. The general viewpoint of this is that ‘DRM is used to combat piracy, so why should I, the paying customer, be punished for my legitimacy by having to go through all these steps?’.

## 5.2 Pirate Motivations

A very basic motivation for piracy is that of the free rider mentality, where people will avoid paying for something that they can have for free, purely of self-interest. It can also be the case that a consumer simply cannot afford a given game, or believes it to be overpriced. Video games in Australia are known to be priced at almost twice the amount of American and European prices. Logistics can also be a motivation for piracy in that not all games are available in all countries, and so piracy offers a solution for this.

Another reason that piracy exist, is that of uncertainty. One advantage pirates have over legitimate customers is the ability to test whether or not they like the content of a game, before investing money in it. This is a fairly understandable concern of PC gamers, seeing as you cannot get a PC game refunded if you try it and dislike it. In the 90s, game demos and the shareware business model made up for this and allowed consumers to sample a small part of the game and its quality, before buying the rest of the experience. As mentioned earlier in the report, used games (Ref: 4.4 Used Games) are also used as a more legitimate way of sampling games.

Yet another reason for piracy can be to make a socio-political standpoint. A decade ago if a customer was dissatisfied with the quality of a big company’s games or their anti-consumer practices, there were relatively few alternatives to companies that made AAA titles compared to today. The rise of mobile gaming and indie games, as well as digital distribution platforms have provided plenty of alternatives, and while they might not be AAA titles, they can still have high ambitions and deliver great experiences. This has also given gamers a voice when being dissatisfied with a game company, a voice that is not limited to critiquing on online forums. This voice is one where customers ‘vote with their wallets’, whereas if they are displeased with a company, they can voice this resentment by not buying its products. Since the consumer has a greater variety of games to choose from, this can potentially hurt a company and force it to take its customers’ feedback into consideration.

The most prominent reason for piracy is likely that of ease of access, where time in our modern society is quite valuable, and so is easy and fast convenience that saves us time. As seen with the development and adaption of Web 2.0 in society as well as the general increase in convenient services, it would be natural to assume this aspect would migrate to the game industry as well. Sterling points out that the opposite has increasingly become the case, when recounting the tiresome steps required when wanting to access the multiplayer portion of Resistance 3 (2011):

* “A few months back I had to quit playing Resistance 3 so I could download a firmware update, so I could open the PlayStation Store, so I could redeem an online pass, so I could play Resistance 3…that’s fucked up…Now we’ve begun to expect having to input codes, wait half an hour for installation and then maybe being allowed to play the game we bought”[[88]](#footnote-88)

He goes on to talk about the history of entertainment media as a whole, and how technology improvements over the years should have improved convenience of access as well. The music and film industry is increasingly converting to streaming services that allow for the best ease of access, but the game industry has digressed in the opposite direction.

In another video, Sterling discusses the Playstation Vita and the fact that Sony promised that over 100 games from the PlayStation 1 to be available for the Vita, thereby expanding its games library and extending its shelf life. He recounts that on the Vita’s launch (2012 in US and EU), only nine games were available in the US, 50 in Europe and around 290 in Japan. One could transfer all the games from the PS3 to the Vita however, but has to jump through a lot of technical hoops, without knowing which games even work, which is then left for the consumer to find out. He goes on to say that this is not a big deal in itself, but the problem being that this is just one incident in a long line of bad customer service, stating the detriment to Sony’s business:

* “It’s trying to compete in a market against better, faster, more user-friendly products. The portable game market in particular is now full of high speed, increasingly powerful devices that provide a range of entertainment in seconds. They’re simple to use, they respect the customer’s time and they understand that portable entertainment also needs to be instant entertainment”[[89]](#footnote-89)

Sterling compares Sony to Apple in that even though Apple is controlling and dominating through their products, they still deliver elegant, cheap, easy access and speedy downloads, whereas Sony does not. The title of the video refers to Sterling’s statement of piracy being a matter of who can provide the best service. The sentiment is that if a consumer has to go through a convoluted and difficult process, just to get a product legally, he will prefer to pirate the game and avoid all the unnecessary obstacles, since pirated games are often distributed in easy-to-install versions.

## 5.3 Consequences of Piracy

As seen throughout this report, there are plenty of industry figures that attribute piracy to declining sales, and there seems to be a wide consensus about this in the industry. Due to the secretive and potentially biased nature of the game industry’s safekeeping and reporting of various statistics, combined with the uncertainty of causality, there is generally too little reliable data to accurately portray the full effects of piracy. Regardless of what the truth about the intricacies of piracy statistics is, consoles have been popularized and prioritized by a large part of the game industry, likely as a result of its collective damnation of piracy. Many developers have also turned to subscription-based games and F2P games as a response to piracy, since the very nature of those business models are devoid of piracy. They are not relevant in this chapter however, since the point of interest here is to explore how developers of B2P games continue to survive in the piracy-laden PC market.

There is an argument that one pirated copy of a game equals one less copy sold. Incidentally, this is the same argument used against used games, but the argument is invalid in both cases (Ref: 4.4 Used Games). There is no reliable way of knowing what consumers would do if piracy was not an option. Even though some might buy a given game, others might not be interested in paying at all, and yet others might be willing to pay a discounted price. A judge in the criminal copyright case ‘United States of America v. Dove’ also rejected this argument, ruling that 17.000 downloads did not equal 17.000 lost sales.[[90]](#footnote-90)

One might attribute DRM to directly cause piracy, since easy and fast convenience is an attractice quality of piracy, but that contradicts the fact that the small DRM-free games World of Goo (2008) and Machinarium (2009) are reported to have piracy rates around 90%. Other factors are most likely to blame for these high rates however, since games with invasive DRM measures are still objectively unattractive to consumers in that regard. Furthermore, despite of these piracy rates, World of Goo was listed as the top selling PC game on Amazon a month after launch (Ref: Figure 3), and in an interview with Machinarium creator Jakub Dvorsky, he commented on the game’s sales:

* “it’s doing very well, so I can say we will be able to continue in fully independent development, which is awesome for us, because we don’t need any big publisher pushing us towards something commercial”[[91]](#footnote-91)



Figure 3 - Amazon's top selling PC games

Brad Wardell, president and CEO of the developer and publisher Stardock, believes it to be naive to blame piracy for declining sales. Two Stardock games, Galactic Civilizations 2 (2006) and Sins of a Solar Empire (2008), had fairly low budgets but sold 300.000 and 200.000 copies respectively within their first months. Neither games had any DRM nor got as much publicity or staggering sales numbers as more high-profile games such as the Call of Duty series, but they were financially successful regardless. Wardell attributes this to the attitude in development, in that they do not create games to garner the most attention nor to appeal to the highest-selling genre, such as first-person military shooters. Rather, Stardock prioritizes game quality as prerequisite, widespread hardware compatibility, and markets with the largest customer bases per cost to produce for. Wardell acknowledges the problem of piracy, but emphasizes that it is usually viewed wrong:

* “It's irrelevant how many people will play your game (if you're in the business of selling games that is). It's only relevant how many people are likely to buy your game”[[92]](#footnote-92)

This essentially means that even if a game has a 90% piracy rate, this does not exclude it from being a financial success. Rather, it is only an indication of how many people are playing the game, and should not be considered as a measuring stick of lost sales. His view of piracy is that it is factor, but not one that should impact business decisions concerning legitimate customers. Stardock leaves out copyright protection on their games, not due to kindness but to business philosophy:

* “We do it because the people who actually buy games don't like to mess with it. Our customers make the rules, not the pirates. Pirates don't count. We know our customers could pirate our games if they want but choose to support our efforts. So we return the favor - we make the games they want and deliver them how they want it”[[93]](#footnote-93)

A less obvious consequence of using DRM was seen in the case of Titan Quest (2007), where a piece of DRM attached to a quest in the game had gone unnoticed by pirates. The DRM would perform a security check, and terminate the game if the user played a pirated version. This made the pirates think that the game was simply faulty and badly programmed, leading them to share this experience with their peers, ultimately giving the game a bad reputation, according to the game’s producer, Michael Fitch:

* “So, before the game even comes out, we've got people bad mouthing it because their pirated copies crash, even though a legitimate copy won't…how many people decided to pick up the pirated version because it had this reputation and they didn't want to risk buying something that didn't work?”[[94]](#footnote-94)

Not only did the DRM not prevent piracy, but it also potentially resulted in lost sales, due to the negative reputation. Titan Quest is far from the only game to use DRM that directly impacts the game in hidden ways, but it does support the theory of Jenkins, Ford and Green. The fact is that pirates are still consumers, and even though they might not be paying for the game, their experience and word-of-mouth is shared just like legitimate consumers. It can be argued that piracy in fact acts as advertising, especially for smaller games, but it can also be argued that pirates telling their peers about a game they liked, might just as easily show them how to get the game for free.

## 5.4 Countering Piracy

In the same video where Sterling mentioned Resistance 3 and its cumbersome DRM measures, he also talks about Steam and how the platform manages to strike a balance between DRM and accessibility:

* “In essence, Steam is DRM, but it’s a DRM that provides things above piracy. It makes games easy to find and download, unifies them all through a single service and makes the buying and playing of games a pleasurable, pro-consumer experience. That’s what people want, and that’s a service people pay money to enjoy”[[95]](#footnote-95)

Additionally, Steam also serves as a social hub, allowing users to create friends lists, where users can see which games their friends are playing, and be invited to them via the friends list. Despite Steam’s mentioned shortcomings on the topic of early access, it offers an overall satisfying package of services for consumers.

Carpe Fulgur is the publisher of Recettear (2007), a game without DRM measures. Carpe Fulgur directly addresses the issue of piracy in their online FAQ section. After declaring that they have not included any DRM because they do not want to compromise the users’ privacy or freedom, a follow-up question is posed about them not being afraid of the game being pirated. The response is as follows:

* “Well, we'll say this: Recettear would be pirated regardless of whether we used copy protection or not. We're adults and we understand that our work will be stolen by someone who doesn't want to pay for it; that's how the Internet works in this day and age. Any prospective pirates who enjoy our work, however, must realize that we can only continue to produce localizations for games - and possibly help foster new projects on our own - if we make enough money to make a living at it. If you like the game even a little bit, please purchase it. We respect our customers enough to not put any invasive DRM programs into Recettear - we hope the respect will be repaid in kind”[[96]](#footnote-96)

According to the news updates on CarpeFulgur.com, Recettear’s American and European releases in 2010 garnered the company a flattering number of sales in their first months as well as the following years.

Yet another case of DRM-free practice is CD Projekt’s subsidiary and online digital distribution platform GOG.com (formerly Good Old Games). The platform was originally created in 2008 with the purpose of redistributing old game classics, without the usual compatibility issues on modern operating systems. It has since expanded its library of games to indie and AAA titles, but has always had a no-DRM policy. At the London Games Conference 2011, the managing director of GOG.com, Guillaume Rambourg, held a speech about the company and its stance on DRM. He lists three reasons why the no-DRM policy is working, the first being:

* “Just a simple observation, your customers hate DRM, so why don’t you?...DRM does not protect your product, DRM does not protect your sales and most importantly it’s only impacting your loyal consumers, which is very counter-productive”[[97]](#footnote-97)

The argument he presents is clearly pro-consumer, in that he believes that if a practice is bad for consumers, then it translates to being bad for the company as well, insinuating that the happiness of one’s customers should be a measuring stick for success. The second reason he gives, is that of convenience:

* “…we live in a fast-paced society and digital consumers are expecting to be delivered a fast and easy experience, and that’s what piracy got right and we should treat piracy as competition, not as an enemy, because if you treat piracy as an enemy, you’re kind of blinded, and you don’t pay attention to what they’re doing right”[[98]](#footnote-98)

For the third reason, Rambourg states that a DRM-free content practice works if the offer is right, but that it is not enough to merely offer DRM-free content. Instead, an emotional connection to the consumers must established, e.g. by providing small, free content packs as tokens of gratitude towards the consumer, for displaying interest in the company’s product. Global pricing is also used by GOG.com as opposed to regional pricing that can seem unfair, like the case of Australia as mentioned earlier. Lastly, Rambourg mentions the importance of ‘consumer love’, essentially meaning transparency and honesty. When CD projekt’s other subsidiary, CD Projekt RED, released The Witcher 3 (2015), the developer displayed its gratitude towards consumers by including a thank-you note in physical copies of the game. The note promises 16 DLC packs for free, regardless of edition and time of purchase (Ref: Figure 4).[[99]](#footnote-99)



Figure 4 - Physical thank-you note

When looking to the music industry where piracy has also been rampant, new anti-piracy legislation was passed in Norway in 2013. The following year, the music industry group IPFI conducted a piracy survey of the youth in the country, where the results showed a reduction from 80% to 4% piracy (Ref: Figure 5). Marte Thorsby from IPFI did not attribute the drop to anti-piracy measures however, but rather to the popularity of streaming services:

* “We are now offering services that are both better and more user-friendly than illegal platforms. In [the past] five years, we have virtually eliminated illegal file sharing in the music industry…Younger audiences are using streaming services to the greatest extent. When older audiences [start] embracing these services we will probably see a somewhat different distribution of revenues”[[100]](#footnote-100)

Furthermore, despite music piracy being virtually eliminated in Norway, the total market value from 2009 to 2014 has only increased by a mere 1,5%. Since decline in piracy is a good thing, one might rather attribute the status quo to the heavy decline in physical music distribution, though this is only an observation of pattern (Ref: Figure 6).

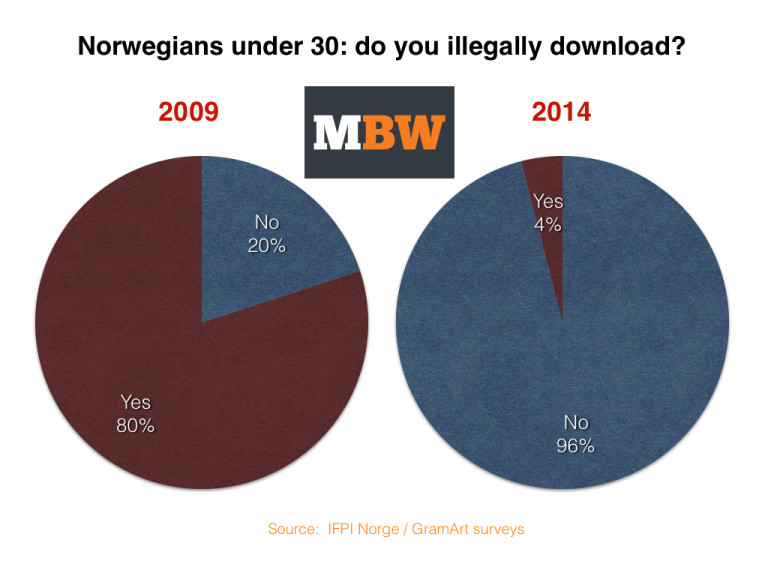


Figure - Piracy survey

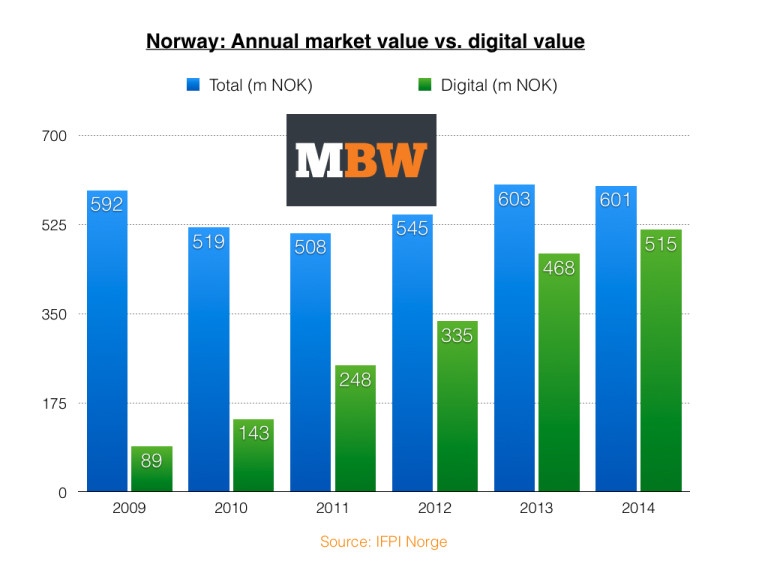


Figure 6 - Annual music market value in Norway

Google also has a position on combating piracy, through their different anti-piracy principles, one of which concerns creating more and better legitimate alternatives:

* “Piracy often arises when consumer demand goes unmet by legitimate supply. As services ranging from Netflix to Spotify to iTunes have demonstrated, the best way to combat piracy is with better and more convenient legitimate services. The right combination of price, convenience, and inventory will do far more to reduce piracy than enforcement can” [[101]](#footnote-101)

## 5.5 Sub-conclusion

In the end of the previous chapter, I mentioned that the moral economy was skewed, given the differing views of consumers the industry figures, in regards to the mentioned business practices (Ref: 4.9 Sub-conclusion). It has perhaps been even more apparent throughout this chapter however, given the deeply rooted history and attitudes towards piracy, as well as its illegitimate nature. Pirates have almost consistently been viewed by industry figures as cut-throat thieves that lurk in the shadows, just to use a dramatic depiction. Pirates have been viewed as violators of the moral economy, assuming them to act purely out of an economic view of the pirated products. The reaction to this common view has understandably been to fight them as such, with the same mindset that one would attribute to fighting ‘regular’ visceral crime.

As I also mentioned in the end of the previous chapter, the studies of ethicality and trust showed that consumer suspicion grows, when companies are using certain measures (Ref: 3.3 Consumer Trust). Such measures are those that have been and continue to be used to fight piracy and control content. Invasive DRM has especially been seen as a violation of privacy in the regard of consumers being controlled through DRM. The heavy use of it has brought questions of ethicality with it as well, which understandably have resulted in various cases of consumer backlash.

In reality, piracy is a much more nuanced issue than ‘regular’ crime, especially since pirates can also be considered consumers. As such, the only first steps that seem to be helpful, is to understand who you are fighting and what their motivations are. What we are seeing in this chapter with the companies that have taken this step, is that they are blooming as businesses because of it. Not only are they not viewing their products as mere commodities, but instead as experiences that deliver something invaluable. They are also encouraging pirates that would otherwise hold the commodity view, to ‘convert’ to the moral view as well.

These companies are doing this by embracing the essence of collaborative consumption, which is trust and accountability. They are holding themselves to a higher standard in their public relations, by being honest with their consumers in the motives of their business practices and decisions, as well as admitting when have made mistakes. Although Jenkins, Ford and Green refers to YouTubers when mentioning transparency, this term also applies in this case since it is about disclosure nonetheless. This transparency is essentially a long-term investment in building their reputation, as businesses with pro-consumer practices. They forego the potential short-term revenue that deception and exploitation of trust can gain, but they forego the damaging effects on their reputation and relationship with their consumers as well. Not only are companies showing that they can be trusted, they are also trusting consumers to not pirate their content. After giving industry figures 60 USD for one of their, the consumer is usually still forced to prove himself to them, before being able to play the game he just paid for. This ultimately represents a disregard of the consumer, but the mentioned companies are acknowledging this and shelving these control measures.

# 6. Relationships

This chapter will be dedicated to discussion of the different kinds of relationships that exist between the various groups that game industry consists of. In the previous chapter I covered the topics of Piracy and DRM, as well as some copyright aspects briefly. I have delegated most copyright discussion to this chapter however, since I will argue that it is more relevant to discuss in the context of relationships, than illegal activity to which a general consensus of disapproval already exists.

## 6.1 Review Embargos

When discussing the gaming media press, video game journalists maintain a certain professional relationship with the game industry as a whole. Industry figures supply the game copies and game journalists supply the coverage, but the industry figures may impose review embargos on their games, prohibiting reviews until the embargos are lifted. Although ignoring embargos is not illegal, game journalists that do this will damage the aforementioned relationship between themselves and the industry figures, and be blacklisted for future press material distribution and pre-release access for games. There are some benefits of review embargos, not only for industry figures but also for game journalists. Given that companies usually supply the game copies so reviews can be available before a game launches, the company in question risks that consumers will read about the review and forget about the game, since it has not yet launched. A review embargo makes sure that the publicity will be more focused on around the release date, and it also relieves the pressure for game journalists to rush their reviews, in order to compete of being the first publication with a review ready. There are also ethically questionable aspects of these embargos, such as companies offering exclusive review deals, by placing review embargos on a given game for all but a single select publication. The act of preventing all but one publication of expressing their opinion of a game is questionable in itself, but it also adds a layer of inherent suspicion regarding the validity and potential bias of that exclusive review. This suspicion is only strengthened when companies try to sway journalists in a positive way, such as hosting review events. These events usually replace the pre-launch game distribution, where game journalists are instead invited to luxury hotels to sample the game before launch. Michael McWherthor from the news publication Kotaku explains the problematic aspect of this:

* “Whether through direct interference or as a byproduct of being catered to with travel, accommodation and the free gifts commonly given at such events, allegations that reviews are "bought and sold" at events paid for by publishers can tarnish the credibility of a review at best, mar the reputation of a publication or video game at worst”[[102]](#footnote-102)

Another questionable use of review embargos, are when companies lift the embargos after the given game has launched, as in the case of Assasin’s Creed Unity (2014) from Ubisoft. This post-launch embargo meant that consumers were picking up their pre-orders or buying the game at launch, unaware of the litany of performance issues in the game. SEGA created a similar situation when it chose not to distribute review copies at all, prior to launching Sonic Boom: Rise of Lyric (2014). This resulted in both game journalists and consumers being unaware that the game would become very unpopular, due to bad design and performance issues. Sterling comments on the problematic use of such review embargos:

* “At the end of the day, post-launch embargos are rubbish. They try to control criticism, they make the publisher look terrible, and they contribute to the overall air of distrust that’s been brewing around the industry for years”[[103]](#footnote-103)

The problem of this practice is that it masks a product’s quality until consumers have already invested in it, and post-launch embargos have generally become known as a bad omen for a game’s quality and the industry figure’s confidence in it.

## 6.2 Copyright & Censorship

Given that YouTube has become a dominant video platform over the years for consumers to be entertained, but also to express and discuss opinions, people have also established professional careers of providing content on the platform. Some of these ‘YouTubers’ are the game journalists and critics that I quote in this report, and they generate advertisement revenue based on their videos’ viewer ratings. Given their specific job type, some of the games they review are bound to receive negative publicity, which is generally not perceived by the industry figure as a boon to the given game. This has caused smaller developers to try to censor negative publicity with varying methods.

Muxwell, the developer of Earth: Year 2066 (early access), was confronted with his handling of publicity of the game. He deleted negative comments about the game on Steam forums, had friends create fake positive reviews and continued trying to delete all evidence of wrongdoing after being confronted about it.[[104]](#footnote-104)

When Air Control (2014) received damning reviews with criticisms such as using copyright-infringing content, unrepresentative screenshots and other false claims, the developer, Killjoy, tried to hide this. Negative comments and publicity were censored and users reporting the game to be performing badly were mocked by Killjoy blaming users for having inferior hardware. Like with Earth: Year 2066, positive reviews came from the developer’s friends list.[[105]](#footnote-105)

After The Slaughtering Grounds (2014) from Imminent Uprising, received negative publicity from Sterling, the developer responded with a review of his review, essentially mocking him for his opinion. Sterling then responded with video commentary on this ‘review of a review, to which the developer responded in similar fashion with the tone becoming more aggressive. The developer also deleted negative comments, and baited users to share negative feedback, only to have them banned for it. After this became increasingly public, Imminent Uprising tried to delete all evidence on forums and had its publisher issue a copyright claim against Sterling’s video on YouTube, but without any merit to it.[[106]](#footnote-106)

After negatively reviewing Guise of the Wolf (2014), John Bain’s video was taken down due to a copyright claim from the developer Fun Creator. When confronted, the developer denied this, but admitted to it after evidence was put forth by Bain.[[107]](#footnote-107)

Day One: Garry’s Incident (2013) was also negatively reviewed by Bain, followed by a copyright claim on the video from its developer, Wild Games Studio, even though he had evidence of permission. Furthermore, no other YouTubers’ monetized and highly viewed videos of the game were taken down, rather, Bain was singled out due to his video being the top viewed. Astroturf reviews were created on the game’s Metacritic page, free Steam copies of the game were given to users who gave it a good review, and negative comments were deleted on the game’s forum.

There are more examples of these fairly anonymous studios resorting to limited legal action, and Sterling comments on their attitude according to his own experiences with them:

* “None of these studios ever chose diplomacy first. They reached straight for the closest they could get to litigation…and they can do this because there is no consequence for what they’ve done. There’s not even a social media presence for these studios“[[108]](#footnote-108)

These studios were all subject to the ‘Streisand effect’, where attempts to bury bad publicity will only amplify it. As such, the anti-consumer behavior and attempts of hiding it have inadvertently damaged the developers’ reputation as well as proving even more material for the critic, as Sterling comments on:

* “It exposes you for a fool, with an aptitude of career suicide and serves to only benefit the critic, who you bet will milk what you did for all its worth…ultimately we, who value free criticism, will win. You, who would hide as cowards behind YouTube’s poorly managed litigation system, will lose”[[109]](#footnote-109)

As he points out, these issues are made much more prevalent by the legal framework that YouTube provides, and abuse can have severe consequences. When videos receive copyright claims on YouTube, they get taken down automatically for up to 14 days where copyright owners have time to further pursue litigation. The video owner receives a strike for the infringement, where three strikes result in permanent account termination and being banned from creating new accounts. Aside from being exploited in an inherently unfair manner, wrongful use of the system can also destroy YouTubers’ careers, as Bain points out:

* “Look at how easily a company was able to censor the most watched and prominent critique of their game, by abusing YouTube’s copyright claims system…and use a ‘shoot first, ask questions later’ form, to deny revenue from someone they didn’t like, and potentially destroy their entire livelihood”[[110]](#footnote-110)

He goes on to mention that two of his videos of the SEGA game Shining Force 3 (1997) had earlier been targeted with copyright claims by SEGA, in an effort to improve the search ranking to promote their new game with a partially similar title, Shining Ark (2013). This affected many other YouTubers as well, with some even having their channels terminated. This motivated Bain to boycott SEGA, removing all content related to the company from his YouTube channel, refusing further coverage until the situation was resolved. SEGA faced massive criticism for the debacle and subsequently halted this practice.

Given the sharing atmosphere that YouTube thrives on, it has also caused concern for larger owners of copyright-protected material, such as AAA industry figures. Seeing as advertisement revenue on YouTube videos does not directly profit the owner of the copyright-protected material, this puts YouTube in a difficult spot, as it has to maintain the sharing atmosphere, while assuring copyright integrity that protects copyright owners. After being sued by Viacom in 2007 for enabling copyright infringement on a massive scale[[111]](#footnote-111), YouTube began implementing Content ID, an automated copyright security system. Effective as it may be, it has become notorious for being overzealous and regarding, as seen in 2009. According to the watchdog group, Electronic Frontier Foundation (EFF), examples of misguided system includes videos of teenagers singing and toddlers lip-syncing, flagged by Content ID.[[112]](#footnote-112) Due to policy changes in the system in 2013, many YouTubers were met with vast numbers of copyright infringement claims, which resulted in YouTube facing a public scandal. Like in 2009, many if not most of these videos were protected under the Fair Use Doctrine of US law, but were targeted due to the system detecting all minor semblances of content matches, without considering the legal context. Some industry figures such as Blizzard, Ubisoft, Deep Silver and Capcom stated that these claims were not initiated by themselves, and offered immediate support for YouTubers to quickly dispute the claims.[[113]](#footnote-113) Sterling mentions that many of his videos that were flagged as infringing, used material provided by the publishers themselves:

* “(the videos)…used not gameplay footage, but trailer footage or B-roll supplied by the publishers themselves, often to outlets such as the Escapist right here for posting on their own channels. In the case of B-roll especially, we’re encouraged to cut up and edit the footage for our own use, but in the era of scattershot automated copyright claims, it’s all being flagged…”[[114]](#footnote-114)

Not every YouTube channel received copyright claims however, since the system differentiated between established ‘managed’ channels that have signed contracts with networks, and more independent ‘affiliate’ channels. YouTube had not included the managed channels in the copyright sweep, which brought forth discussions about equality between those with power and those without. Being managed by an established network on YouTube affords the user professional resources to assist with legal matters, amongst other things, but affiliate accounts do not have this safety net. The consequence of a video being flagged by Content ID can be that the entire revenue generated is redirected to the copyright owner, regardless of how much copyright-protected content is used in the video. This means that even if only five seconds out of a 30 minute video is copyright-protected, the video author can lose all revenue.

Having mentioned both individual copyright claims and widespread, automated flagging, both present a problematic aspect of YouTube. As Jenkins, Ford and Green also discuss, there is indeed a disconnect between the Web 2.0 rhetoric of the platform, and experiences and realities of copyright law in today’s society. The censorship-friendly framework of YouTube can easily create a hostile atmosphere of fearful expectations, and given that YouTube and its parent company Google, the current situation is counter-productive according Bain:

* “These are your partners, Google. These are the people you take the lion’s share of the ad revenue from. Google has expressed its desire for more high quality and professional content on the service, but doesn’t do anywhere near enough to protect the people that are trying to produce it”[[115]](#footnote-115)

## 6.3 Perpetration & Apology

In one of his videos, Sterling discusses a practice in the game industry, which he dubs ‘the apology cycle’. It refers to the act of a developer discrediting a previously made game while promoting an upcoming one, only for it to disappoint consumers, and the developer then apologizing for it. [[116]](#footnote-116) Sterling originally dubbed this practice the Molyneux Cycle, referring to industry veteran Peter Molyneux’s history of perpetuating this cycle. For context, Molyneux initially apologized for overpromising features in Fable (2004) that did not appear in the final product[[117]](#footnote-117), only to bad-mouth it and promote the sequal, assuring the public that Fable 2 (2008) would be superior.[[118]](#footnote-118) During development of Fable 3, he then mentioned Fable 2 being ‘rubbish’ and that Fable 3 would come to be a big improvement.[[119]](#footnote-119) While promoting Fable: The Journey however, Molyneux deemed Fable 3 a ‘trainwreck’[[120]](#footnote-120), while promising that Fable: The Journey would not be an on-rails game (a game with a fixed movement path). [[121]](#footnote-121) When released however, the game turned out to be on-rails. Some years after successfully securing funding for his Kickstarter game Godus (2013), Molyneux’s company 22Cans stated that all the promised features were unlikely to make it. Molyneux earlier announced he had shifted focus to a new game, The Trial (2015), which he claimed would provide an experience never seen before. He also blamed Kickstarter for being a destructive force for Godus, claiming it to induce behavior of overpromising.[[122]](#footnote-122)

The same practice is being carried out by several of the largest companies in the industry. Electronic Arts (EA) faced massive criticism over the exploitative nature of the mobile games Dungeon Keeper (2013) and Theme Park (2011). The former would face players with waiting-paywalls for up to 24 hours for menial tasks, and in the latter, a single rollercoaster could cost 60-100 USD, exceeding the price of a newly released AAA game.[[123]](#footnote-123) In the case of Dungeon Keeper, which also filtered out less than perfect user ratings of the game, EA CEO Andrew Wilson apologized for the game, even though no apology was made for Theme Park. [[124]](#footnote-124) Wilson also apologized earlier in month for the lackluster launch of Battlefield 4 (2013), claiming there was no excuse for its release state, yet excusing it with having too high ambitions.[[125]](#footnote-125)

While trying to combat piracy, Ubisoft began in 2010 to implement invasive DRM measures in its games, and claimed a year later that they were a success.[[126]](#footnote-126) This was contradicted later in the same month however, when Ubisoft’s Sébastien Arnoult and Stanislas Mettra respectively, pointed to piracy as demotivation for creating PC versions of their games:

* “We’ve heard loud and clear that PC gamers are bitching about there being no version for them…It’s hard because there’s so much piracy and so few people are paying for PC games that we have to precisely weigh it up against the cost of making it…if only 50,000 people buy the game then it’s not worth it”[[127]](#footnote-127)
* “When we started Ghost Recon Online we were thinking about Ghost Recon: Future Solider; having something ported in the classical way without any deep development, because we know that 95% of our consumers will pirate the game”[[128]](#footnote-128)

With the release of SimCity (2013), the game was designed to be an online experience with smaller cities that encouraged a form of multiplay. The game was unplayable at launch, due to overloaded servers. EA Maxis stated that the always-online internet connections that caused the overloads, were a crucial requirement for the functionality of the game.[[129]](#footnote-129) A single person from the modding community contradicted that statement however, when he not only circumvented the artificially small city boundaries in the game, but also made it playable without having an internet connection.[[130]](#footnote-130)

With the release of Diablo 3 (2012), Blizzard received lots of criticism over their implementation of a real-money auction house. An auction house feature allows players to make bids for items, but is normally restricted to using in-game currency, rather than real money. The main problem was that it undermined the core gameplay, since players could just buy better items with real money instead of playing the game. Despite of this, Blizzard defended the use of the auction house, until removing it from the game, two years after release. [[131]](#footnote-131)

There are many examples of these contradictory statements throughout the industry, and according to Sterling, the cycle has come to be expected:

* “These little take-backs, these public demonstrations of reversal, they’re a classic case of the game industry trying to have its cake and eating it too. It’s a near-predictable pattern of this stage, release a game in a broken, insulting or otherwise distasteful state, defend it with protest or silence while making as much money as possible, and then, when the cash has been sucked dry and it’s time to sell something new, tell us how inexcusable that game was, and how lessons have been learned” [[132]](#footnote-132)

The underlying problem of the cycle is not that mistakes were made, since everyone can make mistakes. Rather, the problem is that the message conveyed is one of regret and acknowledgement of mistake, but the following behavior is not matching the message. The imbalance of talk versus action ultimately creates an impression of insincerity and deceit.

## 6.4 Sub-conclusion

In the end of the previous chapter I mentioned the quite negative view of pirates that the industry collectively held (Ref: 5.5 Sub-conclusion). I stated that because of this view, the conventional measures used to fight piracy proved ineffective and even self-damaging as well. After having discussed the topic of relationships between consumers and the industry, as well as YouTubers and copyright owners, a parallel becomes clear. Consumers and YouTubers in general are subject to an attitude from these figures of power, similar to the attitude towards pirates. The assumption that many consumers are pirates and that YouTubers are seeking to enable copyright infringement, seems to be a prevailing view. I will argue that the moral economy is once again skewed, but even more so than with piracy. Regarding the free services of YouTube, consumers are most likely regarding the platform as something that provides an intangible worth rather than commodity value. A worth that can be shared socially that makes an actual price tag on the service completely irrelevant to consumers. It is very much relevant to copyright owners however, especially large corporations who are naturally inclined to view their content as commodities.

One aspect of YouTubers and their content that many of these companies do not seem to realize, is the value of coverage, or word-of-mouth as Jenkins, Ford and Green have described. YouTube is generally regarded as one of the most central platforms for viral videos and therefore viral marketing. Just like wearing a shirt with a big Nike logo on it, YouTubers are indirectly advertising for companies by providing coverage for their products through reviews, let’s-play videos, mash-up videos etc. Not only are YouTubers doing this for free, they have even paid for the ability to do so by purchasing said products. The fact that users can earn separate revenue through unrelated advertisements is not costing the product’s company anything either.

In regards to the troublesome legal framework of YouTube, the worth of pride in one’s work comes to mind (Ref: 3.2 Moral Economy). This pride makes the frustration of YouTubers even more understandable when their videos are taken down or denied revenue, due to a piece of software that targets videos indiscriminately, even though the videos are ‘legal’. This inability to intelligently consider a YouTube report, can be compared to a bureaucracy, in that it is a system made to increase efficiency, at the cost of flexibility and faults being made, which users are paying the price for.

Earlier in the report I mentioned that there seemingly existed a general consensus regarding the moral acceptance of the bad practices within the industry, that they are ok as long as not too many complain about it (Ref: 4.9 Sub-conclusion). The same is evident in regards to the apology cycle, in that it is ok to deliver a bad or deceptive product, and by apologizing and repeating the criticisms of consumers, industry figures have learned to offset the backlash by most consumers. Earlier I mentioned that the backlash of industry practices were evened out by the extra revenue game became, creating a zero-sum situation as a result. This is not the case with the cycle, given that people are naturally inclined to forgive when someone shows signs of regret. Instead, industry figures have learned that the sincerity of apologies are irrelevant, since the mere show of humility is enough to curry public opinion in their favor. What they are essentially doing is mimicking the morality of the moral economy.

# 7. Conclusion

On the topic of all the different business practices that have been criticized by the public, the industry figures have always tried to justify these practices with various explanations. One thing that the industry figures cannot deny however, is their knowledge of the consumers’ opinions on the practices. In the case of pre-orders and disc-locked content, there are more than plenty of cases where the public has strongly voiced its collective disdain of these practices. The industry figures then respond to justify the practices, but despite then knowing the negative backlash, they continue using these practices. This applies to all the practices that are profitable to the industry figures, but negatively received by the consumer. It can be argued that consumers do not understand how the industry businesses function and similar dismissive claims towards a lack of knowledge. While that may be true, it ultimately should not matter, since the issue does not concern how the consumer believes the industry figure should run its business. Rather, the issue concerns how the industry figure should not run said business. After all these discussions and reasons from industry figures, for why some practices are necessary and should not be viewed as anti-consumer, there is another reason why they ultimately do not matter. On the topic of DRM, Guillaume Rambourg from GOG.com asked why companies were in favor of DRM when their consumers were not (Ref: 5.4 Countering Piracy). What he addressed were the motivations behind the business that companies are driving. Throughout this report I have presented all sorts of explanations and excuses that industry figures use for arguing against consumers, but this is trying to justify why it is ok for consumers to be dissatisfied. Ultimately, the logic of arguments cannot stand up against consumer feelings. Having unhappy customers would most likely be perceived as bad for business in other industries, and with good reason. Given the competition that other industries endure, there are increasingly appearing more and more alternatives that disgruntled consumers will seek out. All the explanations and statements in the world do not matter if they cannot make consumers feel respected, and when consumer complaints are ignored, it communicates a disregard and disrespect of said consumers.

I want to make it clear that even if consumers complain about a new business practice, industry figures should not be blamed for trying out said practice. They are after all still driving businesses and will naturally experiment with new ideas for economic growth. As such, there will likely always be an attitude of “can we get away with it?” tied to business expansion. Even if consumer interests have not exactly been a high priority in the reasoning behind these practices, companies can still be forgiven to a certain degree. When that is said however, the manner in which the companies act from then on out, should be very telling of their attitude towards consumers, since they now act with the knowledge of consumer reactions. If they acknowledge that consumers dislike a certain business practice despite justification of it, the discontinuation of the practice will be viewed by consumers as a sign of respect. If the companies disregard those complaints and continue perpetuating said practice however, they ultimately communicate that they do not view consumers as equals in their relationship. As such, when speaking of piracy, DRM, used games, online passes, on-disc DLC and all the measures taken to combat these topics, they all share a common denominator. That denominator is attitude behind the measures, as well as their justification. When combating piracy, the mission has been to punish pirates by implementing systems that inconvenience legitimate consumers as well. When combating used games, the mission has been to punish retail customers by implementing online passes that inconvenience them and devalues their games. Every time the game industry as an entity perceives that a problem exists, its mission has been to eliminate that problem whatever the cost, and most often paying customers are being punished for it as a result. This is a heavily documented and now predictable trend of treating consumers as collateral damage and disregarding their complaints. With controlling authentication measures that indiscriminately punish everyone, and games that blatantly signal that they exist solely for the industry figure’s benefit, consumers are becoming louder and wiser.

In regards to the moral economy of the game industry, it seems as though video games are most often being considered commodities, where a game is considered successful when X amount of transactions have taken place. In the earlier years of the industry this might have been true to a certain extent. First and foremost is the case of reputation, which has become increasingly valuable after the rise of Web 2.0. I will also argue that video games are not merely commodities anymore, but rather services that are provided as well. Many games now directly rely on a continued stream of new content, and while most other games are not dependant on this, new content is now much easier to distribute for extending a game’s ‘life’. Just like ‘normal’ services however, consumers’ experience of said services is crucial. In the video game medium it is easy to notice when industry figures have taken pride in their work, due to the complex nature of an experience comprised of sound, video and interactivity. When consumers then feel a lack of pride and effort of the game in providing the best experience possible, they feel disrespected for having wasted money and time on a dissatisfactory product. It is evident that while the rest of the entertainment industry has long embraced the values of Web 2.0 and collaborative consumption, the game industry has been lacking behind for years. It is only a small part of it that has caught on to the prospects of the ‘brave new world’ of pure pro-consumer attitudes, but as that small part continues to prosper while the rest is struggling with conventional strategies, more and more businesses will emulate the minority.

# 8. Discussion

This project has been a look into the video game industry, not confined to individual topics but rather to present a view of the industry in its entirety. It was never the intention to ‘prove’ anything or calculate statistics, but rather to investigate the rhetoric and ethicality of the different practices that exist. Furthermore it was meant to investigate how this all relates to the industry’s most valuable assets and resources, the consumers and their trust, respectively. I believe I have done so in shedding a light on troublesome ethics where trust has indeed been a constant factor. I also believe that I have presented theory and empirical data that suggests alternatives to the toxic state that currently represents the majority of the video game industry. I can only speculate about the future of the industry, but as of now I believe that anti-consumer will continue to exist for many years ahead. It is mostly the AAA industry figures, the companies that have built their power immensely, that engage in the most pervasive anti-consumer practices, and because of their power they can still afford consumer backlashes. When the small companies of pro-consumerism that I mentioned earlier continue to grow however, they will end up out-competing the older giants. CD Projekt RED is already headed in that direction with the overwhelming acclaim of their recently released The Witcher 3 (2015). I also believe that consumers collectively will have to completely shy away from buying pre-orders, overpriced DLC packs, games with disc-locked, to reach a point of power reversal for consumers. A point where it is no longer consumers who have to endure bad practices to experience franchises for which no one else is allowed to make games of, but where it is companies in fierce competition that must prove their worth to earn consumers’loyalty.

# 9. Literature

Agnello, A. J. (2012, 12 21). *WORLD OF TANKS TOPS LEAGUE OF LEGENDS WITH 45 MILLION PLAYERS*. Retrieved 4 27, 2015, from Digital Trends: http://www.digitaltrends.com/gaming/world-of-tanks-tops-league-of-legends-with-45-million-players/

Alha, K., Koskinen, E., Paavilainen, J., Hamari, J., & Kinnunen, J. (2014). *Free-to-Play Games: Professionals’ Perspectives*. Retrieved 5 6, 2015, from DiGRA: http://www.digra.org/wp-content/uploads/digital-library/nordicdigra2014\_submission\_8.pdf

Avnet, T., Pham, M. T., & Stephen, A. T. (2012). *Consumers’ Trust in Feelings as Information.* Journal of Consumer Research, vol. 39.

Ayano, T. (2012, 3 13). *SFxT Dev Blog: Online Update*. Retrieved 5 5, 2015, from Capcom Unity: http://www.capcom-unity.com/gregaman/blog/2012/03/13/sfxt\_dev\_blog:\_online\_update

Bain, J. (2015, 2 17). *I will now talk about DLC for about 18 minutes*. Retrieved 5 4, 2015, from https://www.youtube.com/watch?v=t-MQMx-nH4Q

Bain, J. (2013, 7 27). *Kickstarter vs. Pre-orders*. Retrieved 5 4, 2015, from https://www.youtube.com/watch?v=9GhlLVSuX4g

Bain, J. (2013, 2 12). *Should you preorder videogames?* Retrieved 4 5, 2015, from https://www.youtube.com/watch?v=mf5Uj4XIT1Y

Bain, J. (2013, 10 20). *This video is no longer available: The Day One Garry's Incident Incident*. Retrieved 5 5, 2015, from https://www.youtube.com/watch?v=QfgoDDh4kE0

Barratt, C. (2010, 6 24). *Peter Molyneux: Fable II was "rubbish".* Retrieved 4 4, 2015, from GamesRadar: http://www.gamesradar.com/peter-molyneux-fable-ii-was-rubbish/

Bleszinski, C. (2012, 4 9). *On-disc DLC an 'ugly truth,' says Gears of War designer*. Retrieved 5 5, 2015, from GameSpot: http://www.gamespot.com/articles/on-disc-dlc-an-ugly-truth-says-gears-of-war-designer/1100-6370601/

Bobby the Tongue. (2012, 3 27). *Mass Effect 3 Ending: Tasteful, Understated Nerdrage (SPOILERS)*. Retrieved 5 20, 2015, from https://www.youtube.com/watch?v=7MlatxLP-xs

Bogos, S. (2014, 2 15). *Guise of the Wolf Dev Takes Down Negative YouTube Review - Update 2*. Retrieved 5 20, 2015, from The Escapist: http://www.escapistmagazine.com/news/view/132262-Guise-of-the-Wolf-Dev-Takes-Down-Negative-YouTube-Review-Update-2

Botsman, R., & Rogers, R. (2010). *What's Mine Is Yours: The Rise of Collaborative Consumption.* New York: HarperCollins Publishers.

Capcom. (2012, 3 31). *Summary of Q&A at the Briefing of Financial Results*. Retrieved 5 5, 2015, from Capcom: http://www.capcom.co.jp/ir/english/data/pdf/explanation/2011/full/explanation\_2011\_full\_03.pdf

Carpe Fulgur. (2007-2010). *RECETTEAR FAQ.* Retrieved 3 31, 2015, from http://www.carpefulgur.com/recettear/faq.htm

Cheng, J. (2009, 1 19). *Judge: 17,000 illegal downloads don’t equal 17,000 lost sales*. Retrieved 5 20, 2015, from Ars Technica: http://arstechnica.com/tech-policy/2009/01/judge-17000-illegal-downloads-dont-equal-17000-lost-sales/

Chester, N. (2008, 10 10). *TGS 08: Peter Molyneux thinks you should skip Fable 1, go right to sequel.* Retrieved 4 4, 2015, from Destructoid: http://www.destructoid.com/tgs-08-peter-molyneaux-thinks-you-should-skip-fable-1-go-right-to-sequel-107106.phtml

Consalvo, M., & Paul, C. A. (n.d.). *Welcome to the discourse of the real: Constituting the boundaries of games and players*. Retrieved 5 6, 2015, from DiGRA: http://www.fdg2013.org/program/papers/paper08\_consalvo\_paul.pdf

Devore, J. (2014, 1 14). *Umm, yeah, it's way too early to pre-order Evolve*. Retrieved 5 8, 2015, from Destructoid: http://www.destructoid.com/umm-yeah-it-s-way-too-early-to-pre-order-evolve-268964.phtml

Dunning, J. (2013, 8 21). *The Elder Scrolls Online Will Have a Monthly Subscription Fee of $14.99/€12.99/£8.99*. Retrieved 5 15, 2014, from Playstation Lifestyle: http://www.playstationlifestyle.net/2013/08/21/the-elder-scrolls-online-will-have-a-monthly-subscription-fee-of-14-99e12-998-99/

Dvorsky, J. (2009, 12 23). *Jakub Dvorsky (Amanita Design) @ SIJM 2009*. Retrieved 5 20, 2015, from https://www.youtube.com/watch?v=\_KPzQ8-ddjE

El\_Spiko. (2012, 3 16). *I filed an FTC complaint*. Retrieved 5 7, 2015, from The Bioware Forum: http://forum.bioware.com/topic/285456-i-filed-an-ftc-complaint/

Elston, B. (2012, 3 5). *Street Fighter X Tekken: 12 new characters coming to consoles, PC this fall*. Retrieved 5 5, 2015, from Capcom Unity: http://www.capcom-unity.com/brelston/blog/2012/03/05/street\_fighter\_x\_tekken:\_12\_new\_characters\_coming\_to\_consoles,\_pc\_this\_fall

Fitch, M. (2008, 2 28). *Venting my frustrations with PC game-dev.* Retrieved 4 3, 2015, from Quarter to Three: http://www.quartertothree.com/game-talk/showthread.php?42663-Venting-my-frustrations-with-PC-game-dev

Garratt, P. (2010, 5 25). *World first: Killzone 3′s Hermen Hulst on going “above and beyond”.* Retrieved 4 4, 2015, from VG24/7: http://www.vg247.com/2010/05/25/world-first-killzone-3s-hermen-hulst-on-going-above-and-beyond/

Google. (2013, 9). *How Google Fights Piracy*. Retrieved 5 19, 2015, from https://docs.google.com/file/d/0BwxyRPFduTN2dVFqYml5UENUeUE/edit

Handrahan, M. (2012, 9 18). *Bethesda: Go Anywhere, Do Anything*. Retrieved 5 20, 2015, from gamesindustry.biz: http://www.gamesindustry.biz/articles/2012-09-18-bethesda-go-anywhere-do-anything

Hansen, S. (2014, 7 11). *Evolve built 'from the ground up' for DLC 'more so than any game ever before'*. Retrieved 5 8, 2015, from Destructoid: http://www.destructoid.com/evolve-built-from-the-ground-up-for-dlc-more-so-than-any-game-ever-before--277914.phtml

Hart, W., Albarracín, D., Eagly, A. H., Brechan, I., Lindberg, M. J., & Merrill, L. (2009). *Feeling Validated Versus Being Correct: A meta-analysis of selective exposure to information.* Retrieved 03 19, 2015, from American Psychological Association: http://www.apa.org/pubs/journals/releases/bul1354555.pdf

Heffley, K. (2012, 4 10). *“Mass Effect 3 is Having a ‘Mass Effect’ on Its Consumers for Better or Worse”*. Retrieved 6 7, 2015, from Better Business Bureau: http://www.bbb.org/blog/2012/04/mass-effect-3-is-having-a-mass-effect-on-its-consumers-for-better-or-worse/

Hill, O. (2011, 7 28). *Ubisoft: our DRM "is a success".* Retrieved 4 4, 2015, from PC Gamer: http://www.pcgamer.com/ubisoft-our-drm-is-a-success/

Holkins, J. (2010, 8 25). *Words And Their Meanings*. Retrieved 4 30, 2015, from Penny Arcade: http://www.penny-arcade.com/news/post/2010/8/25

Ingham, T. (2015, 1 26). *MUSIC PIRACY HAS BEEN ‘VIRTUALLY ELIMINATED’ IN NORWAY*. Retrieved 5 20, 2015, from Music Business Worldwide: http://www.musicbusinessworldwide.com/piracy-virtually-eliminated-norway/

Jenkins, H., Ford, S., & Green, J. (2013). *Spreadable Media: Creating Value And Meaning In A Networked Culture.* New York University Press.

Kohler, C. (2013, 6 19). *Xbox One Proves It: Don’t Mess With Used Games*. Retrieved 5 20, 2015, from Wired: http://www.wired.com/2013/06/xbox-one-used-games-drm/

Ledesma, C. (2010, 8 19). *Gamescom: THQ ‘No Sympathy For Used Game Buyers’*. Retrieved 4 30, 2015, from NowGamer: http://www.nowgamer.com/gamescom-thq-no-sympathy-for-used-game-buyers/

Lees, M., & Burns, S. (2013, 2 13). *What the hell happened to Aliens: Colonial Marines? (FIXED) - VideoGamer.* Retrieved 4 5, 2015, from VideoGamerTV: https://www.youtube.com/watch?v=6lGXDM3LGnk&feature=iv&src\_vid=3z2qVebxlUo&annotation\_id=annotation\_588812

Leonidou, L., Kvasova, O., Leonidou, C., & Chari, S. (2013). *Business Unethicality as an Impediment to Consumer Trust: The Moderating Role of Demographic and Cultural Characteristics.* Journal of Business Ethics 112:397–415.

Macdonald, K. (2011, 6 8). *E3: Molyneux on Fable: The Journey: “It’s not on rails”.* Retrieved 4 4, 2015, from VG24/7: http://www.vg247.com/2011/06/08/e3-molyneux-on-fable-the-journey-%E2%80%9Cits-not-on-rails%E2%80%9D/

Makuch, E. (2013, 12 11). *Blizzard, Ubisoft, and Capcom offer support after huge spike in YouTube copyright claims*. Retrieved 5 20, 2015, from GameSpot: http://www.gamespot.com/articles/blizzard-ubisoft-and-capcom-offer-support-after-huge-spike-in-youtube-copyright-claims/1100-6416659/

Makuch, E. (2014, 2 25). *Fable 3 was a "trainwreck" says lead designer Molyneux.* Retrieved 4 4, 2015, from GameSpot: http://www.gamespot.com/articles/fable-3-was-a-trainwreck-says-lead-designer-molyneux/1100-6417959/

Makuch, E. (2015, 5 19). *The Witcher 3 Comes With Physical Thank You Note*. Retrieved 5 20, 2015, from GameSpot: http://www.gamespot.com/articles/the-witcher-3-comes-with-physical-thank-you-note/1100-6427453/

Makuch, E. (2014, 6 19). *Ubisoft: DRM Can't Stop Piracy.* Retrieved 4 4, 2015, from GameSpot: http://www.gamespot.com/articles/ubisoft-drm-can-t-stop-piracy/1100-6420602/

McSherry, C. (2009, 3 12). *The Fair Use Massacre Continues: Now Warner’s Going After the Babies*. Retrieved 5 20, 2015, from Electronic Frontier Foundation: https://www.eff.org/deeplinks/2009/03/fair-use-massacre-continues-now-warner-s-going-aft

McWhertor, M. (2013, 3 9). *Maxis explains what went wrong with SimCity and what the developer is doing to fix it.* Retrieved 4 4, 2015, from Polygon: http://www.polygon.com/2013/3/9/4081464/simcity-interview-ea-maxis-lucy-bradshaw

McWhertor, M. (2009, 12 2). *Reviewing A Game On Their Terms: The Increasingly Prominent "Review Event"*. Retrieved 5 20, 2015, from Kotaku: http://kotaku.com/5416788/reviewing-a-game-on-their-terms-the-increasingly-prominent-review-event

Microsoft. (2013, 6 6). *How Games Licensing Works on Xbox One*. Retrieved 5 20, 2015, from Xbox Wire: http://news.xbox.com/2013/06/license

Molyneux, P. (2004, 10 1). *A message from Peter Molyneux.* Retrieved 4 4, 2015, from Lionhead Studios Forum: http://archive.is/IOxPO

New York Southern District Court. (2007, 3 13). *Viacom International, Inc. et al v. Youtube, Inc. et al*. Retrieved 5 20, 2015, from https://www.docketalarm.com/cases/New\_York\_Southern\_District\_Court/1--07-cv-02103/Viacom\_International\_Inc.\_et\_al\_v.\_Youtube\_Inc.\_et\_al/1/

Nutt, C. (2012, 5 25). *Opinion: The many reasons Street Fighter X Tekken sold less than expected*. Retrieved 5 6, 2015, from Gamasutra: http://www.gamasutra.com/view/news/171041/Opinion\_The\_many\_reasons\_Street\_Fighter\_X\_Tekken\_sold\_less\_than\_expected.php

Portnow, J. (2014, 4 9). *Extra Credits - Doing Free to Play Wrong - How Bad Monetization Harms F2P Games.* Retrieved 3 31, 2015, from Extra Credits: https://www.youtube.com/watch?v=Mhz9OXy86a0

Portnow, J. (2014, 7 2). *Extra Credits - Early Access - The Problem with Unfinished Games.* Retrieved 3 31, 2015, from Extra Credits: https://www.youtube.com/watch?v=CmLz00L6CmY

Portnow, J. (2014, 9 3). *Extra Credits - Free to Play Is Currently Broken - How High Costs Drive Players Away from F2P Games.* Retrieved 3 31, 2015, from Extra Credits: https://www.youtube.com/watch?v=FwI0u9L4R8U

Portnow, J. (2014, 9 24). *Extra Credits - Shovelware - The Causes and Consequences of Bad Licensed Games.* Retrieved 3 31, 2015, from Extra Credits: https://www.youtube.com/watch?v=E7lD97BxMN0

Portnow, J. (2012, 5 16). *Extra Credits: Let's Talk About Publishing.* Retrieved 3 31, 2015, from Extra Credits: https://www.youtube.com/watch?v=Rl-k9fISB7o

Portnow, J. (2012, 5 19). *Extra Credits: Working Conditions.* Retrieved 3 31, 2015, from Extra Credits: https://www.youtube.com/watch?v=sHBOWPLpXrs

Purchese, R. (2008, 2 28). *Killzone 2 E3 2005 trailer "not false".* Retrieved 4 4, 2015, from EuroGamer: http://www.eurogamer.net/articles/killzone-2-e3-2005-trailer-not-false

Rambourg, G. (2011, 12 15). *LGC 2011: GoG.com's Guillaume Rambourg -- Three Reasons Selling DRM-Free Content is the Future*. Retrieved 5 20, 2015, from https://www.youtube.com/watch?v=AKZjz0nwHf4

Reverge Labs. (2012, 4 26). *Skullgirls*. Retrieved 5 6, 2015, from Twitter: https://twitter.com/Skullgirls/status/195589404016906241

Scarbrough, S. (2013, 11 4). *It’s Official: Elder Scrolls Online Cost Is $14.99 Per Month*. Retrieved 4 10, 2014, from Skyrim Fansite: http://skyrimfansite.com/elder-scrolls-online-cost/

Siegal, D. (2015, 5 12). *Sega Gamers Denied Cert. Alleging Misleading 'Aliens' Demo*. Retrieved 5 20, 2015, from Law 360: http://www.law360.com/articles/655146/sega-gamers-denied-cert-alleging-misleading-aliens-demo

Squires, J. (2011, 12 6). *EA’s upcoming Theme Park has premium rides that cost nearly $100.* Retrieved 4 4, 2015, from Gamezebo: http://www.gamezebo.com/2011/12/06/eas-upcoming-theme-park-has-premium-rides-cost-nearly-100/

Sterling, J. (2014, 7 14). *A Cycle of Perpetration and Apology (Jimquisition).* Retrieved 3 24, 2015, from Escapist: https://www.youtube.com/watch?v=EC0mkuM1FYI

Sterling, J. (2014, 6 9). *AIR CONTROL - A STEAM ABUSE STORY (Jimquisition)*. Retrieved 5 20, 2015, from Escapist: https://www.youtube.com/watch?v=N7i2TgdFXsg

Sterling, J. (2015, 3 19). *Another Copyright Takedown By Another Poopbrain Dev*. Retrieved 4 24, 2015, from https://www.youtube.com/watch?v=HGi\_2fNi9E8

Sterling, J. (2013, 12 17). *COPYRIGHT WAR (Jimquisition).* Retrieved 3 20, 2015, from Escapist: https://www.youtube.com/watch?v=822MUvSMrhs&index=57&list=PL8B35CA833DCDA9A4

Sterling, J. (2014, 8 4). *Corrupt, Censoring, Suicidal Indie Devs (Jimquisition)*. Retrieved 5 20, 2015, from Escapist: https://www.youtube.com/watch?v=uWAS0zc\_S8Y

Sterling, J. (2013, 9 9). *DOWNLOADABLE DISCONTENT (Jimquisition)*. Retrieved 5 4, 2015, from Escapist: https://www.youtube.com/watch?v=5Gowln8rshs

Sterling, J. (2014, 1 20). *EARLY ACCESS (Jimquisition)*. Retrieved 15 5, 2015, from Escapist: https://www.youtube.com/watch?v=Y-9YbJEpy\_Y

Sterling, J. (2013, 8 5). *FEE TO PAY (Jimquisition).* Retrieved 4 14, 2015, from Escapist: https://www.youtube.com/watch?v=vqNuS03k6gI

Sterling, J. (2015, 1 19). *How Evolve Fell Down The Bullshit Tree (The Jimquisition).* Retrieved 4 3, 2015, from https://www.youtube.com/watch?v=vsgoD74vLIo

Sterling, J. (2014, 7 7). *How To Sell Games Without Being A Lying Dick (Jimquisition).* Retrieved 3 31, 2015, from Escapist: https://www.youtube.com/watch?v=acgxPlB7Jrc

Sterling, J. (2012, 10 24). *Jimquisition: On-Disc DLC Cannot Be Justified*. Retrieved 5 4, 2015, from Escapist: https://www.youtube.com/watch?v=jmNjpd6IvWY

Sterling, J. (2012, 7 30). *Jimquisition: Piracy - Trying To Kill It Makes It Stronger.* Retrieved 3 6, 2015, from The Escapist: https://www.youtube.com/watch?v=zt7kCDBy5Vo&list=PL8B35CA833DCDA9A4&index=162

Sterling, J. (2012, 7 23). *Jimquisition: Piracy Episode One - Copyright.* Retrieved 3 6, 2015, from The Escapist: https://www.youtube.com/watch?v=AwRjcJN6cro&list=PL8B35CA833DCDA9A4&index=163

Sterling, J. (2012, 10 24). *Jimquisition: Sony's Begging For Piracy.* Retrieved 3 20, 2015, from Escapist: https://www.youtube.com/watch?v=ZezfEEpjTj4&list=PL8B35CA833DCDA9A4&index=129

Sterling, J. (2012, 3 19). *ONLINE PASSES ARE BAD FOR EVERYBODY (The Jimquisition).* Retrieved 3 31, 2015, from Escapist: https://www.youtube.com/watch?v=7mLuAzZvpsw&list=PL8B35CA833DCDA9A4&index=178

Sterling, J. (2013, 2 25). *PREVIEWED, PREORDERED, PRESCREWED (Jimquisition).* Retrieved 4 5, 2015, from Escapist: https://www.youtube.com/watch?v=bHLEQC5y4UY

Sterling, J. (2014, 9 22). *Review Embargoes And Why They're Okay Sometimes (Jimquisition).* Retrieved 3 31, 2015, from Escapist: https://www.youtube.com/watch?v=QNj-EhI\_wVA

Sterling, J. (2014, 4 28). *SALT OF THE EARTH - A STEAM FAIL STORY (Jimquisition)*. Retrieved 5 20, 2015, from Escapist: https://www.youtube.com/watch?v=fWIkNRcS5mM

Sterling, J. (2014, 7 21). *The Poison of Pre-Order Culture (Jimquisition)*. Retrieved 5 5, 2015, from Escapist: https://www.youtube.com/watch?v=gm4JCFONptk

Sterling, J. (2014, 11 17). *The Reviewbisoft Problem (The Jimquisition).* Retrieved 3 31, 2015, from https://www.youtube.com/watch?v=qSvoY4J54RU

Sterling, J. (2014, 12 1). *The Slaughtering Grounds: A Steam Meltdown Saga (The Jimquisition)*. Retrieved 5 20, 2015, from https://www.youtube.com/watch?v=S6s0Wpn1zmU

Sterling, J. (2014, 4 21). *THE UNHOLY TRINITY OF BLIND GREEDY BASTARDS (Jimquisition).* Retrieved 4 3, 2015, from Escapist: https://www.youtube.com/watch?v=NzthXKu8lJw&list=PL8B35CA833DCDA9A4&index=31

Sterling, J. (2012, 3 26). *USED GAMES HAVE A RIGHT TO EXIST (The Jimquisition).* Retrieved 3 31, 2015, from Escapist: https://www.youtube.com/watch?v=r4efpGb0DqE&list=PL8B35CA833DCDA9A4&index=177

Sterling, J. (2014, 3 17). *WATCH\_DOGS: A VERTICAL SLICE OF STEAMING BULLSHOTS (Jimquisition) .* Retrieved 3 24, 2015, from Escapist: https://www.youtube.com/watch?v=7jG5HXrsNN4

Svensson, C. (2012, 3 6). *Will 2 player local co-op (on XBL) be patched in for the 360 version of SFxT?* Retrieved 5 5, 2015, from Capcom Unity: http://www.capcom-unity.com/ask\_capcom/go/thread/view/7371/28972471/Will\_2\_player\_local\_co-op\_(on\_XBL)\_be\_patched\_in\_for\_the\_360\_version\_of\_SFxT

Thursten, C. (2011, 11 23). *Ghost Recon Online being free-to-play is a counter to piracy, says Ubisoft producer*. Retrieved 5 20, 2015, from PC Gamer: http://www.pcgamer.com/ghost-recon-online-being-free-to-play-is-a-counter-to-piracy-says-ubisoft-producer/

Torres, I. (2011, 9 14). *Street Fighter X Tekken Features Online Training Mode, 4 Player Battle Royal*. Retrieved 5 5, 2015, from TheSixthAxis: http://www.thesixthaxis.com/2011/09/14/street-fighter-x-tekken-features-online-training-mode-4-player-battle-royal/

TrueAchievements. (2014, 3 28). *Rage about elder scrolls online*. Retrieved 4 10, 2014, from TrueAchievements: http://www.trueachievements.com/forum/viewthread.aspx?threadid=4384853

United States Code. (n.d.). *17 U.S. Code § 107 - Limitations on exclusive rights: Fair use*. Retrieved 5 20, 2015, from Cornell University Law School: https://www.law.cornell.edu/uscode/text/17/107

United States Code. (n.d.). *17 U.S. Code § 109 - Limitations on exclusive rights: Effect of transfer of particular copy or phonorecord*. Retrieved 5 20, 2015, from Cornell University Law School: https://www.law.cornell.edu/uscode/text/17/109

UnSubject. (2014, 1 18). *Kickstander: Only Around A Third of Kickstarted Video Game Projects Fully Deliver To Their Backers*. Retrieved 5 20, 2015, from Evil as a Hobby: http://evilasahobby.com/2014/01/18/kickstander-only-around-a-third-of-kickstarted-video-game-projects-fully-deliver-to-their-backers/

Usher, W. (2012). *Blizzard's CEO Lies To Defend RMAH, Always-On For Diablo 3.* Retrieved 4 4, 2015, from CinemaBlend: http://www.cinemablend.com/games/Blizzard-CEO-Lies-Defend-RMAH-Always-Diablo-3-44805.html

Usher, W. (2012). *Capcom Responds To BBB Complaints: No Distinction Between DLC And Disc-Locked Content*. Retrieved 5 6, 2015, from CinemaBlend: http://www.cinemablend.com/games/Capcom-Responds-BBB-Complaints-Distinction-Between-DLC-Disc-Locked-Content-41021.html

Usher, W. (2012). *Capcom Tells BBB Pair-Play For Xbox 360 Was Never Advertised*. Retrieved 5 6, 2015, from CinemaBlend: http://www.cinemablend.com/games/Capcom-Tells-BBB-Pair-Play-Xbox-360-Was-Never-Advertised-41212.html

Usher, W. (2012). *Fundraiser To Change Mass Effect 3 Ending Is Shutdown*. Retrieved 5 7, 2015, from CinemaBlend: http://www.cinemablend.com/games/Fundraiser-Change-Mass-Effect-3-Ending-Shutdown-40795.html

Vargas, J. (2014, 4 21). *Elder Scrolls Online Angry Review*. Retrieved 5 1, 2015, from https://www.youtube.com/watch?v=Ov3B26h12C4

Walker, J. (2015, 2 9). *Oh Godus, What The Hell’s Going On?* Retrieved 4 4, 2015, from Rock, Paper, Shotgun: http://www.rockpapershotgun.com/2015/02/09/oh-godus-what-the-hells-going-on/

Wardell, B. (2008, 3 10). *Piracy & PC Gaming*. Retrieved 5 20, 2015, from Stardock Forums: http://forums.sinsofasolarempire.com/post.aspx?postid=303512

Webb, J. (2011, 1 10). *Book piracy: Less DRM, more data*. Retrieved 5 20, 2015, from Tools of Change for Publishing: http://toc.oreilly.com/2011/01/book-piracy-drm-data.html

West, M. (2011, 5 17). *Lionhead: Pre-owned worse than PC piracy*. Retrieved 4 30, 2015, from EuroGamer: http://www.eurogamer.net/articles/2011-05-17-lionhead-pre-owned-worse-than-pc-piracy

Williams, N., & Kumar, M. (2008, 4 9). *Analysis: 49 Million U.S. Gamers Buy Used Games*. Retrieved 5 1, 2015, from Gamasutra: http://www.gamasutra.com/php-bin/news\_index.php?story=18163

Wua, K.-W., Huang, S. Y., Yen, D. C., & Popova, I. (2012). *The effect of online privacy policy on consumer privacy concern and trust.* Computers in Human Behavior, Vol.28 (3).

Yin-Poole, W. (2014, 6 20). *EA addresses "unacceptable" Battlefield 4 launch.* Retrieved 4 4, 2015, from EuroGamer: http://www.eurogamer.net/articles/2014-06-19-ea-addresses-unacceptable-battlefield-4-launch

Yin-Poole, W. (2013, 3 14). *SimCity modded so it can be played offline indefinitely.* Retrieved 4 4, 2015, from http://www.eurogamer.net/articles/2013-03-14-simcity-modded-so-it-can-be-played-offline-indefinitely

Yin-Poole, W. (2014, 6 25). *Will EA learn from the terrible Dungeon Keeper mobile game?* Retrieved 3 24, 2015, from EuroGamer: http://www.eurogamer.net/articles/2014-06-25-will-ea-learn-from-the-terrible-dungeon-keeper-mobile-game

Yip, S. (2010, 6 9). *Dissidia: Final Fantasy Downloaded Illegally Over 5 Million Times*. Retrieved 5 20, 2015, from Siliconera: http://www.siliconera.com/2010/06/09/dissidia-final-fantasy-downloaded-illegally-over-5-million-times/

Younger, P. (2011, 11 23). *Despite the ‘bitching’, piracy means I Am Alive is not likely on PC…*. Retrieved 5 20, 2015, from IncGamers: http://www.incgamers.com/2011/11/despite-the-bitching-piracy-means-i-am-alive-is-not-likely-on-pc

## 9.1 Figures

Figure 1: <https://turtlerock-discourse.global.ssl.fastly.net/uploads/default/22487/b9dfdac1cc4320e3.png>

Figure 2: <https://gamemoir.files.wordpress.com/2015/01/watch-dogs-preorder-chart.jpg?w=1024>

Figure 3: <http://2dboy.com/2008/12/22/a-special-christmas-miracle/#comment-14189>

Figure 4: <http://www.gamespot.com/articles/the-witcher-3-comes-with-physical-thank-you-note/1100-6427453/>

Figure 5: <http://www.musicbusinessworldwide.com/piracy-virtually-eliminated-norway/>

Figure 6: <http://www.musicbusinessworldwide.com/piracy-virtually-eliminated-norway/>

1. (Jenkins, Ford, & Green, 2013, s. 76) [↑](#footnote-ref-1)
2. (Hart, Albarracín, Eagly, Brechan, Lindberg, & Merrill, 2009, s. 556) [↑](#footnote-ref-2)
3. (Hart, Albarracín, Eagly, Brechan, Lindberg, & Merrill, 2009, s. 583) [↑](#footnote-ref-3)
4. (Botsman & Rogers, 2010, s. 82) [↑](#footnote-ref-4)
5. (Botsman & Rogers, 2010, s. 82) [↑](#footnote-ref-5)
6. (Botsman & Rogers, 2010, s. 104) [↑](#footnote-ref-6)
7. (Botsman & Rogers, 2010, s. 148) [↑](#footnote-ref-7)
8. (Botsman & Rogers, 2010, s. 154) [↑](#footnote-ref-8)
9. (Botsman & Rogers, 2010, s. 204) [↑](#footnote-ref-9)
10. (Botsman & Rogers, 2010, s. 224) [↑](#footnote-ref-10)
11. (Jenkins, Ford, & Green, 2013, s. 52) [↑](#footnote-ref-11)
12. (Jenkins, Ford, & Green, 2013, s. 52) [↑](#footnote-ref-12)
13. (Jenkins, Ford, & Green, 2013, s. 49) [↑](#footnote-ref-13)
14. (Jenkins, Ford, & Green, 2013, s. 58) [↑](#footnote-ref-14)
15. (Jenkins, Ford, & Green, 2013, s. 67) [↑](#footnote-ref-15)
16. (Jenkins, Ford, & Green, 2013, s. 71) [↑](#footnote-ref-16)
17. (Jenkins, Ford, & Green, 2013, s. 73) [↑](#footnote-ref-17)
18. (Jenkins, Ford, & Green, 2013, s. 75) [↑](#footnote-ref-18)
19. (Jenkins, Ford, & Green, 2013, s. 76) [↑](#footnote-ref-19)
20. (Jenkins, Ford, & Green, 2013, s. 77) [↑](#footnote-ref-20)
21. (Jenkins, Ford, & Green, 2013, s. 114) [↑](#footnote-ref-21)
22. (Jenkins, Ford, & Green, 2013, s. 115) [↑](#footnote-ref-22)
23. (Jenkins, Ford, & Green, 2013, s. 117) [↑](#footnote-ref-23)
24. (Leonidou, Kvasova, Leonidou, & Chari, 2013, s. 398) [↑](#footnote-ref-24)
25. (Leonidou, Kvasova, Leonidou, & Chari, 2013, s. 408) [↑](#footnote-ref-25)
26. (Wua, Huang, Yen, & Popova, 2012, s. 889) [↑](#footnote-ref-26)
27. (Wua, Huang, Yen, & Popova, 2012, s. 895) [↑](#footnote-ref-27)
28. (Wua, Huang, Yen, & Popova, 2012, s. 896) [↑](#footnote-ref-28)
29. (Agnello, 2012) [↑](#footnote-ref-29)
30. (Portnow, Extra Credits - Doing Free to Play Wrong - How Bad Monetization Harms F2P Games, 2014) [↑](#footnote-ref-30)
31. (Portnow, Extra Credits - Shovelware - The Causes and Consequences of Bad Licensed Games, 2014) [↑](#footnote-ref-31)
32. (Portnow, Extra Credits - Shovelware - The Causes and Consequences of Bad Licensed Games, 2014) [↑](#footnote-ref-32)
33. (Sterling, EARLY ACCESS (Jimquisition), 2014) [↑](#footnote-ref-33)
34. (Portnow, Extra Credits - Early Access - The Problem with Unfinished Games, 2014) [↑](#footnote-ref-34)
35. (Portnow, Extra Credits - Early Access - The Problem with Unfinished Games, 2014) [↑](#footnote-ref-35)
36. (UnSubject, 2014) [↑](#footnote-ref-36)
37. (Ledesma, 2010) [↑](#footnote-ref-37)
38. (Holkins, 2010) [↑](#footnote-ref-38)
39. (West, 2011) [↑](#footnote-ref-39)
40. (Sterling, ONLINE PASSES ARE BAD FOR EVERYBODY (The Jimquisition), 2012) [↑](#footnote-ref-40)
41. (Williams & Kumar, 2008) [↑](#footnote-ref-41)
42. (Sterling, ONLINE PASSES ARE BAD FOR EVERYBODY (The Jimquisition), 2012) [↑](#footnote-ref-42)
43. (Sterling, USED GAMES HAVE A RIGHT TO EXIST (The Jimquisition), 2012) [↑](#footnote-ref-43)
44. (Microsoft, 2013) [↑](#footnote-ref-44)
45. (Kohler, 2013) [↑](#footnote-ref-45)
46. (Williams & Kumar, 2008) [↑](#footnote-ref-46)
47. <https://www.youtube.com/watch?v=wBGIi9VA_AI> [↑](#footnote-ref-47)
48. <https://www.youtube.com/watch?v=idA9BEA4Hxs> [↑](#footnote-ref-48)
49. <https://www.youtube.com/watch?v=dDQem9-ghc4> [↑](#footnote-ref-49)
50. (Sterling, How To Sell Games Without Being A Lying Dick (Jimquisition), 2014) [↑](#footnote-ref-50)
51. (Purchese, 2008) [↑](#footnote-ref-51)
52. (Garratt, 2010) [↑](#footnote-ref-52)
53. (Lees & Burns, 2013) [↑](#footnote-ref-53)
54. (Bain, Should you preorder videogames?, 2013) [↑](#footnote-ref-54)
55. (Siegal, 2015) [↑](#footnote-ref-55)
56. (Sterling, WATCH\_DOGS: A VERTICAL SLICE OF STEAMING BULLSHOTS (Jimquisition) , 2014) [↑](#footnote-ref-56)
57. (Sterling, The Poison of Pre-Order Culture (Jimquisition), 2014) [↑](#footnote-ref-57)
58. (Usher, Fundraiser To Change Mass Effect 3 Ending Is Shutdown, 2012) [↑](#footnote-ref-58)
59. (El\_Spiko, 2012) [↑](#footnote-ref-59)
60. (Heffley, 2012) [↑](#footnote-ref-60)
61. (Bobby the Tongue, 2012) [↑](#footnote-ref-61)
62. (Bleszinski, 2012) [↑](#footnote-ref-62)
63. (Usher, Capcom Responds To BBB Complaints: No Distinction Between DLC And Disc-Locked Content, 2012) [↑](#footnote-ref-63)
64. (Elston, 2012) [↑](#footnote-ref-64)
65. (Svensson, 2012) [↑](#footnote-ref-65)
66. (Usher, Capcom Tells BBB Pair-Play For Xbox 360 Was Never Advertised, 2012) [↑](#footnote-ref-66)
67. (Torres, 2011) [↑](#footnote-ref-67)
68. (Ayano, 2012) [↑](#footnote-ref-68)
69. (Capcom, 2012) [↑](#footnote-ref-69)
70. (Nutt, 2012) [↑](#footnote-ref-70)
71. (Sterling, Jimquisition: On-Disc DLC Cannot Be Justified, 2012) [↑](#footnote-ref-71)
72. (Sterling, Jimquisition: On-Disc DLC Cannot Be Justified, 2012) [↑](#footnote-ref-72)
73. (Devore, 2014) [↑](#footnote-ref-73)
74. (Hansen, 2014) [↑](#footnote-ref-74)
75. (Sterling, How Evolve Fell Down The Bullshit Tree (The Jimquisition), 2015) [↑](#footnote-ref-75)
76. (Sterling, How Evolve Fell Down The Bullshit Tree (The Jimquisition), 2015) [↑](#footnote-ref-76)
77. (Bain, I will now talk about DLC for about 18 minutes, 2015) [↑](#footnote-ref-77)
78. (Vargas, 2014) [↑](#footnote-ref-78)
79. (Handrahan, 2012) [↑](#footnote-ref-79)
80. (Dunning, 2013) [↑](#footnote-ref-80)
81. (Scarbrough, 2013) [↑](#footnote-ref-81)
82. (TrueAchievements, 2014) [↑](#footnote-ref-82)
83. (Sterling, FEE TO PAY (Jimquisition), 2013) [↑](#footnote-ref-83)
84. (Sterling, DOWNLOADABLE DISCONTENT (Jimquisition), 2013) [↑](#footnote-ref-84)
85. http://www.oxforddictionaries.com/definition/english/steal [↑](#footnote-ref-85)
86. http://www.oxforddictionaries.com/definition/english/piracy [↑](#footnote-ref-86)
87. <http://pcgamingwiki.com/wiki/Digital_rights_management_%28DRM%29> [↑](#footnote-ref-87)
88. (Sterling, Jimquisition: Piracy - Trying To Kill It Makes It Stronger, 2012) [↑](#footnote-ref-88)
89. (Sterling, Jimquisition: Sony's Begging For Piracy, 2012) [↑](#footnote-ref-89)
90. (Cheng, 2009) [↑](#footnote-ref-90)
91. (Dvorsky, 2009) [↑](#footnote-ref-91)
92. (Wardell, 2008) [↑](#footnote-ref-92)
93. (Wardell, 2008) [↑](#footnote-ref-93)
94. (Fitch, 2008) [↑](#footnote-ref-94)
95. (Sterling, Jimquisition: Piracy - Trying To Kill It Makes It Stronger, 2012) [↑](#footnote-ref-95)
96. (Carpe Fulgur, 2007-2010) [↑](#footnote-ref-96)
97. (Rambourg, 2011) [↑](#footnote-ref-97)
98. (Rambourg, 2011) [↑](#footnote-ref-98)
99. (Makuch, The Witcher 3 Comes With Physical Thank You Note, 2015) [↑](#footnote-ref-99)
100. (Ingham, 2015) [↑](#footnote-ref-100)
101. (Google, 2013) [↑](#footnote-ref-101)
102. (McWhertor, Reviewing A Game On Their Terms: The Increasingly Prominent "Review Event", 2009) [↑](#footnote-ref-102)
103. (Sterling, The Reviewbisoft Problem (The Jimquisition), 2014) [↑](#footnote-ref-103)
104. (Sterling, SALT OF THE EARTH - A STEAM FAIL STORY (Jimquisition), 2014) [↑](#footnote-ref-104)
105. (Sterling, AIR CONTROL - A STEAM ABUSE STORY (Jimquisition), 2014) [↑](#footnote-ref-105)
106. (Sterling, The Slaughtering Grounds: A Steam Meltdown Saga (The Jimquisition), 2014) [↑](#footnote-ref-106)
107. (Bogos, 2014) [↑](#footnote-ref-107)
108. (Sterling, Another Copyright Takedown By Another Poopbrain Dev, 2015) [↑](#footnote-ref-108)
109. (Sterling, Corrupt, Censoring, Suicidal Indie Devs (Jimquisition), 2014) [↑](#footnote-ref-109)
110. (Bain, This video is no longer available: The Day One Garry's Incident Incident, 2013) [↑](#footnote-ref-110)
111. (New York Southern District Court, 2007) [↑](#footnote-ref-111)
112. (McSherry, 2009) [↑](#footnote-ref-112)
113. (Makuch, Blizzard, Ubisoft, and Capcom offer support after huge spike in YouTube copyright claims, 2013) [↑](#footnote-ref-113)
114. (Sterling, COPYRIGHT WAR (Jimquisition), 2013) [↑](#footnote-ref-114)
115. (Bain, This video is no longer available: The Day One Garry's Incident Incident, 2013) [↑](#footnote-ref-115)
116. (Sterling, A Cycle of Perpetration and Apology (Jimquisition), 2014) [↑](#footnote-ref-116)
117. (Molyneux, 2004) [↑](#footnote-ref-117)
118. (Chester, 2008) [↑](#footnote-ref-118)
119. (Barratt, 2010) [↑](#footnote-ref-119)
120. (Makuch, Fable 3 was a "trainwreck" says lead designer Molyneux, 2014) [↑](#footnote-ref-120)
121. (Macdonald, 2011) [↑](#footnote-ref-121)
122. (Walker, 2015) [↑](#footnote-ref-122)
123. (Squires, 2011) [↑](#footnote-ref-123)
124. (Yin-Poole, Will EA learn from the terrible Dungeon Keeper mobile game?, 2014) [↑](#footnote-ref-124)
125. (Yin-Poole, EA addresses "unacceptable" Battlefield 4 launch, 2014) [↑](#footnote-ref-125)
126. (Hill, 2011) [↑](#footnote-ref-126)
127. (Younger, 2011) [↑](#footnote-ref-127)
128. (Thursten, 2011) [↑](#footnote-ref-128)
129. (McWhertor, Maxis explains what went wrong with SimCity and what the developer is doing to fix it, 2013) [↑](#footnote-ref-129)
130. (Yin-Poole, SimCity modded so it can be played offline indefinitely, 2013) [↑](#footnote-ref-130)
131. (Usher, Blizzard's CEO Lies To Defend RMAH, Always-On For Diablo 3, 2012) [↑](#footnote-ref-131)
132. (Sterling, A Cycle of Perpetration and Apology (Jimquisition), 2014) [↑](#footnote-ref-132)