Index

Acar, A. 239
Adorno, T. 146
advertising in digital games 27–8, 237–68
and ‘Asian Model’ 238
as audiovisual commercial communication 245–51
and competition with traditional media 239
constitutional significance of cultural diversity 253–4
cultural diversity definition 239–40
cultural diversity on online games markets 257–61
cultural diversity and regulation of advertising in digital era 255–7
and EC governance, unresolved issues 241–2
free-to-play games 237–8
games-on-demand services 246–7
governance and cultural diversity 252–5
governance in digital game environments 251–61
in-game product placement 244, 247–50, 258–9, 265–6
in-game sponsorship 244–5, 250–51, 252, 265
pre-game, inter-level, and post-game advertising 245
and role-playing games 260–61, 265
scepticism about advertising, reasons for 251–2
and self-regulation of digital games industry 264–6
self-regulation and PEGI Online Safety Code 264–6, 267–8
and transparency, need for 259–60, 265, 266
users, effects on 257–8
advertising in digital games, and AVMS Directive 242–51
and analogue concepts for digital games 257
implementation of 261–6
and in-game product placement 247–50, 265–6
and in-game sponsorship 250–51, 252, 265
mutual recognition relationships 261–3
advertising in online games (AOG) description 243–5, 246–7
and separation of advertising and programmes 255–6
transparency in the digital environment 256–7
Akerlof, G. 159
Alston, P. 217
American Amusement Machine Ass’n v. Kendrick 77, 225
Amstutz, M. 165, 166
Anderson, C. 85
Andrejevic, M. 130
Aoyama, Y. 52, 62
Appadurai, A. 47, 105
Apple 6, 7, 61
Arlandis, J. 155
Arlidge, A. 114
Ashmore, R. 142, 144
Atari 6, 57
Attema, J. 150
Aufderheide, P. 92
Augsberg, I. 154
Australia 11, 30, 67, 230
Austria, Ski Challenge and ORF 170–71
avatars
and MMOGs 8, 9, 67, 68, 124–5, 142
as monitors/policing 124–5
possible threats from, and protection of minors 203, 206, 211–12, 213, 216, 220, 226–7, 229, 230–32, 233–4
in Second Life see Second Life, avatars
see also MMOGs, governance concept and conditions
Axelsson, A.-S. 144, 147, 148–9
Bahls, D. 94–5
Bailenson, J. 148
Baker, C. 88, 180, 181, 251
Baldrica, J. 77, 91, 104
Balkin, J. 77, 82, 93, 97–8, 112, 139, 153, 156, 158–9, 163, 168, 178, 225, 240
Balsamo, A. 142
Banks, J. 88, 127
Barab, S. 65
Barlow, J. 156
Bartholow, B. 210
Bartle, R. 120
Baum, C. 212
Bayraktutan-Sütcü, G. 53
Beck, C. 253
Benkler, Y. 74, 80, 87, 97, 98, 99, 100, 101, 102–3, 108–9, 134, 168
Berman, J. 164
Berman, P. 155, 164
Bernier, I. 177
Binark, M. 53
Birnhack, M. 157, 158
Blizzard Entertainment
Battle.net 25
copyright and limited non-commercial use 94
StarCraft 8, 12
Blizzard Entertainment, World of Warcraft 8, 12, 14, 55, 75, 80, 96, 114, 118
banning of players 122–3, 124, 126
end user licence agreement (EULA) 91, 129, 130, 231
and in-game advertising 261
levels in 138
players and customer service 126
Terms of Use and protection of minors 230–31
traffic management and profitability 25–6
see also MMOGs, governance concept and conditions
Bogost, I. 80, 102, 258, 260
Boxer, S. 59
Boyle, J. 157
Bragg v. Linden 87
Brand, J. 114
Bruns, A. 114
Bryce, J. 52, 67, 70
Brynjolfsson, E. 85
Burri-Nenova, M. 74–112, 243, 257
Byron, T. 211, 215, 216, 217
Caillous, R. 136
Campbell v. Acuff-Rose Music 91
Canada
copyright and fair use doctrine 90
games industry employment 58
games production 22, 56, 61, 62
production support schemes 30–31, 59, 171, 172
school shootings 183
Canaris, C.-W. 164
Capcom, Monster Hunter 2G 63
Carr, D. 178, 179
Carroll, M. 91
Cassell, J. 52, 66
Castronova, E. 9, 56, 83, 84, 92, 122, 139, 149, 153, 156, 158, 172, 173, 178, 180, 181, 257–8, 260
Cate, F. 164
Cave, J. 137
Chan, E. 140
Chang, R. 266
Chatman, S. 178
Chazerand, P. 264
Chee, F. 53
China 12, 16, 27, 56, 68
games production increase 56, 61
online games market 12–13, 27
R&D tax incentives 30
Christensen, R. 165
ChronX 28
Cohen, J. 106, 111–12, 157
<table>
<thead>
<tr>
<th>Name</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collier, A.</td>
<td>39</td>
</tr>
<tr>
<td>Collins, R.</td>
<td>67</td>
</tr>
<tr>
<td>ConnectSafely.org</td>
<td>39</td>
</tr>
<tr>
<td>Consalvo, M.</td>
<td>53, 63</td>
</tr>
<tr>
<td>console games industry</td>
<td>55, 56, 71–2</td>
</tr>
<tr>
<td>Coombe, R.</td>
<td>102</td>
</tr>
<tr>
<td>copyright law</td>
<td>89, 91–3, 95, 110–11</td>
</tr>
<tr>
<td>and fair use doctrine, US</td>
<td>90, 91, 92, 94–5</td>
</tr>
<tr>
<td>limitations, EC</td>
<td>90–92, 253</td>
</tr>
<tr>
<td>and limited non-commercial use</td>
<td>94</td>
</tr>
<tr>
<td>and MODs (user modifications)</td>
<td>65–6, 89, 91</td>
</tr>
<tr>
<td>and Second Life</td>
<td>92–3, 95</td>
</tr>
<tr>
<td>and ‘walled gardens’</td>
<td>91–2</td>
</tr>
<tr>
<td>Corneliussen, H.</td>
<td>81</td>
</tr>
<tr>
<td>Cowling, J.</td>
<td>109</td>
</tr>
<tr>
<td>Crawford, C.</td>
<td>163–4</td>
</tr>
<tr>
<td>Crawford, S.</td>
<td>129, 168</td>
</tr>
<tr>
<td>Crowley, J.</td>
<td>81, 83, 84, 85, 87, 92, 110</td>
</tr>
<tr>
<td>Cryptic Studios</td>
<td></td>
</tr>
<tr>
<td>City of Heroes</td>
<td>26</td>
</tr>
<tr>
<td>copyright law reform, suggestion of</td>
<td>110–11</td>
</tr>
<tr>
<td>Crytek</td>
<td>222</td>
</tr>
<tr>
<td>Czempiel, E.-O.</td>
<td>153</td>
</tr>
<tr>
<td>Dal Yong Jin</td>
<td>53</td>
</tr>
<tr>
<td>Damer, B.</td>
<td>140</td>
</tr>
<tr>
<td>Darrah, U.</td>
<td>266</td>
</tr>
<tr>
<td>Davis, F.</td>
<td>144</td>
</tr>
<tr>
<td>de Gruyter, W.</td>
<td>164</td>
</tr>
<tr>
<td>de Nood, D.</td>
<td>150</td>
</tr>
<tr>
<td>de Werra, J.</td>
<td>92</td>
</tr>
<tr>
<td>Dean, M.</td>
<td>116, 117, 132</td>
</tr>
<tr>
<td>Deibert, R.</td>
<td>104</td>
</tr>
<tr>
<td>Del Boca, F.</td>
<td>142, 144</td>
</tr>
<tr>
<td>Denninger, E.</td>
<td>261–2</td>
</tr>
<tr>
<td>Dibbell, J.</td>
<td>138, 168</td>
</tr>
<tr>
<td>Dietlein, J.</td>
<td>165</td>
</tr>
<tr>
<td>Dimnich, J.</td>
<td>49</td>
</tr>
<tr>
<td>Dirlik, A.</td>
<td>105</td>
</tr>
<tr>
<td>Disney, Pirates of the Caribbean: Dead Man's Chest</td>
<td>7</td>
</tr>
<tr>
<td>Doctorow, C.</td>
<td>124</td>
</tr>
<tr>
<td>Dofus</td>
<td>96</td>
</tr>
<tr>
<td>Donaldson, J.</td>
<td>180</td>
</tr>
<tr>
<td>Döring, M.</td>
<td>215</td>
</tr>
<tr>
<td>Double Fusion, and in-game advertising</td>
<td>244, 258</td>
</tr>
<tr>
<td>Dougherty, C.</td>
<td>87</td>
</tr>
<tr>
<td>Drake, W.</td>
<td>192</td>
</tr>
<tr>
<td>Dyer-Witheford, N.</td>
<td>53, 171</td>
</tr>
<tr>
<td>educational use of games</td>
<td>9–10, 31, 32, 45, 64–5, 66</td>
</tr>
<tr>
<td>Egenfeldt-Nielsen, S.</td>
<td>65</td>
</tr>
<tr>
<td>Electronic Arts</td>
<td>57, 89</td>
</tr>
<tr>
<td>Battlefield Heroes and</td>
<td></td>
</tr>
<tr>
<td>advertising</td>
<td>237, 238, 245</td>
</tr>
<tr>
<td>Burnout Paradise and product placement</td>
<td>249, 266</td>
</tr>
<tr>
<td>FIFA Online and advertising</td>
<td>237–8, 245</td>
</tr>
<tr>
<td>middleware</td>
<td>20</td>
</tr>
<tr>
<td>Need For Speed: Undercover</td>
<td></td>
</tr>
<tr>
<td>and product placement</td>
<td></td>
</tr>
<tr>
<td>and advertising</td>
<td></td>
</tr>
<tr>
<td>and R&amp;D investment</td>
<td></td>
</tr>
<tr>
<td>and The Sims</td>
<td>14, 62, 63</td>
</tr>
<tr>
<td>and Ultima Online</td>
<td>14, 25, 26</td>
</tr>
<tr>
<td>Electronic Frontier Foundation</td>
<td>95</td>
</tr>
<tr>
<td>Emigh, J.</td>
<td>6</td>
</tr>
<tr>
<td>end user licence agreement (EULA)</td>
<td></td>
</tr>
<tr>
<td>access and accountability in MMOGs</td>
<td>129–33</td>
</tr>
<tr>
<td>Blizzard Entertainment, World of Warcraft</td>
<td>91, 129, 130, 231</td>
</tr>
<tr>
<td>Everquest</td>
<td>129</td>
</tr>
<tr>
<td>and freedom of speech</td>
<td>131–3</td>
</tr>
<tr>
<td>and governance conditions</td>
<td>84–5, 91, 110, 122</td>
</tr>
<tr>
<td>and privacy and private policing</td>
<td>130–31</td>
</tr>
<tr>
<td>and Terms of Service (ToS)</td>
<td>38, 40, 41, 84</td>
</tr>
<tr>
<td>see also Terms of Service (ToS)</td>
<td></td>
</tr>
<tr>
<td>and transnational flows</td>
<td>65–6</td>
</tr>
<tr>
<td>Epic Game, Unreal Engine</td>
<td>20</td>
</tr>
<tr>
<td>Ernst, S.</td>
<td>95</td>
</tr>
<tr>
<td>Europe</td>
<td></td>
</tr>
<tr>
<td>advertising, cultural diversity as rationale for regulating 252–5</td>
<td></td>
</tr>
<tr>
<td>advertising and PEGI Online Safety Code 264–6, 267–8</td>
<td></td>
</tr>
<tr>
<td>Altmark case</td>
<td>188</td>
</tr>
<tr>
<td>Article 87 (subsidies)</td>
<td>185–7, 188, 189</td>
</tr>
<tr>
<td>Audiovisual Media Services Directive (AVMS)</td>
<td>105, 107, 220, 242</td>
</tr>
</tbody>
</table>

Index

see also individual countries
Evans, D. 20 Everquest 25, 26, 96, 118, 119, 126–9, 132, 231, 261

Faber, R. 239 Fairfield, J. 206 Featherstone, M. 144 Feintuck, M. 49 Fiesler, C. 89 Final Fantasy 62, 63, 96, 261 Finland 18, 61, 172–3 first person shooter games 8, 20, 63, 64, 65, 77, 178, 183, 211, 225 Fischer-Lescano, A. 165, 262, 263 Fisher, W. 97, 98 Flynn, R. 37, 56 Foucault, M. 115, 118, 119–20, 122 France 16, 56, 57, 61, 68 EC Decision on State Aid (French tax credit) 77 employment in games industry 58 financial support for games industry (Fonds à l’aide économique du multimédia, FAEM) 31 games production 22, 57, 61, 62 minors, legislation for protection of 224–5, 226 production support schemes 30, 31, 58, 59, 60, 62, 172, 185–7 Freedman, M. 89 Frey, B. 108 Fries, F. 30, 37 Funcom 8, 13, 26, 27 Funken, C. 142 Gallagher, S. 58 Games for Change (G4C), Darfur is Dying 10
Index

Gansmo, H. 70
Garcia, J.-A. 108
Gardam, T. 109
Garite, M. 120
Garnham, N. 47, 54, 98
Gasser, U. 95, 112
Gee, J. 112
Gentile, D. 41
Georgiou, M. 47
Germany 13, 56, 61
discussion forum case as example of
digital exclusion 160–68
employment in games industry 58
minors and age verification 214
minors, legislation for protection of
221–2, 226, 227
national prize for games 172
Oliver Kahn v. Electronic Arts 38
pornographic material, possession
banned 213
production support schemes 59, 60,
172
Protection of Young Persons Act 221
public service broadcasting, Internet
activities of 189–90
school shootings 183, 221–2
violent video games, advocation of
prohibition 213, 222
Gerstenberg, O. 165
Gey, S. 164
Goffman, E. 137, 147
Goldsmith, B. 105
Goldsmith, J. 104, 155
Goldstein, P. 91
Goldstone, D. 164
Goodman, E. 112
Google, Lively 87
Gordon, W. 94–5
Göttlich, P. 242, 247, 248
government intervention see state aid for
digital games and cultural
diversity
Graber, C.B. 76, 165, 170–201, 243,
253, 254
Graner Ray, S. 52, 146
Greenleaf, G. 155
Grewlich, K. 155
Grimmelmann, J. 85
Guibault, L. 92
Günther, T. 215
Habermas, J. 251–2
Hager, J. 165
Haines, L. 18
Hakonen, H. 137
Haraway, D. 145
Hardy, T. 155
Harold L. Bowers v. Baystate
Technologies, Inc. 92
Hartmann, T. 222
Hayes, C. 84, 89, 94, 95
Herman, A. 76, 84, 102, 125, 129, 133,
168
Hermes, G. 165, 212
Herz, J. 128
Hesmonhalgh, D. 49, 54
Hesse, K. 165
Hitzler, R. 145
Hong Kong 56
Hooper, P. 103
Horkheimer, M. 146
Howard, J. 207
Huizinga, J. 79, 138–9, 156
Humphreys, S. 66, 88, 113–34
Hungary 56, 68
Hunter, D. 88, 92, 109
Huster, S. 155
Hüther, G. 210
IAH Games, and in-game advertising
238
IBM 10, 83
Iceland 13, 172–3
IGA Worldwide, and in-game advertising
238, 244, 258
intellectual property rights
and MMOGs, governance concept
and conditions 38, 122, 125
online games and virtual worlds 37–8
and user created content (UCC) in
virtual worlds 89–96
Interactive Digital Visualization, SpeedTree
21
Interactive Digital Software Ass’n v. St.
Louis County 77
International Game Development
Association (IGDA) 52, 59
Internet Corporation for Assigned Names
and Numbers (ICANN) 71
Ireland 50, 61, 68, 70
Isar, Y. 105
McFarlane, A. 64
machinima 89, 94, 103–4, 121–2
McKee, R. 178
McKenna, W. 147
McQuail, D. 49, 53
Madger, T. 50
Madison, M. 111
‘magic circles’ of games 79–80, 156–7
Magid, L. 39
Malaby, S. 207
Mangiron, C. 63
Marcus, T. 81, 89, 91, 93, 95
Mario 62, 63
Marsden, C. 220, 242, 243, 247, 248, 257, 267
Martin, J. 138
Marvel v. NCSoft 90
Massive, Inc., and in-game advertising 238, 244, 258, 260
massively multiplayer online games (MMOGs) see MMOGs, governance concept and conditions
Mattel v. MCA Records 94
Matthews, M. 63
Mayer, P. 155
Mayer-Schönberger, V. 81, 83, 84, 85, 87, 92, 110
Mäyrä, P. 240
Mayring, P. 141
Medicus, D. 164
metaplace 109
Mexico 56
Microsoft 20, 57, 94, 181
fair use rights 92, 95
and GATT 192
XBox 6, 63, 64, 193, 245, 247
MicroStar v. Formgen Inc. 91
Middelton, C. 28
middleware 20–21
minors, protection of, and cultural diversity effect 41–2, 202–36
adults playing games and work-life balance 207–8
age verification 214–16, 219, 221, 224, 230, 231, 232, 233–6
and avatars, possible threats from 203, 206, 211–12, 213, 216, 220, 226–7, 229, 230–32, 233–4
causality, recurring problem of 209–11, 212
content regulation and cultural diversity 204–6
cultural diversity measurement 234
digital game environments 202–4
European Community law 209–10, 218–20, 227–9
in-game supervision using speech and behaviour patterns 216–17
interactivity and specific risks 211–12
minors, reasons for playing 207
multi-layered governance 217–32
national law 220–27
see also under individual countries
parental control 215, 224, 229, 231
prohibition of sale and advertisement to minors (offline) 213, 214, 219–20
protection of minors, reasons for 206–12
rating and age classification by third parties 215–16, 219, 221, 230, 233, 235–6
rating of online games, problems with 212, 216, 225
school shootings 183, 209, 211, 221–2
self-regulation and cultural diversity 227–30, 235–6
software blocking 213, 216
and Terms of Service (ToS) 230–32
tools for protecting minors 213–17, 219, 229, 233
transnational flows and ‘harmful’ content, concerns over 67
UN Convention on the Rights of the Child and UNICEF 217–18
and virtual worlds 203–4, 211–12, 224, 226–7, 229, 230–34
Misoch, S. 87, 135–50
MMO, City of Heroes 26, 90, 96
MMOGs, governance concept and conditions 13, 14, 17, 18, 20, 26, 27, 28, 113–34
authorial control 115
and avatars see avatars
bad language filter 123
banning of players 122–3, 124, 126, 132
cheating and gold farming 122, 125, 126, 212
code and rules 118–24, 125, 127–8
code, rules beyond 123–4
consumer data and marketing 123
contracts and EULAs (end user licence agreements), lack of diversity between 130
and conventional media, competition with 114
and cultural capital 114, 117–18
customer service and players 124–7
description of 113–15
EULAs (end user licence agreements), access and accountability 129–33
exclusion powers 129–30
expertise from players, harnessing 121–2
and feedback loops 119–20, 123
freedom of speech and EULAs 131–3
governance and knowledge forms 117, 132–3
governance and practice regimes 116–17
governance and profitability 115–16, 119, 127
governance and technical faults 123
hackers 121
and intellectual property rights 38, 122, 125
and machinima 121–2
marketing practices 117–18
minors, protection of 203, 206, 211–12, 213, 216, 220, 226–7, 229, 230–32, 233–4
and modders 121, 128
and participatory media 101, 114–15
player to player control and group cultures 127–9
player versus player (PvP) combat 120–21
privacy and private policing and EULAs 130–31
publisher accountability, lack of 130
publisher/player development team 126–7
publishers’ roles 114–15, 116, 119, 122, 123–6
and self-regulation 120
social behaviours and code 119–21, 123–4, 125, 127–8
spyware and code 122–3
subscription model 113
switching costs and exit of user 130
Terms of Service (ToS) 129, 132, 230, 232
and transnational flows 54, 55, 64, 69
and user created content (UCC) in virtual worlds 75, 77, 78, 80–81, 92–3, 96–7, 100–101
virtual currencies and in-world trading 42
see also Blizzard Entertainment, *World of Warcraft*, online games and virtual worlds; *Second Life*, virtual worlds
governance and digital constitution quest
mobile phones 6–7, 35, 65
modders 53, 65–6, 89, 91, 121, 128
Morningstar, C. 140
Morrison, C. 7
Mosco, D. 49
Moshirnia, A. 86, 103
*MSN Gaming Zone* 24, 27
Mulford, M. 147
Müller, J. 147
Multiverse Networks 10–11
Mummendey, H. 146
*Munn v. Illinois* 161–2

Nachtbar, T. 164
Naone, E. 203
NCSsoft, *Lineage* 12, 20, 25, 26
Nerén, C. 146
Netanel, N. 157
NetEase, *Fantasy Westward Journey* 13
Netherlands, teenager theft in *Habbo-Hotel* 206
Neven, D. 108
New Zealand 30
Nichols, J. 18
Nicolaidis, K. 192
Nieborg, D. 27, 65, 66
Nimmer, D. 91
Nintendo 13, 57, 65, 181
Wii 6, 63, 194, 245, 247
Nokia, N-gage series 6
Noveck, B. 139, 153, 156, 158, 159, 168
Nowak, K. 142, 147

Obstfeld, M. 182
Odih, P. 251
OECD
   and ‘Beyond Broadcast’ 100
   Digital Content Policy Principles 29
   Participative Web: User-created
   Content 76, 97–8, 111
   Policy Guidance for Digital Content
   45–6
   R&D tax incentives 30
   Recommendation of the Council on
   Broadband Development 35
   Working Party on the Information
   Economy 76, 98–9
Oeter, S. 165
O’Hagan, M. 63
Oliver Kahn v. Electronic Arts 38
O’Loughlin, B. 51
Olson, C. 210
Ondrejka, C. 9, 81, 88, 92, 139, 144
online games and virtual worlds 3–46
   advertising see advertising in digital
   games
   age rating 16–17, 41
   broadband 16
   business models 24–8
   business and regulatory climate,
   fostering 36–43, 46
   businesses, games for 10–11
   casual games 7
   complex game value chains and
   business models 18–28, 36, 46
   computer game industry drivers
   14–18
   confidence, policies that enhance
   38–42
   consoles 5–6, 19–20, 35, 36
   content issues 39–41
   culture and language, fostering 33–4
   definitions and measurements 4–14
   demographic factors 16–18
   developers 21–2
   distributors 23
education, games for 9–10, 31, 32–3, 45
enabling environment promotion
29–34, 45
financial access 32, 42–3, 45, 46
freedom of expression and access to
information 45
game types 7–11
games for security training and
defence 11
gaming platforms 5–7
gendering of 70
global market for online games 11–14
government interest and support to
games industry 30–31, 34
hardware performance 14
inappropriate and illegal content
39–40
infrastructure enhancement 34–6,
45–6
infrastructure investment 34–5
intellectual property rights 37–8
and Internet cafes 69
interoperability and standards 35–6, 46
Internet service providers (ISPs) and
game sites 24
middleware 20–21
minors, protection of see minors,
   protection of, and cultural
diversity effect
MMOGs see MMOGs, governance
   concept and conditions
mobile phones 6–7, 35, 65
networking and market research 34
payment infrastructure 25–7, 28, 36
personality rights infringements 38
piracy 37
policy opportunities and challenges
28–43, 45–6
and public sector information access
45
publishers 23, 25, 26, 36–7
R&D, fostering 14–16, 29–30, 45, 46
retail and distribution 23–4, 70, 102
revenues 4–5, 7, 8, 11, 12, 25–7, 28,
   36
serious games 9–11
technology driver 14–16, 31–2, 36–7,
   45
and user created content (UCC) in virtual worlds see user created content (UCC) in virtual worlds value chains 19–24 violence in 39 women as players 17–18, 52, 66, 67 see also state aid for digital games and cultural diversity; transnational flows, cultural diversity and digital games; virtual worlds governance and digital constitution quest

O’Regan, T. 105
Ospel, S. 180

Palfrey, J. 112
Park, S.H. 58
Perritt, H. 155
pogo.com 27
Poiztman, N. 138
Polhemus, T. 143
Porchet, C. 212
Poretti, P. 200
Post, D. 153, 156
Postigo, H. 121
Potts, J. 127
Preston, P. 246
ProCD Inc. v. Zeidenberg 92
Psychogioopoulou, E. 185

Quiggin, J. 88, 109

Radin, M. 106, 159, 164
Raj Isar, Y. 51
Rantanen, T. 48
Rauh, C. 142, 147
Reding, V. 184, 204, 215, 241–2
Reeves, B. 9
Reidenberg, J. 155
Reimsbach-Kounatze, C. 3–46
Reingold, N. 136, 140
Rettberg, J. 81
Reuveni, E. 110
Rheingold, H. 153
Robertson, R. 144
Robins, K. 48
Rockstar Game, Grand Theft Auto 62–3, 260, 261
Roland Näf v. Media Markt. 223
Rolfe, D. 110
Romano, G. 206, 210
Rooster Teeth Productions, Red v. Blue 89
Rose, N. 115, 116, 127, 133
Rosenau, J. 153
Roy, M. 198
Rutter, J. 52, 67, 70
SafeTeens.com 39
Sahlfeld, M. 202–36
Salen, K. 79, 80, 109, 112
Samuelson, P. 94
Sanctum 28
Sanders v. Acclaim Entm’t, Inc. 77
Saunders, K. 210, 211
Sauvé, P. 180, 182, 200
Scandinavia 61
language and market fragmentation 173
and Nordic themes 62, 172–3
production funding support 62, 172–3
Schaar, O. 249
Schiesel, S. 225, 237, 245
school shootings 183, 209, 211, 221–2
Schott, G. 70
Schroeder, R. 144, 147, 148–9
Schuppert, G. 153
Schwabe, J. 165
Schwartz, P. 157
Sciulli, D. 166
Second Life 9, 17
and advertising 27–8
and atomistic construction 81
and copyright law 92–3, 95
empirical study and results 141–9
environment description (game or play?) 87, 135–9, 149–50
globalisation and unification of culture 144–5
goals, lack of inherent 138, 139
and Harvard Extension School 10, 27, 28, 38
and intellectual property 38, 125
and minors, protection of 203–4, 224, 232
rules, lack of 85, 119, 137, 138, 139
and teleporting 83
see also MMOGs, governance concept and conditions
Index

Second Life, avatars 135–50
  emotional attachment to 138, 139
  and hypersexualisation 145–8
  and real-life objects 38
  and social situations 147–8
  stereotypes 142–8
  and trust 148–9
  as user representation 140–41, 142–7
Sega 5–6
self-regulation 48, 120
  and minors, protection of 227–30, 235–6
Pan European Game Information (PEGI) system 41–2, 67, 219, 220, 225, 227–9, 241, 263, 264–6, 267–8
virtual worlds governance and digital constitution quest 156–60
Shapiro, A. 157
Shapiro, C. 84
Sharma, M. 109
Sharman, Z. 53, 171
Sherry, J. 161
Shilov, A. 6
Siebeck, M. 165
Siegert, G. 245
Simon, B. 122
Singapore 30
Skirrow, G. 52, 66
Slater, M. 141
Smed, J. 137
Smith, R. 106
Snyder, M. 148
Sony 13, 55, 57, 63, 85, 95, 181
  Everquest 25, 26, 96, 118, 119, 126–9, 132, 231, 261
  PlayStation 5, 6, 49, 63, 194, 245, 247
Soukup, C. 145
Spore 81–2
Springer, C. 145
Square Enix, Final Fantasy 53
Squire, K. 64–5
state aid for digital games and cultural diversity 170–201
  cultural diversity, characterisation problems 173–4
  cultural diversity, discursive concept of 176–9, 180, 183–4
cultural diversity measurement and game genres 179–80
culture and art, distinction between 175, 176
culture, definition problems 174–6, 177–8
culture, digital games place in 174–84
diagonal integration 181–2
economies of scale 181
economy and art, distinction between 175–6
and EU law 77, 184–91
and EU MEDIA programme 50, 53, 62, 107, 184–5, 190
language and violence as preconditions in games 182–3
narrative in games, importance of 178–9
production support schemes 170–72
public service broadcasters and digital games 170–71, 187–90
structural failures, perceived 180–84
system code and programmes, distinction between 175–6, 179
UNESCO Convention on Cultural Diversity 50, 76, 101, 105–6, 108, 111, 176–9, 204
vertical integration 181
WTO law see WTO law
see also individual countries; online games and virtual worlds; transnational flows, cultural diversity and digital games; virtual worlds governance and digital constitution quest
Steam 61
Steiner, F. 165
Steiner, H. 217, 220
Steiner, T. 170, 182, 192, 198, 202, 237–68
Steinfatt, K. 180, 182
Stevens, P. 207
Stevens, R. 104
Stevenson, N. 105
Stiglitz, J. 182
Stranglehold 223
Suits, B. 136
Sunder, M. 105, 106
Sunstein, C. 101, 164
Switzerland

**Football Challenge** and SRG 170

minors, legislation for protection of 224–4, 226

**Roland Näf v. Media Markt.** 223

Swisscom, **Ski Challenge** 170–71, 259

violence in games and Criminal Code 223–4

Taiwan 56

Tambini, D. 109, 264

Tanaka, J. 5

Taylor, T. 70, 79, 103, 128, 140, 142, 149

Teipen, C. 57, 58

**Terms of Service (ToS)**

and end user licence agreements (EULAs) 38, 40, 41, 84

and minors, protection of 230–32

MMOGs, governance concept and conditions 129, 132, 230, 232

**see also** end user licence agreements (EULAs)

Terranova, T. 118

Teubner, G. 154, 163, 165, 166, 167–8, 176, 253, 254, 262, 263

Thierer, A. 210

Toyota 10, 28

transnational flows, cultural diversity and digital games 47–73

and casual/mini games 55, 65, 66

and competitiveness 57–8, 71–2

and console games industry 55, 56, 71–2

cultural diversity of content 62–7

cultural diversity and digital games, current knowledge of 52–4

cultural hybrids 62–3

and cultural industries 54–5

development entry barriers 56, 61

educational use 64–5, 66

employment in games industry 58, 59

end user licence agreements (EULAs) 65–6

first person shooter games 8, 20, 63, 64, 65, 77, 178, 183, 211

game players, cultural diversity of 68–70, 72–3

gender diversity 52, 70

globalization effects 47–8

goods trade growth in video games 55–6

hardware and software production, distinction between 56–7

linguistic diversity 65

media, understanding of 49–51

militarised masculinity content, criticism of 66–7, 69

minors see *minors, protection of, and cultural diversity effect* and MMOGs 54, 55, 64, 69

modding 65–6

multiple business models 54

national game development industries 52–3

online distribution services 61

‘pink games’ 66, 67

and player preferences 63–4, 65, 67, 68–70

production, cultural diversity of 54–62, 72

production support schemes 58, 59–61

publishing dominance 57–8

regulation findings and implications 67, 71–3

self-regulation and co-regulation, introduction of 48

techno-regions 61–2

**see also** online games and virtual worlds; state aid for digital games and cultural diversity; virtual worlds governance and digital constitution quest

Tribe, L. 165

Turkey 59

Tushnet, R. 91, 110–11

**TV10 SA v. Commissariaat voor de Media** 188

Ubisoft 57

*Tom Clancy’s Rainbow Six: Vegas* 2

244, 260–61

UK

British Board for Film Classification (BBFC) 227, 228

British Educational Communications and Technology Agency (BECTA) 32
British National Energy Foundation, 
LogiCity 10
Creative Scotland 59
Department for Business, Enterprise 
and Regulatory Reform, 
Virtual Policy 08 42
Edinburgh International Games 
Festival ‘Edge’ awards 31
employment in games industry 58, 59
Entertainment and Leisure Software 
Publishers Association 
(ELSPA) 59
Futurelab projects 10
Game Republic 59
games production 13, 22, 61–2
‘Games Up’ lobby group 59–60
and humour 62
Institute of Education at London 
University 32
player preferences 69–70
production development funding 58, 
59–60, 62, 171, 173
public service broadcaster (BBC) role 
in UCC 109
TIGA (The Independent Games 
Developers Association) 34, 59
Virtual Battlespace 2 (VBS2) 11
UN Convention on the Rights of the 
Child and UNICEF 217–18
UNESCO
Convention on Cultural Diversity 50, 
76, 101, 105–6, 108, 111, 
176–9, 204
Convention on Intangible Cultural 
Heritage 175
Convention on World Cultural and 
Natural Heritage 175
cultural diversity measurement 
development 179
and global trade flows 55–6
MacBride Commission 50
MONDIACULT conference 177
US 14, 17, 56, 57, 58, 61
advertising revenue 27–8
American Amusement Machine Ass’n 
v. Kendrick 77, 225
army training investment in games 
27, 65
Bragg v. Linden 87
Campbell v. Acuff-Rose Music 91
Children’s Online Privacy Protection 
Act (COPPA) 231
Copyright Act 90, 92
copyright and fair use doctrine 90, 
91, 92, 94–5
digital games as cultural expression, 
rulings on 77
digital media and preference for 
GATT 191, 192, 195
Entertainment Industry Investment 
Act 171
Entertainment Software Rating Board 
(ESRB) 226, 229–30, 231
Federal Entertainment Protection Act 
(FEPA) 225
First Amendment protection for first 
shooter games 77, 178, 225
freedom of speech 131
games production 22, 57, 61
games industry employment 58
Harold L. Bowers v. Baystate 
Technologies, Inc 92
Interactive Digital Software Ass’n v. 
St. Louis County 77
Lady Kier v. Sega 38
Marvel v. NCSoft 90
Mattel v. MCA Records 94
MicroStar v. Formgen Inc. 91
minors, protection of 213, 225–6, 
229–30
MIT Games to Teach 10
Munn v. Illinois 161–2
player preferences 64, 65, 66, 67, 
68–9, 97, 178
ProCD Inc. v. Zeidenberg 92
production support schemes 30, 58, 
59, 171, 172
Sanders v. Acclaim Entm’t, Inc. 77
school killings 183
Uniform Commercial Code 92
United States et al. v. American 
Library Association 213
Virtual Battlespace 2 (VBS2) 11
WTO law and US – Foreign Sales 
Corporations 199
WTO law and US – Gambling 
196–7
user created content (UCC) in virtual 
worlds 74–112
amateur UCC 108–9
commercial and private lawmakers
nature of games 83–8
consumer and creator, blurring of
boundaries between 102–4
content creation, situations where
impossible 80
content offered and virtual world
providers 83–4
and copyright see copyright
cultural policy measures, trade-
distorting effect of 106–7
definitions 75–8, 80–81
digital games as cultural expression,
rulings on 77
disputes 38
end user licence agreements
(EULAs) and governance
conditions 84–5, 91, 110, 122
game environment and UCC
limitations 79–82
game as a tool 77, 80, 82–3, 86–7, 94
and innovation creation 95–6, 98,
100–101, 103–4, 108–11
and intellectual property rights
89–96
limitations 79–96
local content diffusion 108–9
‘long tail’ effect 85–6
and ludology 80, 87, 92
and machinima 89, 94, 103–4
‘magic circle’ of games and
meaningful play 79–80,
104–11
and market share 96–7
and metaplace (open platform) 109
and MMOGs 75, 77, 78, 80–81,
92–3, 96–7, 100–101
price charged and virtual world
providers 83, 85–6, 87, 88, 94,
100
state intervention 104–11
and teleporting 83
value within digital worlds,
assessment of 96–104
value within digital worlds,
optimistic view 97–9,
101–4
value within digital worlds,
pessimistic view 97–101
Usoh, M. 141
Van den Bossche, P. 193, 198
van der Graaf, S. 27, 65, 66
van Zoonen, L. 59
Vandewater, E. 210
Varian, H. 84
Verlag, F. 155
violence in games 39, 182–3, 223–4
virtual worlds governance and digital
constitution quest 153–69
code, regulatory strength of 157–8
constitutional rights in cyberspace,
horizontal effect of 163–6
and constitutionalism without the
state 166–8
criminal content and action of games
205, 206
cyberlibertarians and realists,
differences between 155–60
digital constitutionalism, moving
towards 163–8
digital exclusion 160–68
discussion forum case as example
160–63
game spaces as interrated worlds
156–7, 158–60
governance patterns in cyberspace
155–60
‘goverance’ and ‘virtual worlds’,
problems with terms 153–4
and law of public callings 161–2
and ‘magic circles’ 79–80, 156–7
and minors see minors, protection of,
and cultural diversity effect
and MMOGs see MMOGs,
governance concept and
conditions
self-regulation 156–60
uncertainty and creative
experimentalism 153–4, 160
see also online games and virtual
worlds; state aid for digital
games and cultural diversity;
transnational flows, cultural
diversity and digital games
Volokh, E. 164
Vorderer, P. 140
Wagner, P. 159, 164
Walker, A. 86, 103
Wall, M. 11, 27
<table>
<thead>
<tr>
<th>Name</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walzer, M.</td>
<td>106</td>
</tr>
<tr>
<td>Weber, A.</td>
<td>81</td>
</tr>
<tr>
<td>Weber, R.</td>
<td>253</td>
</tr>
<tr>
<td>Wehn, K.</td>
<td>225</td>
</tr>
<tr>
<td>Weitzner, D.</td>
<td>164</td>
</tr>
<tr>
<td>Wiethölter, R.</td>
<td>169</td>
</tr>
<tr>
<td>Williams, D.</td>
<td>37, 57, 80</td>
</tr>
<tr>
<td>Wilson, L.</td>
<td>10</td>
</tr>
<tr>
<td>WIPO</td>
<td>90–91, 110</td>
</tr>
<tr>
<td>women as players</td>
<td>17–18, 52, 66, 67</td>
</tr>
<tr>
<td>Woodcock, B.</td>
<td>96–7</td>
</tr>
<tr>
<td>World of Warcraft</td>
<td>see Blizzard Entertainment, <em>World of Warcraft</em></td>
</tr>
<tr>
<td>Wright, T.</td>
<td>70</td>
</tr>
<tr>
<td>WTO law</td>
<td>194</td>
</tr>
</tbody>
</table>

**European Communities – Certain Computer Equipment**
- Games software classification 194
- GATS classification of digital games 195–8
- GATT or GATS and electronic commerce 191–5, 199–200
- and Harmonised System 193, 197
- Provisional Central Product Classification (CPC) 196–7
- TRIPS Agreement, copyright and the ‘three-step’ test 91

**US – Foreign Sales Corporations** 199

**US – Gambling** 196–7

<table>
<thead>
<tr>
<th>Name</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wu, T.</td>
<td>104, 155</td>
</tr>
<tr>
<td>Wunsch-Vincent, S.</td>
<td>3–46, 194, 195, 197, 198</td>
</tr>
<tr>
<td>Yahoo! Games</td>
<td>27, 247</td>
</tr>
<tr>
<td>Yee, N.</td>
<td>76, 88, 137, 148</td>
</tr>
<tr>
<td>Yu, D.</td>
<td>193</td>
</tr>
<tr>
<td>Zarsky, T.</td>
<td>168</td>
</tr>
<tr>
<td>Zatz, N.</td>
<td>164</td>
</tr>
<tr>
<td>Zimmermann, E.</td>
<td>79</td>
</tr>
<tr>
<td>Zürn, M.</td>
<td>153</td>
</tr>
</tbody>
</table>