Introduction to the Journal

At the 2017 Code Conference in Rancho Palos Verdes California, Mary Meeker a partner in the venture capital firm Kleiner Perkins Caufield Byers posed a marvelous question that also doubled as a prediction: 'Perhaps interactive gaming evolution/growth/usage with related data collection/analytics/real-time simulations and engagement has been helping prepare society for the ongoing rise of human – computer interaction?'¹ The notion that the evolution of videogame technologies could serve to accelerate humankind toward the technological singularity predicted by many, and doubted or feared by others, is at the very least both surprising and plausible. Importantly it may provide a good theoretical answer to a puzzle posed in 1983:²

Equally strange is our general addiction to games, both physical and mental. The profusion of games is truly startling: card games, board games, word games, ball games, electronic games We even assemble in huge crowds to watch others playing games. What does all this mean? Do we simply get easily bored and cannot tolerate inactivity? I can find nothing in the literature of scientific psychology that helps me to understand such bizarre behavior.

Thirty five years seems a long time to proceed from frustrated question to tentative response, but when we look at all that has been accomplished it has really been the blink of an eye. In that time popular 'electronic games' have evolved from the simple game of *Pong* to the endless universe of *No Man's Sky*, with a myriad of breakthroughs, detours, and misadventures in between. One consistent theme has been emergent throughout – video games as proof that we humans could evolve from passive viewers of media to the interactive controller/creator of today's virtual worlds. The accompanying technological evolution involved many innovations representing the bricks and mortar of that all-consuming digital landscape including consumer-scale implementations ranging from the practical (Controllers; Micro-transactions; On-line 'communities'; Portable handheld video devices; Voice Over IP) to the fanciful (Avatars; Augmented Reality; Digital 3D; 'Open Worlds'; Virtual Reality). In turn, each innovation was an exponential complication, not only to the developers and engineers, but also unsurprisingly to the lawyers plying their profession among the myriad contracts, licenses, clearances

and IP strategies that are the business foundation for each game creation. As the video-game industry grew to be arguably the largest and most profitable entertainment medium, so inevitably did the involvement of the legal bar, the complexity of issues, and the cases and decisions spawned.

And so, a tripartite parallel evolution can be observed from a distance:

1. the evolution of interactive entertainment;
2. interactive entertainment as a potential force in human evolution;
3. evolving legal consequences to be explored.

The Interactive Entertainment Law Review in front of you represents the first peer-reviewed law journal entirely dedicated to scholarship illuminating the intersections of law and games and the consequences for us all. To abuse the metaphor 'It takes a village to raise a law journal'. This journal grew out of the 'More Than Just A Game' conferences that have for several years brought together top legal and gaming experts from around the world to explore emerging challenges in the industry and to encourage and build bridges between the industry and academic research at the time in which games and interactive entertainment are facing new challenges relating to social issues, industry autonomy, and the regulation of technology. We extend our gratitude to this network of people for the unwavering support they gave us on this journey.

This journal is also rooted deeply and deeply inspired by the Centre for Commercial Law Studies, Queen Mary University of London which represents a common point of biographical intersection among the three Co-Editor-In-Chiefs. Its people served as an incubator and platform for our ideas. Special thanks go to its Director, Professor Spyros Maniatis for his enthusiasm and support from the outset. Finally, we would like to give our special thanks to our publishers at Edward Elgar, in particular Luke Adams, Ben Booth, and also John-Paul McDonald, for making our vision come to life.

We hope you enjoy and are challenged by the pages that follow. May we continue to evolve together.

Dr Gaetano Dimita
Professor Jon Festinger Q.C.
Dr Marc Mimler

1 Mary Meeker's 2017 internet trends report: All the slides, plus analysis: <https://www.recode.net/2017/5/31/15693686/mary-meeker-kleiner-perkins-kpcb-slides-internet-trends-code-2017>.

2 By the psychologist Leon Festinger in the Introduction to his final book *The Human Legacy* (Columbia University Press, 1983), p. x.