



CALL OF DUTY 4
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Intellectual Property & Entertainment Law Committee

Real IP in a Virtual World: IP Issues Arising Out of Virtual
Characters and Scenes in Online Video Games

October 18, 2007



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Gaming Technology Platforms

- PC Platforms:

- Windows-Based Platforms
- Mac-Based Platforms
- Linux-Based Platforms



- Console Platforms:

- Microsoft Xbox
- Nintendo Wii
- Sony PlayStation



- Home Entertainment Platforms:

- Set-Top, Cable and Satellite TV boxes
- High Definition Televisions



- Emerging Platforms:

- Handheld Platforms (Nokia N-Gage)
- 3D Platforms (3D PCs, 3D Televisions, 3D Peripheral Devices, Wii Nunchuck)



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CONVERGENCE



*Based on Oregon Networks Limited Presentation at CONFERENCE ON GAMER TECHNOLOGY, Seattle 3/04.



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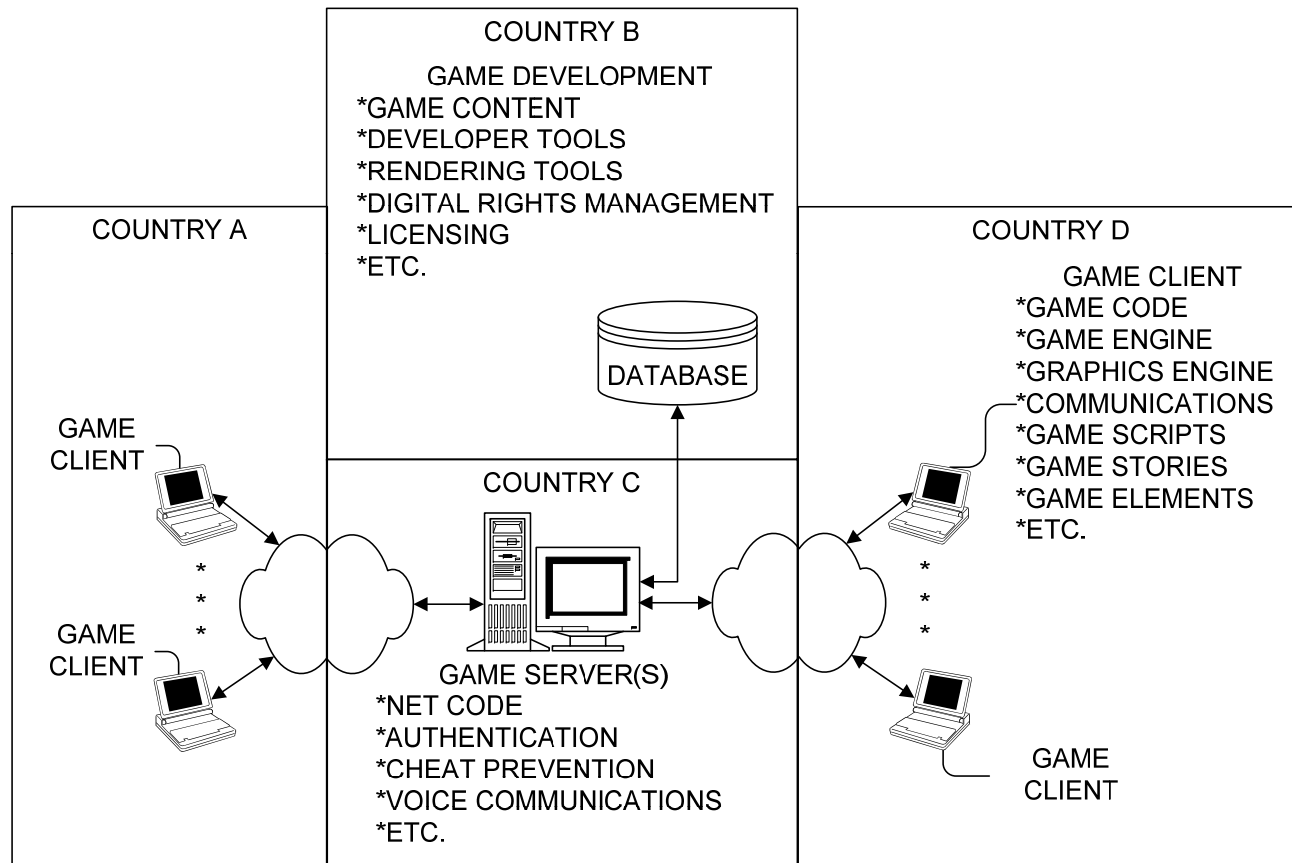
Technological Requirements

- High-Speed Processors and Memories
- High-End Graphics Technologies
- Fast Hard Drive Technologies
- High Resolution Displays
- Peripheral Devices (High-Speed Mice, Gaming Keyboards and Keypads, Joy Sticks and Controllers, Speakers and Headsets, 3D Glasses)
- High-Speed Internet Access
- High-End Content Production Systems



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GAMING SYSTEMS



CHEAT PREVENTION

- “Online Gaming Cheating Prevention System and Method,” USP 7,169,050

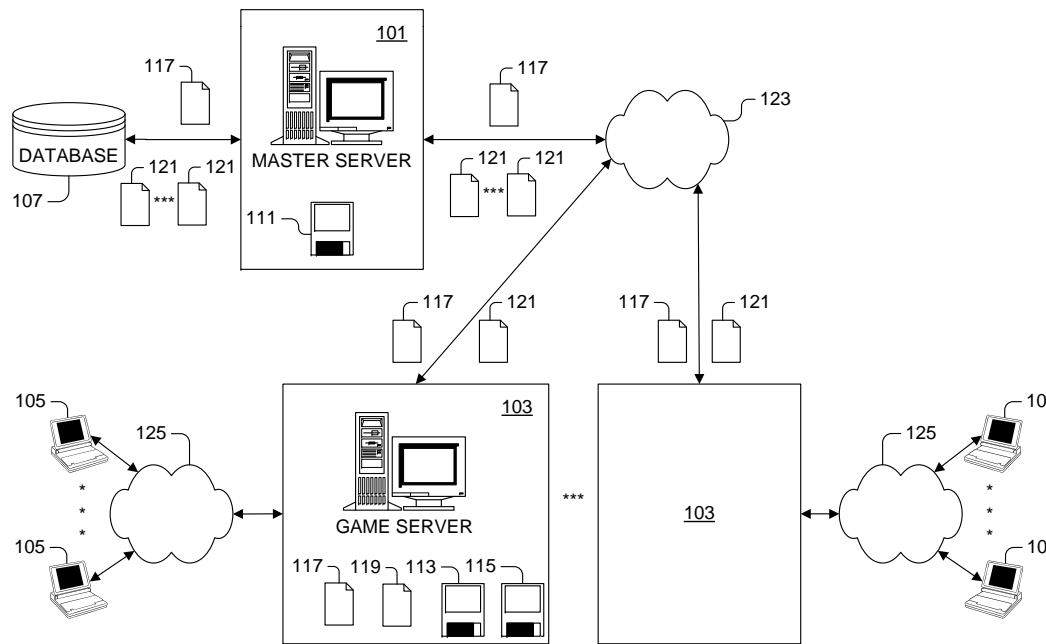


FIG. 1

100



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TOP 10 PATENTS

1. "Television Gaming Apparatus," RE28,507
2. "Trigger Operated Electronic Device," USP 6,850,221
3. The Patent Portfolio
4. "Battle Method with Attack Power Based on Character Group Density," USP 6,729,954
5. "Game Display Method, Moving Direction Indicating Method, Game Apparatus and Drive Simulating Apparatus," USP 6,200,138
6. The patent that was never filed
7. "Wireless Game Control Units," USP 6,280,327
8. "Tactile Feedback Man-Machine Interface Device," USPs 6,275,213 and 6,424,333
9. "Television Display Control Apparatus," USP 4,026,555
10. "System for Determining Authenticity of an External Memory Used in an Information Processing Apparatus," USP 4,799,635

*Based on "The Ten Most Important Video Game Patents," Dannenberg and Chang, Gamasutra, January 19, 2007



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PATENTABLE SUBJECT MATTER

- United States:
 - State Street Bank
 - AT&T versus Microsoft
 - KSR
- European Standards
 - Technical effect required
 - Software patents debate continues



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CLAIMING TECHNIQUES

- Reference to system components performing acts (e.g., server, memory, processor, controller, etc.) must be included in claims, e.g., as in Korea, and Japan
- Business methods and software issues, e.g., as in EPO, and U.S.
- Change in obviousness standard in United States in view of KSR decision
- Changes in patent rules and laws of the United States



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Content Production

Realism (Shadow Ops: Red Mercury by Zombie Studios)



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Production: Shadow Ops: Red Mercury

- 2 years, 45 artists animators and engineers
- Screenplay by Waugh & Mendillo (Dreamworks)
- Orchestral score by the Seattle Symphony
- Sound design by SOUNDELUX (Black Hawk Down)
- Cyberscans by Gentle Giant (The Matrix)
- Motion Capture w/ Green Berets and Rangers
- Digital location photography in Russia, Morocco, Croatia, Bosnia and France

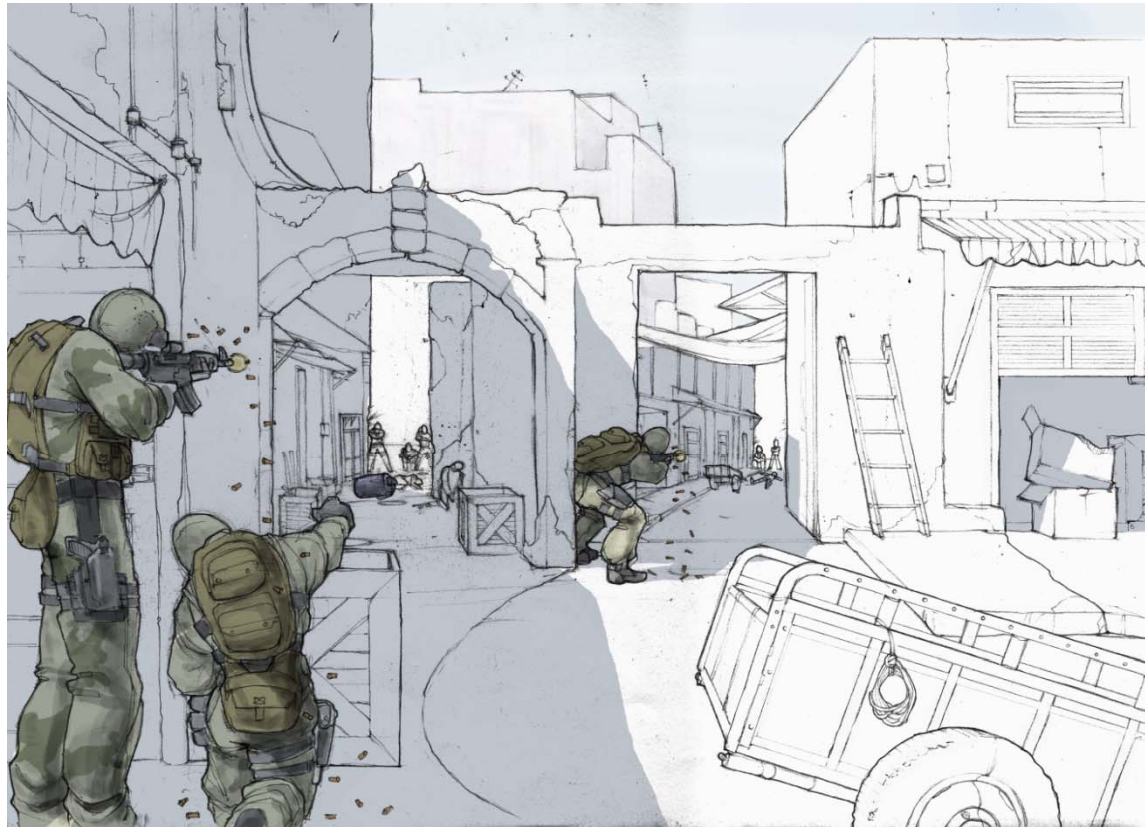


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Story Boarding



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Image Capture



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Sound Capture



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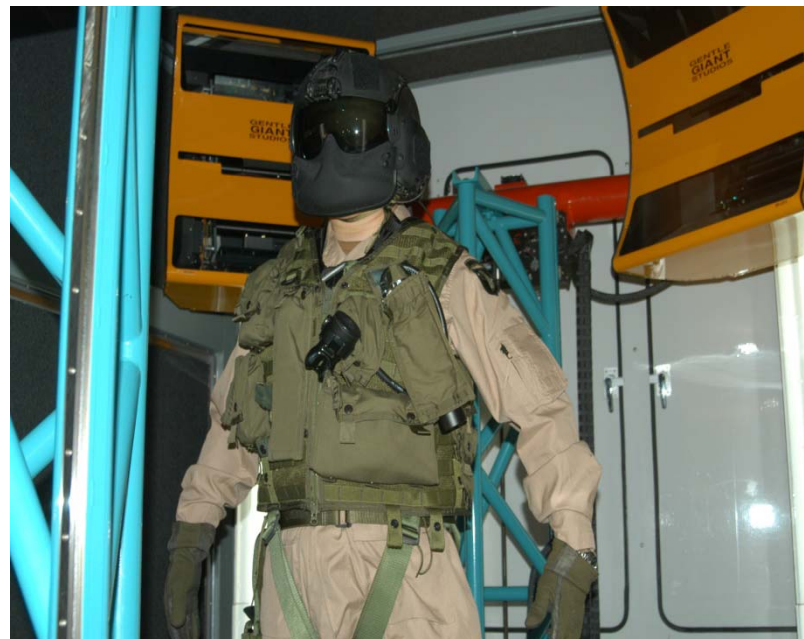


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Character Development

CIA Agent
Male, Powerful Build
Weapon, MP5 SMG

01 LEVEL



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Character Development



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Motion Capture



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Weapons Modeling



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Weapons Sound Capture



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Sound Production



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Questions?

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