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PROFESSOR: Ok, cool. So we've been reading the assignments. And we realize that there were a couple of things about how to write rules that we hadn't necessarily gone through. One thing that we would like to see in the next assignment are a couple things that I'm going to read out now. But we'll probably send out an email, as well. So you can have it for reference.

So having a paragraph or an overview that broadly explains what the game is about is actually really, really useful. Just jumping straight into the-- this is how you set up a border and this is how you take a turn. That's the meat of the assignment.

But just to help people get a grasp, especially if you thought about your theme really, really hard. And this next coming assignment, your theme is right there, explaining who are you in this game? What are you trying to do? What's your overall goal in broad terms? Not necessarily very specific game terms. Just having one paragraph is a really, really good idea. And really, that [UNINTELLIGIBLE] paragraph.

Two, list the components. In a card game, it would be like we have this many red cards, this many blue cards. Just so we know that we've got everything.

It also helps, sometimes, to be able to establish the vocabulary of the game really, really early. So if all your red cards are attack cards, and all your blue cards are defense cards, you want to say your deck should have 25 red attack cards and 25 blue defense cards. And now we know if you use the words attack card and defense card later, we now know what it means.

So this is obvious from just looking at currents. But frankly, when we are opening up these cards, usually, there is one person looking at the cards and somebody else looking at the rules. And just having the information redundant is kind of nice. Let me see.

The number of players-- in this particular assignment, I'm trying to remember what the requirements are for. It was like two to four?

AUDIENCE: Two to four.

PROFESSOR: Two to four. A number of your previous projects actually allow less players. We want an explicit line that says this is how many players your game supports. Just one line. Make it like a bullet point.

By the way, bullet points-- be concise. Making things really easy to read is highly valued. One thing that you absolutely should do is make sure you're testing your written rules as well as your game. Don't just test the rules of your game. And then, you write it down. And you're never actually testing the written version of your rules on someone. You need to be able to test your rules, as well. There are some games that clearly need that. And some games that clearly don't. And it showed.

By the way, no one really did badly on the last assignment. I'm nitpicking because this is, obviously, from B to A. Let's see. Expected playing time. Especially in this next assignment, if a game tends to take 30 minutes, or if your game tends to take 10. Just state it. In some games, it takes a really long time to set up and a really fast time to play. Then, you just state expected set up time, expected playing time [UNINTELLIGIBLE].

There was a lot of assumption in the rules and in the design of the game that your players are male. This is a very male-proportioned class right now. But don't assume that your players are all going to be male. It's actually really kind of off-putting to read a set of rules that just assumes that if you're playing this game, you are a guy.

There are a couple of things that people have done in academia to address that issue. I've seen papers where they've used nonspecific third person pronouns. They just [UNINTELLIGIBLE] he/she all the time unless they're talking about a specific person.

But in your case, when you're thinking about your themes, don't assume that your players are male. You can cast them in the role of a male. But don't assume that a player, itself is male.

AUDIENCE: So I'm just going to say-- put this out there. In the English language, it's actually very masculine oriented. So the proper way to say in a third person, if you're not saying one says this, it's actually appropriate to say he. That's actually proper in the English language.

PROFESSOR: And I'm saying it's off-putting from a marketing standpoint to assume that your players is male. It goes more than just gender specific pronouns. It goes way more than that. There were a lot of assumptions-- there were specific rules that assumed that you were a straight male in a couple of games. So let's be clear about that. [UNINTELLIGIBLE].

AUDIENCE: I was just going to mention that from what I've seen in a lot of rule books, it seems like a lot of people solve this problem by just replacing the assumption that the player's male with the assumption that the player's female. Yeah, I've noticed this. Every single pronoun in every like post second edition Dungeons and Dragons book is female. It's kind of interesting.

PROFESSOR: That's actually kind of an interesting way to deal with it. It's just like you have a lampshade. You've got to use a pronoun, but we don't want to use language that's going to turn people off the game. So we just want to swap all the pronouns around. And all of a sudden, you actually have a more marketable game. You have a game where someone is going to read the rules.

And if they're a straight male reading the rules, it's like OK. Clearly it just was a gender pronoun swap. But I can read these, and it makes sense. Whereas, someone who is not a straight male reading the rules. They're going, oh, this game is not for me. So I'm not going to play the game. That kind of reaction does happen.

Board games are supposed to be inclusive. Board games and card games are supposed to kind of like be these huge socially enabling games and [UNINTELLIGIBLE]. So keep that in mind. You want people to feel welcome when they read the rules.

AUDIENCE: If I could just interject. So something that I've seen that happens a lot in like [? bridge ?] literature, is they make your partner-- so one person, specifically, is female and the others are male. And that way, you kind of have this inclusivity. But that helps clarify who you're talking about. So if you are writing up examples, or sample turns, or that kind of thing, you can think about doing it that way as well. Because it does the whole inclusivity, but then again kind of clarifies who you're talking about in the set.

PROFESSOR: And we're in university. We're trying to be professors about this.

AUDIENCE: I find it, generally, people's aversion to writing using pronouns, which are identity neutral specifically, people worry that there's an ambiguity between singular and plural. And that's why you shouldn't use that kind of pronoun. But, for the most part, it's almost always obvious when you're talking about one person [INAUDIBLE].

AUDIENCE: I don't even see really why this is still an issue.

GUEST SPEAKER: Yeah. It's one of those things where it's not technically correct to say if I'm referring to a single person to say they or their. But then, if you're reading, other people will say do that. A lot of

people are just still using he or she now. It's certainly awkward. It's kind of [INAUDIBLE].

PROFESSOR: You can also use second person language-- you. When it's your turn, you blah blah blah. And also, the one player is a great substitute for all that. Say player one, player two. [UNINTELLIGIBLE].

And it's tough. It's tough to write stuff like this. But sometimes I find writing constraints, writing gets better because you're more focused on how your writing is going to be received. And we're, frankly, trying to encourage everything in your games to be better.

I guess this is something that I hit on earlier. Try to go for short sentences. Not paragraphs or prose. Those are actually difficult to read when you're trying to also process what the moves are going to be. Go for active voice, rather than passive voice.

I personally, automatically, write passive voice when I'm writing in a report. And I have to physically change myself and tell Microsoft Word to highlight every single instance of passive voice so that I can accurately correct that. Microsoft Word doesn't do a great job in highlighting every single instance. But if you do this often enough, you start picking it out yourself.

It's actually easier to read. It's uncomfortable if you're moving from the field of writing chemical papers into writing for general public. But active voice is easier for someone to read. [UNINTELLIGIBLE]

This one I might need more help and detail. These substeps of actions.

GUEST SPEAKER: When you're going through the instructions, it's really helpful to have numbered sequences instead of having a chunk of prose that's saying first do this. Then you do this. Just bullet point it. Or make it a numbered list. And it's a lot easier for people to follow. Generally speaking, bullets versus numbers. You should use a numbered list if a sequence really matters versus bulleted lists are more like these are the things that are important. But there's not necessarily a temporal relationship [UNINTELLIGIBLE].

PROFESSOR: So just some tips. In the end, every single game that we played, we could play. It didn't take us long to figure out what was necessary. The games were good. The games were entertaining. [UNINTELLIGIBLE] extra people to come in and play. And we don't [UNINTELLIGIBLE] to play again just the two of us. Yeah.

I'm actually really, really impressed because it's a marketing group. I know with previous

classes [UNINTELLIGIBLE].

[APPLAUSE]

[UNINTELLIGIBLE] Yay.

All right. So that was the stuff on your assignment. And now onto intellectual property. Actually how many people figured out that we had given you the wrong chapter to read.

AUDIENCE: Yeah.

PROFESSOR: OK. All right. For those of you who ended up rereading chapter three, I'm sorry. It's not a huge chapter. But I kind of want to talk about two different things, both of which are related to intellectual property.

What is the version of intellectual property that presented to you in the book. In that sense, that's kind of the game designer concept of what intellectual property is. Often it means a franchise. Often it means somebody else's story wall or characters. Maybe it's real people and images, like the faces and the bodies. In sports games, you have to deal with that a lot.

There was a conference this last weekend. And one of the old guards of the Boston game development team, who now runs iRacing, was talking about the amount of effort it takes to actually license a NASCAR car. Because it's not just a car. But every single logo that's on their car, and the person who's inside it, and the uniform that they're wearing, every single logo on their uniform, and their face. There's a lot that goes into licensing for that. It helps that the person who now owns iRacing is also the same person who owns the Red Sox. So they've got the bank roll to be able to do all of this.

But that's the idea of what IP is from industry point of view. And there's a couple of things that you can do to consider that. Not just all right, how do we design this game so that we can minimize how much IP we need to license? Licensing IP generally means licensing money that needs to be exchanged. That means that your splitting up their royalties or you're just putting up money up front.

Of course, this goes for things like licensed music, for instance. EA has an entire music department. Sega has an entire music department. Its job is either to create their own music, or more likely, license popular music. And, of course, with Harmonix, that's half the business right there. Probably be bought, at this point.

The other thing they can do is that, assuming that you are working with a license. And the reason why you're working with licensing-- think of *Star Wars*, which came up in the last class. How do we do justice to it? How do we sort of make sure that the fans of those particular intellectual property franchises are going to look at this game that we're creating, and say, yeah, that's faithful? That makes sense. We'll be actually playing a lot more of those games, I think, later on. For things like *Battlestar Gallactica*.

But let's take *LEGO Star Wars* as one example. If you're a fan of LEGO then, you're probably a fan of building things up with little tiny blocks. You like making stuff combine. And you kind of like the whole blockiness, that look of it. So the folks who made *LEGO Star Wars*-- I think they are called Traveller's Tales. And *LEGO Indiana Jones* and those there was a bunch of games-- kind of had to play that up.

They made a lot of obstacles in the game. Things that you had to put together with parts. Sure, it is holding one button into assemble it from a bunch of disconnected parts. But creating all that animation and sort of making-- this is one of the main game mechanics of the entire game was a decision they had to make. and they're very consciously making that because with LEGO, we're going to assume people are going to make things.

And then you find parts in the entire game that you can later go back to a trophy room and can see your trophies, statues, and objects from the game builds that you're trying to do sort of built up. So the more parts you find-- they're like the hidden collectibles that you find in *Grand Theft Auto*. They're kind of hidden away in secret locations. And you find more of them-- you go back to your trophy room and oh, wow, your X-wing. Or you have part of an X-wing. You haven't found half of it. So all you've got are the wings. And none of the guns or something like that.

They've actually figured out a way how that weaves back into basic game mechanics but is still appealing to LEGO fans. If you get chopped in half by a lightsaber, you fall into pieces. You don't actually bleed. When the characters walk, they actually walk like that. They're a little bit more flexible than actual LEGO pieces. They don't just move down like the right angles. But they try. They try really, really hard to make everything look plasticity. And it's [UNINTELLIGIBLE].

The same thing goes with *Star Wars*. Right? What are the things that people expect from *Star Wars*?

AUDIENCE: Lightsabers.

PROFESSOR: Lightsabers. OK. Anything else?

AUDIENCE: The Force.

PROFESSOR: The Force. OK.

AUDIENCE: Darth Vader.

PROFESSOR: Darth Vader. You've got to have Darth-- Well, they're doing it on the Episodes Four, Five, and Six. Actually, I believe Darth Vader is still unlockable on Episode One, Two, and Three because people expect there to be a Darth Vader.

AUDIENCE: Generally, they use the main characters from the films.

PROFESSOR: Yeah, the main characters from films.

AUDIENCE: Dog fights.

PROFESSOR: Dog fights? You mean like-- that's actually interesting because I believe they actually didn't do that. They didn't manage to put that in. But in a lot of other Lucas games they did. They focused mostly on space fights.

AUDIENCE: [INAUDIBLE]

AUDIENCE: Catch phrases.

PROFESSOR: Catch phrases. I think they've weaved the catch phrases into the names of the levels because they can't-- not that [UNINTELLIGIBLE].

AUDIENCE: Nobody ever says, I've got a bad feeling about this?

PROFESSOR: I think there's a title of a level that says, I've got a bad feeling about this. Because there's no dialog. No one says anything. The only thing that says anything is R2-D2. And that's just a voice over.

AUDIENCE: Actually, I have a really good example of catch phrases in, I think *Rogue Squadron* on Nintendo 64. There's this line in the *Star Wars* movies, where Luke is like, that stabilizer's broken loose. If you can, lock it down. Every like second time you get shot, they play that

recording. [LAUGHTER] And it just even like cut scene you where this other pilot is like, Luke, my stabilizer's broken loose. And he's like, see if you can't have your R2 unit lock it down. [LAUGHTER] So yeah, I mean a good example of the worst end is that game.

PROFESSOR: You can over do it. I'm trying to remember how the force works. I think you can assemble LEGO blocks from a distance in *Star Wars* if you're playing Obi-Wan. It's kind of, "oooo." And then, [UNINTELLIGIBLE].

AUDIENCE: [LAUGHTER]

PROFESSOR: Call Yoda. Obviously, Darth Vader is in there. Darth Vader is in the first cut scene, obviously.

AUDIENCE: Yoda is?

PROFESSOR: Yeah. All the big characters have got to be there, right? You've got to have your Luke. You've got to have your C-3PO. And the interesting thing about every LEGO game-- this is a nice mix between LEGO and *Star Wars* is that you can play any level with any character. So after you've beaten it once, I think you unlock the ability to swap characters in, which is more of a LEGO kind of thing, right? I'm just going to take the characters from the *Harry Potter* set and put them in the *LEGO Star Wars* game and see what happens.

But that's one thing that you get. You get to unlock all these characters. So you can play the whole game with [UNINTELLIGIBLE].

GUEST SPEAKER: You want to add the locales? [UNINTELLIGIBLE]

PROFESSOR: Oh yeah. The locations. At least some acknowledgment that there is some sequence of when people go to each locale.

GUEST SPEAKER: Yeah, the LEGO games, in particular, basically, follow the events of the movies, specifically. So it's like each separate event in the movie is kind of it's own level.

PROFESSOR: Mos Eisley Cantina is one chunk of this one level. And you beat that, and you're going to-- what happens after the cantina?

[INTERPOSING VOICES] Tatooine.

AUDIENCE: Probably in some Death Star.

AUDIENCE: *Death Star* yeah.

PROFESSOR: Oh right, right. I was going to say, someone should invent a game where it has all the LEGO games. And you can any of the characters, interchangeably between them.

PROFESSOR: Well, there's one company that already has technology for that. And I would to see *LEGO Star Wars slash Indiana Jones*. Even better you can change [UNINTELLIGIBLE] *Indiana Jones*, which is about it.

AUDIENCE: Like take off the hat.

PROFESSOR: Blaster? Whip!

One thing which these particular games have done a really good job with is they'll always bring the music over. Actually, every single *Star Wars* game has been very, very careful about making sure that it sounds like *Star Wars*. The sound effects and the music. [INAUDIBLE]

A lot of it is actually developed with the Lucas Arts license, which is, obviously, under the Lucas umbrella. So it makes it a little bit easier. The company of the whole Lucas family, Lucas Arts, Lucas Film is actually really, really tightly centrally controlled by Lucas, himself. Partly for quality control, partly for control freak issues.

In the end, what it does make it really, really easy as for say-- how many folks paid for *The Force Unleashed*?

AUDIENCE: The live action trailer was awesome. The second one?

AUDIENCE: Oh, I haven't seen live action trailer.

AUDIENCE: [UNINTELLIGIBLE] they blend the in-game footage and live action to get back and forth. And it's really hard to tell where [UNINTELLIGIBLE].

PROFESSOR: I actually wonder whether the character is actually based on the case of the real world.

AUDIENCE: It must be because it's the exact same face.

PROFESSOR: OK. A lot of the assets that are used in the movies were brought over into the game. Obviously with with some tweaks to make it run better in the game. A lot of stuff in the force unleashed, like when you use your force power and smash things, which is actually most of the game, if I recall. A lot of that same technology is actually technology that they use in the films to simulate

things being smashed.

That being said, that particular example is probably not even a good instance of something that any player is going to notice. It's like, why do I care that things that are breaking in the game, break exactly the same way in the movie? But they do. More usefully you see art assets. You see the same concept art moving between the games, moving smoothly.

Traveller's Tales is actually an illegal Star Wars game. They're a little bit further out. Obviously, those are third party. Those are separate from the Lucas family. They had to actually license both LEGO and Star Wars. But they already had a relationship with Star Wars.

[UNINTELLIGIBLE] So it was a little bit easier for them to negotiate that. And as a game developer issue issue, I believe, with the [UNINTELLIGIBLE] and how they actually managed that.

Again, they're going to be very, very capital. Even though it's not Lucas's own company, they're going to be very, very capital and at least matching up with Lucas's control of the product.

And if you're a developer working with a license, often, it's just a long process of just earning trust back from the original license holders. [? Jason Beam ?] is actually a partner entering this lab. And he used to work with THQ, which made a lot of DS and Wii titles, specifically on Disney and Pixar products.

One problem with the DS is that it doesn't have a huge amount of 3D processing quality. Whereas, obviously Pixar movies have all the power in the world to do awesome looking 3D. So some of the tricks that they have to do to be able to get the characters-- to be faithful to the characters in the movie are kind of interesting.

So the folks who work for Pixar films-- a lot of them have these opening and closing sequences that are actually animated in completely different style. Maybe it's hand drawn, maybe it's paper cutouts. And those are still emblematic of Pixar style, even though they're not super 3D, realistically rendered.

And a lot of DS games that [? Jason Beam ?] worked out will use those tricks. They'll make a game. Instead of making it look like it's all 3D, you can make it look like it's all cut out of cardboard because that's part of the movies. And the DS has a much easier time with that.

One thing that's kind of useful when you're thinking about what to take from a franchise or

license is to look at the verbs that come out from that franchise. I think we have enough time. I'd like to do an exercise where we pick out a franchise. And you just try to come up with a bunch of verbs that make that franchise unique or at least you expect to see in a franchise. But I'd like some examples.

I'm going to just start with movies and see if you can get at least one that everyone's fairly familiar with. And if not, then I'll try books or other kinds of media properties. Anyone want to throw out a movie that maybe everyone in here should be familiar with?

AUDIENCE: *Independence Day.*

PROFESSOR: *Independence Day?* Has anyone not seen *Independence Day*?

AUDIENCE: [INTERPOSING VOICES]

PROFESSOR: Actually, let's just throw out a few brainstorming ideas. There's *Independence Day*.

AUDIENCE: [INTERPOSING VOICES]

PROFESSOR: I'm going to go this way.

AUDIENCE: *Ferris Bueller's Day Off.*

AUDIENCE: *Twilight.*

AUDIENCE: [INTERPOSING VOICES]

AUDIENCE: *Lord of the Rings.*

AUDIENCE: *Inception.*

AUDIENCE: *Iron Man.*

AUDIENCE: *The Matrix.*

PROFESSOR: OK. We hit some in there. And I think that's all I can remember. So *Inception*, *Iron Man*, *The Matrix*, *Ferris Bueller's Day Off*, *Independence Day*, *Twilight*, *Lord of the Rings*.

AUDIENCE: I've never seen *Twilight*. I'm going to pick *Inception*. Who has not seen *Inception*?

AUDIENCE: You should.

PROFESSOR: You haven't seen *Inception*? [INTERPOSING VOICES]

PROFESSOR: Which have you seen?

AUDIENCE: I've seen all the other ones.

AUDIENCE: [INTERPOSING VOICES]

PROFESSOR: My problem with *The Matrix* [UNINTELLIGIBLE].

AUDIENCE: Has everyone seen *Ferris Bueller's Day Off*?

AUDIENCE: Nope.

AUDIENCE: Have you seen it?

AUDIENCE: Nope.

AUDIENCE: [INTERPOSING VOICES]

AUDIENCE: Monty Python, yeah.

PROFESSOR: Monty Python? Does anyone not know *Monty Python*?

AUDIENCE: Wait--

AUDIENCE: [INTERPOSING VOICES]

AUDIENCE: --*Holy Grail* .

AUDIENCE: [INTERPOSING VOICES]

AUDIENCE: *Home Alone*.

AUDIENCE: [INTERPOSING VOICES]

PROFESSOR: There might have been a *Home Alone* game, but I bet no one here has played it.

AUDIENCE: I have.

AUDIENCE: [LAUGHTER]

AUDIENCE: [INTERPOSING VOICES]

PROFESSOR: That is impressive.

AUDIENCE: They're for the original Game Boy.

PROFESSOR: Oh, okay.

AUDIENCE: It's actually one of the first Game Boy games my brother ever got.

AUDIENCE: That's old.

AUDIENCE: Yeah.

PROFESSOR: OK. Let me try *Lord of the Rings* but maybe a specific *Lord of the Rings* movie.

AUDIENCE: [TRANSPOSING VOICES]

AUDIENCE: --*The Matrix*. How about *The Matrix*.

PROFESSOR: No, the problem with *The Matrix* is that there are too many games on it.

AUDIENCE: *The Two Towers*?

PROFESSOR: I'm really curious about *Ferris Bueller's Day Off* as a game. If somebody would like to volunteer a quick summary of what *Ferris Bueller's Day Off* is about?

AUDIENCE: Which is Matthew --

AUDIENCE: [INTERPOSING VOICES]

AUDIENCE: Well, OK. So the basic idea is the main character is Ferris Bueller played by Matthew Broderick. The idea is that he's the infamously super popular like class clown kid in school. And he decides to just play hooky with, essentially, his girlfriend and his best friend. And the whole movie is them going around the city getting into wacky misadventures while the principal tries to catch him playing hooky because he hates him.

AUDIENCE: That is awesome.

AUDIENCE: It is incredible.

PROFESSOR: So actually that white board would be--

AUDIENCE: Has anyone heard the *Fight Club* theory on *Ferris Bueller's Day Off*?

AUDIENCE: No.

AUDIENCE: [INTERPOSING VOICES]

AUDIENCE: Ferris Bueller and his best friend.

AUDIENCE: [UNINTELLIGIBLE]

AUDIENCE: Yeah, Cameron.

AUDIENCE: [LAUGHTER]

PROFESSOR: I'm going to stand at this screen.

AUDIENCE: [INTERPOSING VOICES]

AUDIENCE: Wait, who hasn't seen *Fight Club*.

AUDIENCE: Oh, *Fight Club*. That's a pretty good movie.

AUDIENCE: Has everyone seen *Fight Club*? That's another one.

AUDIENCE: [INTERPOSING VOICES]

PROFESSOR: --because I think, that game would have benefitted from the exercise that we're about to do.

AUDIENCE: [INTERPOSING VOICES]

AUDIENCE: Like do both controllers control the same character?

AUDIENCE: [LAUGHTER]

AUDIENCE: That's some Metal Gear Solid stuff right there.

AUDIENCE: Psycho [UNINTELLIGIBLE].

AUDIENCE: [INTERPOSING VOICES]

PROFESSOR: So I just got to bring out the note pad thing. And I want people to start thinking about verbs. What are the verbs that make *Ferris Bueller's Day Off* kind of unique? Or really that's what you think of when you think of *Ferris Bueller's Day Off* ?

AUDIENCE: Verbs?

PROFESSOR: Yeah, verbs. What do they do? What do the characters do?

AUDIENCE: Bad karaoke.

PROFESSOR: [UNINTELLIGIBLE]

AUDIENCE: Bad Karaoke.

AUDIENCE: Sing.

AUDIENCE: [INTERPOSING VOICES]

PROFESSOR: Let me make sure we've got [UNINTELLIGIBLE].

AUDIENCE: Live life.

AUDIENCE: Lie. They lie.

PROFESSOR: OK. So they sing. They deceive or lie.

AUDIENCE: They run.

PROFESSOR: They run?

AUDIENCE: Elude. [LAUGHTER]

PROFESSOR: They definitely elude.

AUDIENCE: [INTERPOSING VOICES]

AUDIENCE: They drive.

AUDIENCE: Destroy.

AUDIENCE: They [UNINTELLIGIBLE PHRASE]. They trick.

AUDIENCE: They trick? That's deceive.

AUDIENCE: [UNINTELLIGIBLE] be spontaneous.

PROFESSOR: They be spontaneous.

AUDIENCE: [LAUGHTER]

PROFESSOR: They improvise.

AUDIENCE: They get in trouble.

PROFESSOR: They get in trouble. There's not a real verb for that.

AUDIENCE: And get out of trouble.

AUDIENCE: They mischief.

AUDIENCE: [LAUGHTER]

AUDIENCE: [INTERPOSING VOICES]

PROFESSOR: Well, mischief is a word that should probably be in there. That might be an actually a back of the box or tagline. [UNINTELLIGIBLE PHRASE]. What else? Anything else they do there?

AUDIENCE: They hide.

PROFESSOR: They hide?

AUDIENCE: [UNINTELLIGIBLE]

PROFESSOR: Hide, run, elude. Those kind of [UNINTELLIGIBLE].

AUDIENCE: Exploit maybe?

PROFESSOR: Exploit?

AUDIENCE: Yeah, they take advantage.

PROFESSOR: OK. They exploit [UNINTELLIGIBLE].

AUDIENCE: They impress.

PROFESSOR: They impress.

AUDIENCE: Relax.

AUDIENCE: That's good. At some point they relax.

AUDIENCE: [INTERPOSING VOICES.]

PROFESSOR: One guy is very relaxed.

AUDIENCE: They kiss.

PROFESSOR: They kiss.

AUDIENCE: They hack.

PROFESSOR: Do they hack into a computer?

AUDIENCE: Into the school computer.

AUDIENCE: [INTERPOSING VOICES]

PROFESSOR: Oh yeah. I forgot about that.

AUDIENCE: [INTERPOSING VOICES]

AUDIENCE: It's going to take a little bit more interest.

AUDIENCE: [LAUGHTER]

AUDIENCE: [INTERPOSING VOICES]

PROFESSOR: The school has a [UNINTELLIGIBLE] That's too easy. There's a movie about that.

AUDIENCE: [UNINTELLIGIBLE PHRASE].

AUDIENCE: That's *War Games*.

AUDIENCE: You ruined it.

AUDIENCE: [INTERPOSING VOICES]

PROFESSOR: Let's see. What else?

AUDIENCE: It's a classic line. [UNINTELLIGIBLE]

PROFESSOR: Do they ever support each other? Or do they just stress each other out?

AUDIENCE: They may just stress each other out.

AUDIENCE: They plan.

AUDIENCE: [INTERPOSING VOICES]

AUDIENCE: Scheme. No, they scheme.

AUDIENCE: Scheme.

AUDIENCE: Scheme is so much better than plan.

AUDIENCE: I don't like these negative words for him.

PROFESSOR: This may not be what the main characters do, but they campaign. They run a campaign to save Ferris. So the idea is that Ferris is basically pretending that he's deathly ill. And so a bunch of the students in the school are running a campaign to raise funds for his medical expenses.

AUDIENCE: Well, everyone says it. Like the police station says, tell your brother feel better. And also the water tower has Save Ferris printed on it. [UNINTELLIGIBLE]

PROFESSOR: Yeah. And you can think about what those verbs associated with like putting signs up and painting. And if you look at this list, the list can probably get much longer. But this is a fairly unique collection. Maybe it's all unique if you compare it to other, sort of, hijinks movies. But it's not like we've had a lot of video games, in particular, that are in that game. And we probably should have because it sounds like it's going to be a heck of a lot of fun.

Actually, the one theme that reminds me of this is actually *Bully*, which was released by Rockstar. Where you sort of do these things. But it's much more vengeful. It's much more I'm going to show the other bullies in the school how [UNINTELLIGIBLE]. Whereas this one is kind of more good natured. They parade.

AUDIENCE: [UNINTELLIGIBLE]

AUDIENCE: [UNINTELLIGIBLE] is also part of the singing badly part.

PROFESSOR: Yeah.

AUDIENCE: You get the girlfriend and then they sing [UNINTELLIGIBLE]

PROFESSOR: But singing badly wouldn't have the same impact if there wasn't a brass band behind him. So you can think about how any of these verbs-- and we've done this exercise by taking verbs and turning them into game mechanics before. And you can think about how any of these verbs could actually be turned into a game.

Kiss might be a goal or it might be a rule, a mechanic, to be able to accomplish something. Parade might be a setting. Campaign might be a collection of mechanics that feed off each other. It could be a whole system that tells you how successful your Save Ferris campaign is going. You could make a game that's just all about saving Ferris, as opposed to playing Ferris Bueller himself.

And that's kind of one exercise that you can do when you're thinking about your reward systems and all the systems that you guys have [UNINTELLIGIBLE] as far as I can recall. You don't have to worry about licensing the idea. But you're basically working with a real live franchise. And if you're doing something based on political diplomacy or something like that, then there are real life source material things that you're trying to be faithful to.

And going through this exercise-- OK. What are all the verbs in this idea that we're working with? This isn't going to work-- What do people actually do? It's a good exercise to be able to try to be faithful to [UNINTELLIGIBLE].

And then, you don't have to pick all of them, of course. You're just going to cherry pick. And you want to prioritize a little bit. OK. What things can we get rid of and very still clearly be Ferris Bueller game.

Running. I think as long as we have some kind of evasion think, physical running may not be necessary. You could do something like as long as they're not in one location where the principal is at any given time, you're good. But you don't have to physically move through [UNINTELLIGIBLE] basically in all that.

AUDIENCE: Drive, probably.

PROFESSOR: Driving. Yeah. It's such a minor part of the film. Yeah. The actual driving is such a minor part of the film that you can probably do without that.

And you might actually want to think about what if instead of this being Ferris Bueller's day off into Ferris Bueller's multiple days off. Maybe just play each day differently. And just trying to

stay out more and more days. Maybe a score or number of days you don't go to school or something. So that's an idea. That's one approach that you can use in your projects.

Before we hit two, I just want to touch on another point. Before I transition, any questions about dealing with IP ? There is a point that Brenda makes in her book-- the Brenda [UNINTELLIGIBLE] book-- that if you go professionally in the game industry, you will most likely at some point in time, probably many times in your career, work with a licensed product. And it can be painful because you do not have greater control yet trying to be faithful to what you're working with.

And if you succeed, you make a lot of money. And maybe you get enough money to start working on your own projects. But it's a reality because franchises do sell. And they're a lot lower risk than dealing with a completely new idea.

By the way, if you haven't played the new *Tomb Raider* game, which is actually kind of interesting because it's like *Tomb Raider* meets *Diablo*. If people have never... Whose played or seen some one play *Tomb Raider* before? OK.

Who knows about this latest game that I'm talking about. It's kind of like 3/4 isometric view. Yeah. It is *Tomb Raider* meets *Diablo* but it still keeps in with the puzzle solving. It's cooperative. It's a very, very different game in terms of how you play it. But it will be an interesting exercise to sort of play that game. Maybe I'll load it up here sometime. And you can take a look and how does that resemble the *Tomb Raider* franchise so that people who look at the game and still say, yeah that's *Tomb Raider* even though it's a very new game.

You can imagine like a *Tomb Raider* board game, for instance, and how would that be different. And how could that still be faithful? That's *World of Warcraft* games and *Starcraft* board games that we invent. [UNINTELLIGIBLE PHRASE] But I'd love to try it out.

Let's see. So the other point I want to get to is kind of the legalistic definition of IP. And I don't want to spend an entire class on this because I know you will all fall asleep.

I just want to point out that there's quite a lot of different ways that intellectual property is protected. People who are creating stuff professionally, creatively, want to make sure that they can finish their product, they can make sequels of their product, they can maybe even license their ideas to someone else. Make IP for some company without having ideas copied outright and not seeing any compensation for that.

If it is copyrights, there's trademarks, there's patents. I feel like I'm missing something. I guess we have those three first. And if anything-- those are definitely the three big ones.

Copyright. Copyright basically protects an expression of an idea. The idea, itself, is not protected. If your basic idea is in a world where aliens are attacked by space marines, the idea, itself, is not protected, which is a relief because a lot of people have many games on that idea.

But the actual expression is. So the actual-- say that you're an artist. And you're creating concept art based on that theme. That piece of concept art is copyrighted to either you or if you're an employee of a company then you've probably signed over your rights to the company. That whatever you're creating on their dime belongs to the company. And that's defensible in court.

It's actually an automatic protection. But it's one of those things where it helps to be able to document that you've actually created something. There's a copyright office that you can send things to. But for the most part, internal company documentation saying, this piece of art was created on the so and so date by so and so person. It's usually good enough to stand up in court if there's ever a dispute.

So the same thing goes for writing. The same thing goes for audio and music. A lot of music is protected under copyright. So if somebody creates a piece of music that sounds an awful lot like your piece of music. There are specific rules that allow for that to happen. But I think, if you completely reperform the piece, you are allowed to do that. But you may have to pay the original composers the royalties from the music.

This means that if person A composes a song, then B performs a song and releases an album, then C could actually reperform that song. And the only royalties goes back to the composer. It doesn't necessarily go back to Band B. However, Band B-- it depends on really how close they sound to each other. And, of course, if Band B happens to be also the composers, then they're going to get royalties and win.

But you see this idea that copyright protects the expression of an idea. The composers, at some point in time, had to write down the music, the notes, and the lyrics. And that is what is protected. And you can't just copy that without entering into some sort of contract saying that you can. We have systems like Creative Commons for instance that basically, people who are

creating your IP say, under these conditions, I am letting people do whatever they want with it. And there are different kinds of Creative Commons licensing. Some of them that you do-- literally whatever you want with it. They're like open source licenses.

And in some cases, it's like well, you can do whatever you want with it as long as it's for non-commercial use and you have to credit the origin [UNINTELLIGIBLE] So that's why Creative Commons evolved. So to enable people to freely do stuff without necessarily having to pay and enter into separate contracts with everybody who is creating IP.

So the problem is with code. If code and game mechanics actually for this class is something I want to consider. Because you can think of code in two ways. One, you can think of it as a chunk of text. It's a chunk of ASCII symbols that you type into a development environment and you compile it. And that's an expression of an idea.

But the other way that you can think of it is it's a machine. It's a bunch of instructions that you feed into a machine for it to operate in a certain way. And those things, machines, inventions basically, can be protected by patents. That's pretty much what the patent system is designed for. Patent system is a lot slower because you actually have to apply to central US Patent Office to be able to secure those, assuming that you're looking for patent protection in the US.

Every single country, every single region has it's own patent office and it's own process. It's really expensive. What it does is basically give you a temporary monopoly on that invention. At least, that's what they were originally designed for. You make an invention, and you've got like 25 years or something to be able to capitalize on it before anyone can use your idea.

And the whole reason why it was invented is that you now have an incentive to be able to come up with inventions. You might make some profit off it. And after the patent expires-- 25 years or something-- because you've released your information to the patent office, now, all of society can benefit. Can make derivatives of your invention.

So in a sense, it was invented to eventually release great monopolies. I got this idea, and I am going to be upfront and very clear about how I make this thing work. Say Amazon patents 1-click. And I'm going to say for the next 25 years, Amazon now has this lock on 1-click shipping and purchasing, which is [UNINTELLIGIBLE] but it's been [UNINTELLIGIBLE].

But after 25 years, anyone can do 1-click shipping. But that's the problem, right? 25 years is a heck of a long time. And by then, whatever is invented is kind of obsolete. And a lot of the

ideas that tend to get approved by the patent office are pretty damn obvious.

I'm not going to discourage the amount of work that Amazon has actually put into 1-click shipping. It's actually a really complex process. But I am going to discourage, say there is a patent on the giant floating arrow that tells you where you're supposed to go next. They have a patent on this. Namco has a patent on mini games that you play while your game is loading. That's why only Namco games have mini games in those screens because they have a patent on that.

When it comes to game ideas and game mechanics, I find this really annoying. It's a personal rant because I think that's [UNINTELLIGIBLE] creation is that opening it up is really, really tough. I don't really think game mechanics fit in the [UNINTELLIGIBLE].

AUDIENCE: [UNINTELLIGIBLE] Apple has is on all the touching. On their gestures, a lot of people can't get off the same thing.

PROFESSOR: A lot of people have the same issue that I have with game mechanics, with software, in general. Software happens so quickly that this kind of temporary monopoly basically means a real monopoly over that idea.

AUDIENCE: I thought that game rules were not patented or covered by a copyright. I seem to remember hearing that somewhere. And this was an issue which came up when Scrabulous and Scrabble were at loggerheads with one another. There's some weird technical detail that I don't really know, but it kind of comes down to the actual rules of Scrabble, the actual game rules themselves [UNINTELLIGIBLE] are not copyrightable. But somehow, the look and feel of your game is. Do you know what the specific details are?

PROFESSOR: I don't know the specific details. But how you outlined it is one very clear way on how someone who's created a game can protect a game without necessarily being protective of the rules. And Scrabble can protect the layout of their board. Because in order to come to design the layout, they had to express the idea of what the board was with graphic design.

It's like here's where all the triple word scores are. Here are where the double word scores. That's an image. Images can be copyrighted. And that's protected under copyrighting law, not under patent law.

AUDIENCE: And I think [UNINTELLIGIBLE] of copyrights and trademarks, it comes down to like confusion, right? Like if someone could-- if Scrabulous was similar enough to Scrabble, superficially, that

if someone could use their products. I think that is like a major criteria, right? And then again, it comes down to things like font, colors, titles, [INAUDIBLE].

PROFESSOR: It's even more specific when it comes to trademarks. If you can claim that the image or a particular saying or something is closely associated with your company's core brand, you can defend that as a trademark if you registered it with the trademark office. GAMBIT, the Singapore [UNINTELLIGIBLE] game lab is actually a registered trademark in Singapore. And actually, we had some trouble registering that because well, [UNINTELLIGIBLE] not the first company to come along with the word GAMBIT.

There's actually another MIT product called GAMBIT. It's a game theory modeling system. So we actually had to negotiate some fine words to be able to separate what we were doing was not going to be confused with what they were doing. [UNINTELLIGIBLE]?

AUDIENCE: Are copyrights and trademarks also for 25 years? Or are they different?

AUDIENCE: [INTERPOSING VOICES]

PROFESSOR: Copyrights last as long as Walt Disney is dead. That is because the Disney corp keeps lobbying the various branches of the United States to extend copyrights so that they can lock down Mickey. That's the easiest way to tell exactly how long. In other words, right now, you've got something copyrighted, it's in perpetuity until Disney loses.

This is actually really annoying. Which means there's a whole bunch of works, literature [UNINTELLIGIBLE] that date back to the elite 20th century that by all means really should be public domain at this point. And then, they will pass into public use. But they aren't. I know one thing for sure. H.P. Lovecraft is definitely in public domain. That's why there are so many games based on H.P. Lovecraft material.

Whatever is based on Disney material, has to be made by Disney. [UNINTELLIGIBLE] of the copyright law.

Images. If the Scrabble board is identified as being key to the Scrabble brand, you might be able to protect it under trademark. And trademark is one of those things where all you're saying is that this is how our company is identifying ourselves. And if that is confused with somebody else's product, that product is now hurting [UNINTELLIGIBLE] to make money. So there are a lot of steps to allow you to fight that.

The problem with trademark is that you have to keep fighting back. So Xerox, for instance, constantly fights to keep Xerox as a trademark because people keep using the word, Xerox, to mean photocopy, which is a great problem for a company to have. But it's actually a cash drain as well. Because everyone's associating your company's name-- you're thinking Google, right?

AUDIENCE: I think [UNINTELLIGIBLE]. Too many people or lose it. Band-aid would for sure.

PROFESSOR: So you have to fight it.

AUDIENCE: And Kleenex, yeah.

PROFESSOR: As long as you keep fighting it, you stand a chance of hanging onto it. Like [UNINTELLIGIBLE] you blink.

AUDIENCE: [INAUDIBLE]

AUDIENCE: I remember hearing about this, so I was looking to find it. But Richard Garfield, who created Magic, has a patent on methods of play for trading card games.

PROFESSOR: Like the [UNINTELLIGIBLE], for instance?

AUDIENCE: And the one who owns the patent is playing a card in a certain orientation and then changing it's orientation in the game field choosing to buy a different state of that character's embodiment.

AUDIENCE: What? [LAUGHTER]

AUDIENCE: [INTERPOSING VOICES]

AUDIENCE: That is stupid.

AUDIENCE: He has a patent on tapping cards?

AUDIENCE: He has a patent on tapping cards, among many other things that are basically-- So I suspect that he doesn't enforce this patent or that it is not enforceable because if you try to enforce it, it gets [UNINTELLIGIBLE PHRASE].

PROFESSOR: It is possible, but it's not [UNINTELLIGIBLE]

AUDIENCE: I heard that the actual manifestation of that is that-- I don't know whether [UNINTELLIGIBLE] contested people over it. But definitely, they're anti anyone else using the term tap. So which is why whenever you go to look at Legend of the Five Rings or whatever, they have the turned sideways [UNINTELLIGIBLE]. But it's called bowing. And the same is true in any collectible card game that has a tap mechanic, they're not allowed to use the word, tap.

AUDIENCE: But that's a copyright.

AUDIENCE: Yeah, it's a copyright.

AUDIENCE: [INTERPOSING VOICES]

AUDIENCE: So I don't know it's been tested because I don't know if that patent has been contested.

AUDIENCE: I would suspect not.

AUDIENCE: Probably not. But it's interesting. If you look at any of the [UNINTELLIGIBLE], so [UNINTELLIGIBLE] Pokemon and I don't recall what the others are. They all use the term tap. But because of the copyright in which they hold, they're allowed to do it, but nobody else--

AUDIENCE: [INTERPOSING VOICES]

PROFESSOR: The copyright violation probably gives evidence for a patent violation. So if you can stay clear of the copyright violation, the case that Wizards has to be able to contest the same mechanic that's under [UNINTELLIGIBLE]. But they might still have a case.

AUDIENCE: I suspect that they think that their patent is not enforceable.

PROFESSOR: It's possible.

AUDIENCE: Otherwise, you wouldn't even be able to get away with not even calling it tapping. As long as you turn a card, you'd be able to say, hey, do you have a method?

AUDIENCE: It's so ridiculous.

AUDIENCE: Entering [UNINTELLIGIBLE PHRASE] the first orientation at the player's option. Turning the trick card another orientation on the playing surface. It doesn't even say for any reason.

AUDIENCE: In Naval Battles, you have to turn the card upside down. Like submarine cards, you can put them upside down to [UNINTELLIGIBLE].

AUDIENCE: [INTERPOSING VOICES]

AUDIENCE: --method of playing games when two or more players blah, blah, blah.

AUDIENCE: [INTERPOSING VOICES]

PROFESSOR: So you can see how this gets annoying quick. But there's actually an, unfortunately, good reason why things like game mechanics and more often implementation of game mechanisms code are protected by patents. Is in that because there are already so many out there, if your company is just trying to make a game, the likelihood that you're going to run into a pile of patents is actually pretty high.

So what do you do? If you've got something that you know that you created, a lot of companies just go and patent that. In the event that it turns out to be a case that you run afoul of a different patent, they might actually look at the company that's suing them and say, but you were running to file our patents because we just also patented something pretty obvious.

EA, Activision what?

AUDIENCE: It's all just mutually assured destruction.

PROFESSOR: Exactly. I mean, well, it's not destruction. It's what they do is they trade licenses. It's like we will let you use these patents if you will let us use that patent and thus, avoid a legal fight. Final costs. Lawyers are getting paid throughout this entire process.

AUDIENCE: [LAUGHTER]

PROFESSOR: It's cheaper than actually bringing it to court because--

AUDIENCE: Your patent isn't validated if you can be shown someone else came up with it and patented it earlier in time. You have to be the first person to come up with it.

AUDIENCE: [INTERPOSING VOICES]

AUDIENCE: And that's why I'm sure that Wizard has never tried to use their patent against people because they suspect that it's not going to hold up [UNINTELLIGIBLE].

PROFESSOR: It's possible. You may not want to fight it. But sometimes, the threat of a lawsuit is a big enough threat. It's like you don't even have to be able to win it. You just-- we are a big

company. We have lawyers. And we can pay them. Do you?

So that's one reason I mean why companies that are otherwise opposed to legal patents will still secure patents to protect themselves. It's kind of sad. It's like one of those things where in a city where everyone owns a gun, you want to own one, too. So that's patents. We talked about trademarks. We talked about copyright.

One last thing I kind of want to talk about is fair use. Fair use is kind of the defense that a lot of schools fall back on. The idea that if you're doing something, or if you're appropriating some sort of material, or some sort of IP for political or educational reasons, you have a defense. Should the case be brought to court, you might be able to defend yourself and win that case by saying well, this was the reason.

So am I doing something for satirical purposes. Am I doing something to teach people about games, for instance. I'm going to reprint rules or something. And you guys can look at it. And you guys can sue me.

And I can claim fair use. I may not win. That's the problem. Fair use is only a defense. Fair use is not a law that automatically protects you from being taken to court. So lawyer's fees. Who pays the lawyers' fees depends on the case. But frankly, I would rather not be put in that position. So there is that chilling effect.

Just keep that in mind of the games you guys are making for the class assignments. But, of course, we don't expect you to be say, copying text verbatim from other rule sets. In fact, I doubt any of you would be particularly interested in doing so. Certainly not copying art.

But also, keep in mind that also applies for things like art that you find online. You could protect yourself under fair use. This is for a class assignment, darnit. And for the most part, no one is really going to notice. But, of course, if you want to take these games a little bit further, maybe sell them in the future, you'll want to rethink about every single piece of art, every single piece of text that you're using in your games. Is that coming from somewhere else or can we claim that we invented that?

AUDIENCE: Have any past students or groups tried to pitch their games anywhere?

PROFESSOR: Oh, you mean like turn it commercial? Not to my knowledge.

AUDIENCE: [INTERPOSING VOICES]

PROFESSOR: Yeah, do it. I mean, based on the games that we played on Tuesday, absolutely. Actually, one of the pieces of feedback that we got from the GAMBIT [UNINTELLIGIBLE] every single one of those games has something they have not seen before in a card game. Every one of those projects had a really interesting mechanic. And as far as I can tell, they've all really been tested.

All right. OK. So I'm not going anymore into IP discussions. I spend too much time talking to IP lawyers because we create IP in this lab. We create games. And if anyone happens to be interested. I was considering a career in law. I'll be happy to go into greater detail. But for now, anymore questions? OK. Let's just play games.