

# Assignment 1

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## *Conference paper*

**Title:**

*Streaming games online is a positive thing for the community*

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gaming has become a multi-billion-dollar entertainment outlet worldwide. As of 2017, video gaming as a whole have produced \$108.9 billion. (McDonald, 2017). This paper will look at the effects of streaming games online with the growing community watching these such streams. We will be looking at the positive effects such as the boost in sales from streaming online. The negative effects that companies believe there are such as streaming games online can be impeding on sale of video games because of seeing the game in full online. We will also look at the copyright laws in the most proficient country where this is happening, the USA, where most of the population that plays video games are either watching them online or streaming them online. This paper is going to be a supportive paper because no matter what companies try to do, people will always try to stream games and companies have to get with the time.

gaming has become a multi-billion-dollar entertainment outlet worldwide. As of 2017, video gaming as a whole have produced \$108.9 billion. (McDonald, 2017) As of 2011, websites such as Twitch.tv, have provided an outlet that allow for players of video games to produce and present online live streams of gameplay content from video games. In 2016 the most streamed game on the site, Twitch.tv, was Overwatch by Blizzard Entertainment and the most watched mobile game of the year was Pokemon Go by Niantic and Gamefreak. (Freitas, 2017) this paper will look at the effects of streaming games online and the community that is involved. Firstly we will be looking at the positive effects of streaming games online, secondly we will look at the negative effects of streaming games online and thirdly we will look at the reason behind why there is a massive community that watch people play games online which was recently proven by the Ninja and Drake Fortnite match on Twitch.tv so what could be the negative effects of streaming video game for a community of viewers?

since the early stage of gaming there have been events, such as the Nintendo World Championships which was held for the first time ever in 1995. Since then the term Esports has been the term used to describe competitive events among professional gamers (Dictionary.com, 2018). In 2017 alone there were multiple gaming events that are livestreamed on sites such as twitch.tv, such as E3 (Electronic Entertainment Expo). Getting back to the main topic at hand here, we are talking about the positive effects of say a single person or a group of people streaming games for everyone to watch. People who stream video games to sites such as youtube and twitch.tv are very likely to help sales with the game is if people like the game that is being played. (Foster, 2016) this is also has damaging effects but we will get into that in the next paragraph. The major effect companies who stream video games, such as Nintendo, is to get people interested in the video game and to possibly buy the games. Nintendo since 2011 (Nintendo, 2011) have been doing a stream of upcoming video games that either hasn't been announced yet or has been announced to be releasing to give new information. This is used as a way to show off video games to consumers to get pre-orders and sales for upcoming games by making consumers aware that the games are coming out. Nintendo call these streams "Nintendo Directs". Other companies such as PlayStation and Microsoft haven't gone in the same path as Nintendo leaving everything to the big gaming convention E3, which can halt sales of games throughout the year. Getting back on point, popular YouTube personalities live stream themselves reacting to the "Nintendo Directs" which also helps support Nintendo and third party developers which are shown in the direct streams.

Twitch as a company has made a twitch stream just for Pokémon where people input commands into the chat and the game will respond with that command. (Bonilla, 2017) this stream has won a Guinness world record for the most participation on a stream.

a major benefit of streaming games online as was already stated is the fact that it can increase sales of video games. People see the videos and then go out and buy the games to experience the game for themselves but not all companies think the same way, as there was a case with a popular youtube streamer that I will get into in the next paragraph.

there are many negative effects that some companies can see and will only ever see when streaming games online. One of the main ones is that some companies see streaming games online as an attempt to impede on the sales of that game as viewers can see the entire game being played without buying the game. In September last year, the developer of a game known as Firewatch issued a DMCA Takedown of a popular youtube streamer, Pewdiepie, series of videos on the game. (clark, 2018) The developers thought that because Pewdiepie used a racial slur in his video that the game wouldn't sell due to the fact he has 50 million subs on youtube. companies such as Nintendo like to enforce copyright against videos uploaded to youtube of gameplay which feature their music. I will be talking more in depth about this in the next paragraph.

most the the video game streaming comes from within the USA so let's take a look at the United States of America copyright laws in regards to streaming games online. In section 109 of the copyright law document, video games come under the limitations on exclusive rights. It states that the music involved in a recording, weather it be used for a video game or not, is not to be used for anything other than commercial use. (copyright.gov, 2016) this means, like what was stated in the last paragraph about Nintendo, that companies like Nintendo can claim copyright over the sound recording in a video game. The US law also states that a player of a game gets a license to play the game when purchased, but each game license is different depending on the company, and each company is different on what you can and can not share. (Hall, NA) In the United States of America, the use of game images and video are subject to copyrights held by the game's developer or publisher, in the case of Nintendo copyrighting their music on all Nintendo game videos. What a game developer could do as a measure against it is issue a DMCA takedown of the video, which is what happened for Pewdiepie and his firewatch videos. (Martemucci & Swerdlow, 2017)

now this paper will look at the Australian copyright laws. the Australian copyright law in regards to video games state that you can stop your work from being used in a way that harms your honour or reputation. This is called a right to integrity. (Australian Government, na) live streaming with in Australia is not protected by copyright laws and if you capture a third party copyright material, such as a video game music, this can be an infringement of copyright laws. (Australian copyriught council, 2017)

in conclusion, streaming video games online for an audience to watch is a positive experience for both the streamer and the audience watching. For a \$108.9 billion enterprise, gaming has a large following. This means that people are willing to watch someone stream a game online. Some companies think this is a great way to market their games by having streamers play them, while others, like the development team behind firewatch, do not. The laws technically in the United States of America that a gaming company can issue a DMCA takedown against streams and videos containing their video games, which is what happened to popular youtube personality Pewdiepie. Within Australia, however, the law states that a video game developer has the right to stop a their work from being used in a way that harms their honour or reputation which is also known as the right to integrity. This extends to live streaming in Australia, which is not protected by copyright law and as such the third party content, the video game in this case, is still owned by the creator and can issue an infringement notice.

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