GAMEDAILY

# Dealing with 'Rogue Reality'

September 30, 2008

*by Shawn Foust*

*When game designers introduce realistic elements in their games, sometimes unwanted side effects are produced that affect real life. Shawn Foust, head of Sheppard Mullin's Video Game practice, discusses this Rogue Reality.*

Replicating certain aspects of reality in virtual worlds, such as currency or the concept of property, has the benefit of making the game immediately accessible to the player regardless of the setting. The familiarity of these foundational elements makes the game intuitive, allowing for quicker immersion into the experience. This intended consequence is not without a cost: Rogue Reality. By importing these familiar concepts, game developers unleash a range of undesirable behaviors that interact with the "real" mechanic. For example, placing a currency in the game may create Rogue Reality behaviors such as gold farming or gold duping. Left unchecked, these behaviors can ruin the carefully crafted balance essential to any successful game.

The solution to Rogue Reality issues lies in a delicate balance between legal remedies and game design remedies. Typical legal remedies include contracts between the player and the game developer (such as an End User License Agreement or a Terms of Use Agreement), informal mediations, arbitrations, or court cases. Game design remedies focus on modifying the game experience to eliminate improper behavior, often by employing increased security for confidential information, patches to eliminate exploits, and changes to the game rules. An imbalance between the legal remedies and the game design remedies may leave gaps in protection that harm game balance or redundancy in protection that curbs play value. Below are two examples that illustrate the challenges of combating Rogue Reality and how the appropriate remedy balance may shift according to the underlying property.

**Virtual Economies**

Virtual Economies are a driving force behind any immersive experience in massively multiplayer games. The presence of a market for goods creates an incentive for players to invest significant time accruing resources to enhance their power, prestige and personal appearance. Rogue Reality behavior often takes the form of black/grey markets where digital items are traded for real currency on third-party websites. The "real" mechanic of an economy also heightens the likelihood of gold farming, character transfers, and player hacking as rogue players try to capitalize on the real value of the digital goods.

The appropriate response should be tailored to the game's objectives. For example, a combat centric game such as World of Warcraft will typically require less flexibility in the economy than games that place players in more varied roles such as Eve Online. The optimal legal and design solutions for World of Warcraft are unlikely to be the same as Eve Online. A combat centric game may implement game design mechanics that curtail improper behavior by heavily restricting the free flow of goods from one player to another. For example, items can be limited to certain professions or bound immediately to the player upon pickup. This design convention does not weaken the game's integrity, because a truly free market for goods is not required to fully realize the play value of the game.

Conversely, Eve Online must provide a largely free market or it risks the possibility that specializations in mining, ship building, and trading would quickly become disfavored, thereby undermining a substantial portion of the game, which reduces play value. Game design remedies are not optimal, since they are overly restrictive. As a result, Eve Online may be forced to rely more on legal remedies, which are typically external to the game, to stem gold farming or other Rogue Reality issues. Rather than making certain items impossible to transfer, Eve Online may instead implement a more rigorous Terms of Use that explicitly spells out what in-game behavior is impermissible with respect to items. The lack of specific restrictions in game design is thereby balanced by enhanced specificity in the applicable legal contract.

**Player to Player Relationships**

The diversity of experience that comes from player to player interaction in online games helps immerse players in a way few other game mechanics can. Players will invest more time and more effort into their characters if they are surrounded by friends. They will be more inclined to create and participate, and this enhances the game for everyone. An increasing trend

in many MMOs is to create scenarios that require a high degree of cooperation among the players, fostering a sense of community between participants. As games grow more permissive in the actions they allow between players, the instance of Rogue Reality issues such as harassment and bug exploits increase.

In games allowing a multiplayer component, the range of permissible and expected behavior varies wildly. A text-based MUD that focuses almost entirely on player to monster interaction can restrict behavior largely through game design without eliminating play value. Harassment may be curtailed by restricting the methods a person may communicate with another, adding a squelch command, or disallowing player versus player attacks. In this case, the Terms of Use need only set out general parameters of behavior with an explicit prohibition on exploits since more troublesome behavior is eliminated through game design.

Other worlds may seek to provide a more comprehensive range of interaction between players including everything from discussion to player versus player battles to amorous entanglements. Restricting harassment through game mechanics such as disallowing repeat attacks on the same player or more than five whispers in a minute would be burdensome on the game and reduce play value. As a result, the game should embrace a free wheeling design, and the parameters of acceptable behavior should be clearly delineated in the Terms of Use. Placing the enforcement mechanism in the Terms of Use provides the game developer with the flexibility to judge interactions based upon context as opposed to completely removing them.

**Conclusion**

The optimal solution to combat Rogue Reality is unlikely to ever be purely a product of game design or legal action. Over-protection may be just as costly as under-protection when it undermines the play value of the game. The best method will support the game's objectives by reaching a compromise between the game design remedies and legal remedies. Communication between game designers and legal personnel is not just a suggestion; it is a requirement to determining the appropriate balance. The two examples included in this discussion are a brief window into how this compromise may be reached. Rogue Reality is an inevitable outcome of importing "real" mechanics into virtual worlds, but play value should never be a victim of the battle against it.

---

*Shawn Foust is an associate in the Entertainment, Media and Technology practice group in Sheppard, Mullin, Richter & Hampton's Century City (Los Angeles) office and the leader of Sheppard Mullin's Video Game industry group.*