

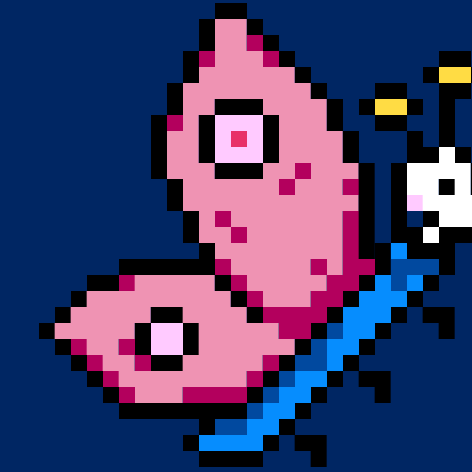
GAMEDEV CEO SIMULATOR

What matters in game development?
The concept, of course. Graphics. Gameplay.

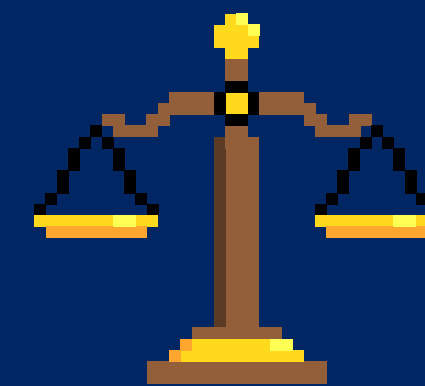
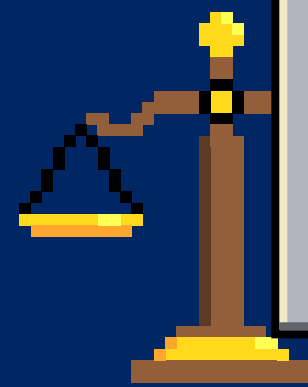
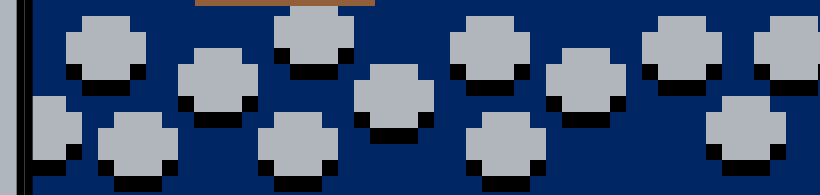
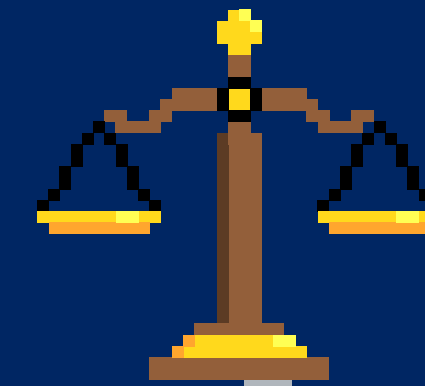
But that's not all. The law is lurking for
creators. The law helps those who know it.
It surprises those who don't.

Will you be able to manage your own game studio
and not fall into legal traps?

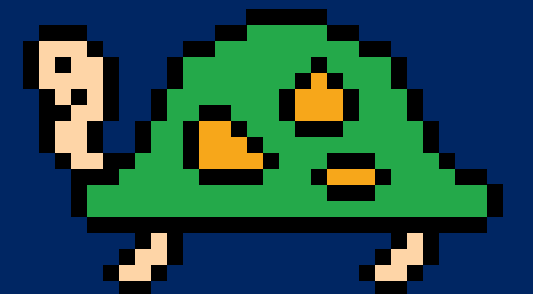
Let's see what the Creative, the Manager,
the Accountant and the Consultant
have to deal with.



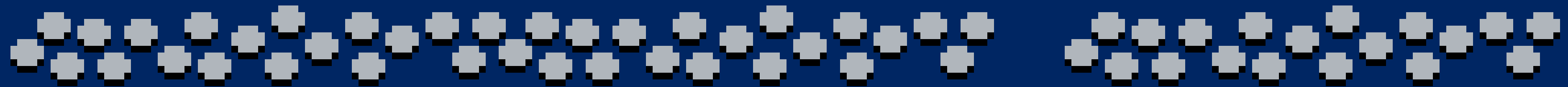
This is a PDF,
but instead of
scrolling through
the pages, click on
the buttons. ↴



For the best gaming
experience, open in
Adobe Acrobat.



CHOOSE A GAME CHARACTER



CREATIVE

My ideas drive the whole game experience. The only thing left is implementation.

MANAGER

Supervising game developers is like herding cats. They have a playing mode and a sleeping mode. And they think that any deadline can be postponed.

ACCOUNTANT

Without me, this bunch of kids would have died. They don't know the difference between revenue and income and think that CIT is a cleaning liquid.

CONSULTANT

They think that they've foreseen everything, but they always get into trouble. Fortunately, I come along to save the day.



CREATIVE

1 2 3 4

CHOOSE A MISSION



1

URBAN JUNGLE

You are working on a game set in reality. You want to recreate the space of various European cities (e.g. skyscrapers, stadiums). You must determine whether the activity is legally safe.

2

THE GUACAMOLE KING

Your game idea is so good that someone copied it! Other games based on the same concept have just appeared on Steam. You are to determine whether you can do something about it.

3

PENGUIN PERP

Finally, you have chosen the title for a game involving a search for missing children. The same name has been used for many years by a well-known diaper manufacturer.

4

BACK ALLEYS OF TIME

The protagonist of your game helps people lost in time. The game uses images of historical and living figures. You are to find out if this is possible.



MISSION 1: URBAN JUNGLE

CREATIVE

1 2 3 4

You have an idea for an educational game. The main character will travel around European capitals. In each capital, they will face a task:

- Collect chestnuts on Place Pigalle in Paris
- Bathe in the Trevi Fountain in Rome
- Find a hidden passage in the Palace of Culture in Warsaw
- Talk to the Little Mermaid in Copenhagen.

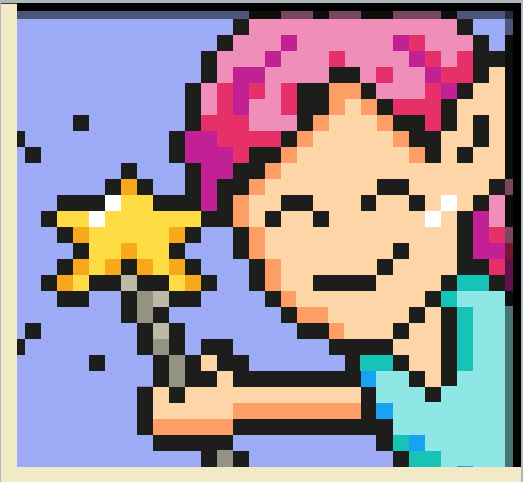
Along the way, they will see famous cathedrals, bridges, sculptures, murals. Each place will hold a surprise or challenge for the player.

It will be realistic, it will be great!

Can you see the team through this mission safely?

Test yourself in three tasks. In each, there is only one right answer.





1/3

URBAN JUNGLE

CREATIVE

1 2 3 4

Are the rules regarding the use of buildings, sculptures and other objects from public space the same in all EU countries?



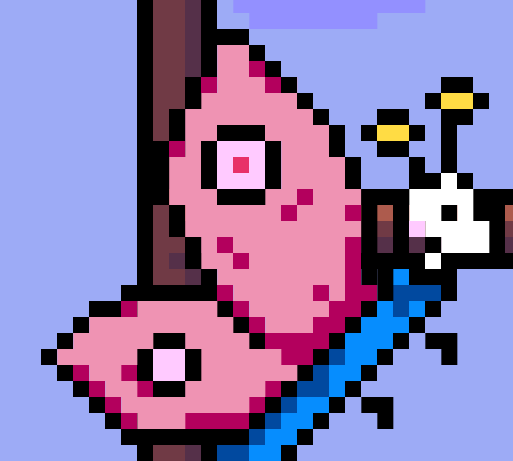
2/3

URBAN JUNGLE

CREATIVE

1 2 3 4

The use of buildings, sculptures and other objects from public space in a game is regulated by:





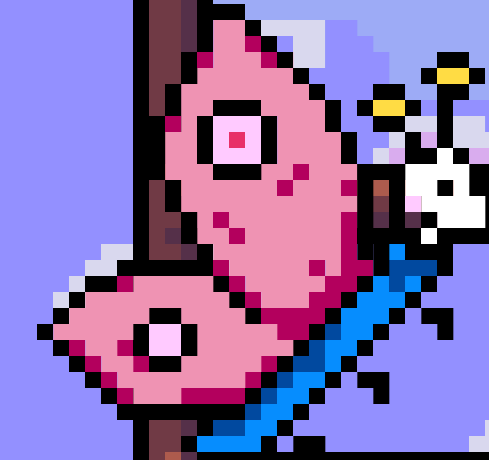
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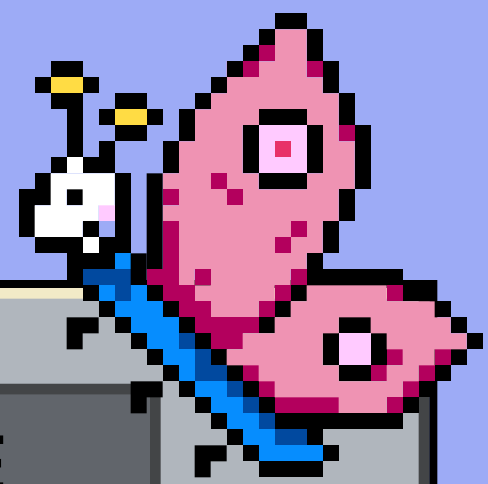
URBAN JUNGLE

CREATIVE

1 2 3 4

Which object **cannot** be reproduced in a game without permission:





WHAT THE LAW SAYS

URBAN JUNGLE

CREATIVE

1 2 3 4

The law may ban the reproduction of real buildings, architectural features, or other elements of public space in the game. After all, someone designed them, so they are **protected by copyright**.

If you infringe somebody's copyright, you could expose yourself to:

- A lawsuit
- Administrative fines
- Reputational damage
- Problems with the game publisher.

How to avoid the risk?

You can:

- Turn the real world into a fictional one
- Carefully choose the objects used in the game
- Publish the game only in countries taking a liberal approach to this issue.

What if you play it smart?

You will not only get all the necessary permits, but maybe also EU funding for promoting European heritage.

For more on this topic, please refer to Codozasady.pl:



MISSION 2: THE GUACAMOLE KING

A gang of plagiarists used your idea for a game involving a Mexican avocado grower.

Their game also takes place on an avocado plantation, only it's in California. And their main character somehow strangely resembles your guacamole king. Admittedly, the other elements, i.e. the universe, graphics and dialogue, are completely different. But still, to copy an idea like that!

Show them who's in charge, and they can choke on that guacamole!

CREATIVE

1 2 3 4

Can you see the team through this mission safely?

Test yourself in three tasks. In each, there is only one right answer.





1/3

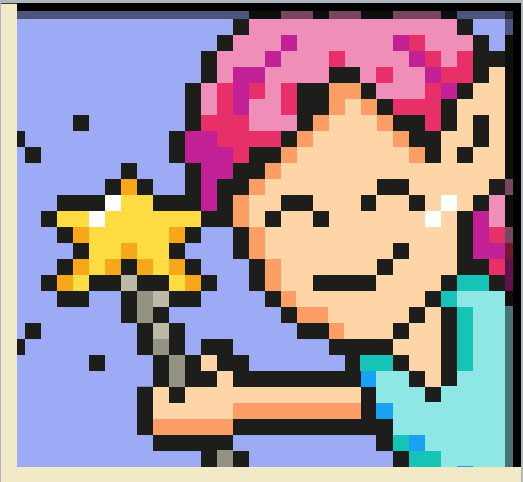
THE GUACAMOLE KING

CREATIVE

1 2 3 4

Is a game idea as such subject to copyright protection?





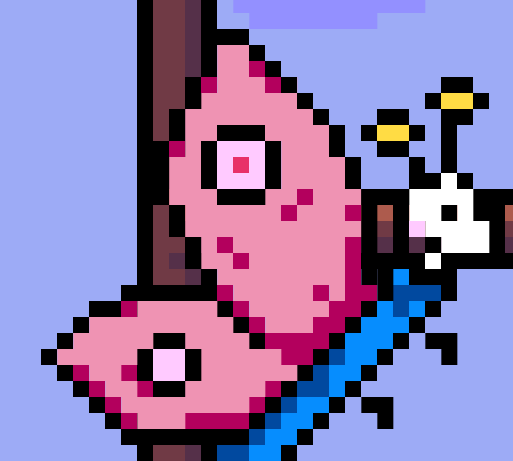
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THE GUACAMOLE KING

CREATIVE

1 2 3 4

Can others create a game with the same rules as your game?





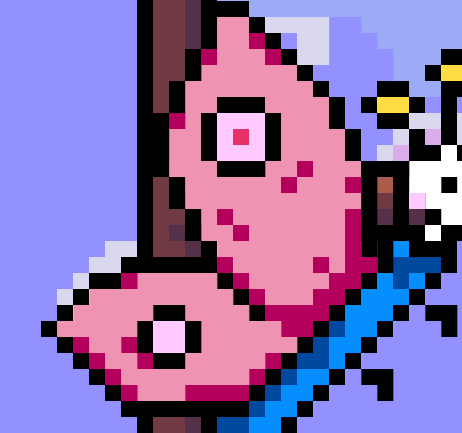
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THE GUACAMOLE KING

CREATIVE

1 2 3 4

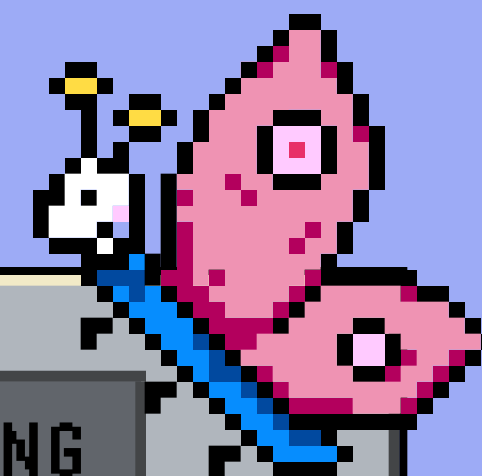
Which of the following elements of the game could be registered as an **industrial design**?





WHAT THE LAW SAYS

THE GUACAMOLE KING



CREATIVE

1 2 3 4

Copyright law does not protect:

- Discoveries
- Ideas
- Processes
- Methods and principles of operation.

It protects only a **specific way of expressing an idea.**

But it is not only copyright law that gives protection to creators. They can strengthen their position in many ways.

How to strengthen your position?

It is worthwhile to:

- Document the process of creating individual elements (e.g. software, graphics)
- Register certain elements as trademarks (e.g. word, graphics, 3D, multimedia)
- Register certain elements (e.g. the character's appearance) as industrial designs
- Examine whether any information regarding the game or its operation may constitute a business secret.

For more on this topic, please refer to Codozasady.pl:



MISSION 3: PENGUIN PERP

CREATIVE

1 2 3 4

In your game, the protagonist is a detective who searches for missing children. He discovers that they are being kidnapped by penguins who want to set up a circus. The player must rescue the children before they end up in the circus arena.

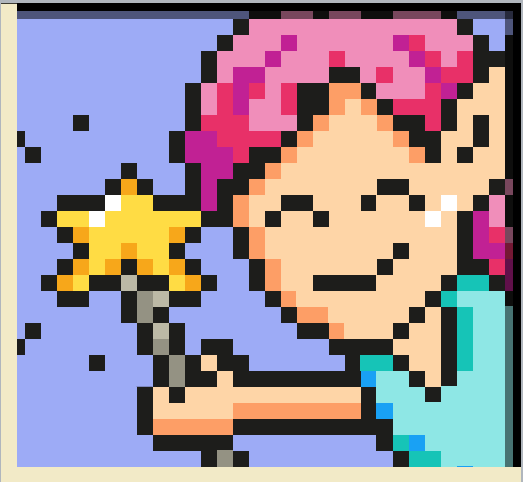
You have found a great title for your game. Someone said it needs to be registered as a trademark. But everyone knows it is also a name that has been used for years by a manufacturer of well-known baby diapers.

You are to determine whether you can safely use this title and register it as a trademark for video games.

Can you see the team through this mission safely?

Test yourself in three tasks. In each, there is only one right answer.





1/3

PENGUIN PERP

CREATIVE

1 2 3 4

What should you consider when choosing a video game title?



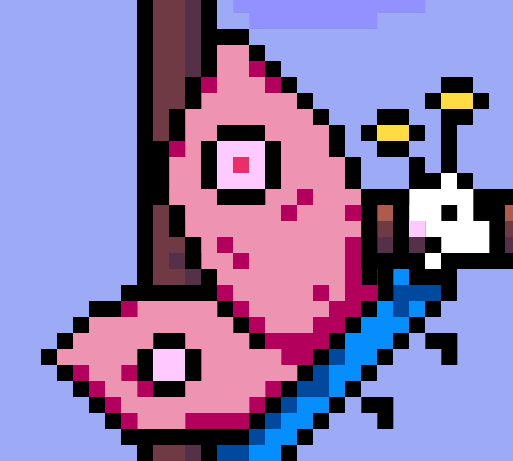
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PENGUIN PERP

CREATIVE

1 2 3 4

Where is a trademark registered with the European Union Intellectual Property Office (EUIPO) protected?





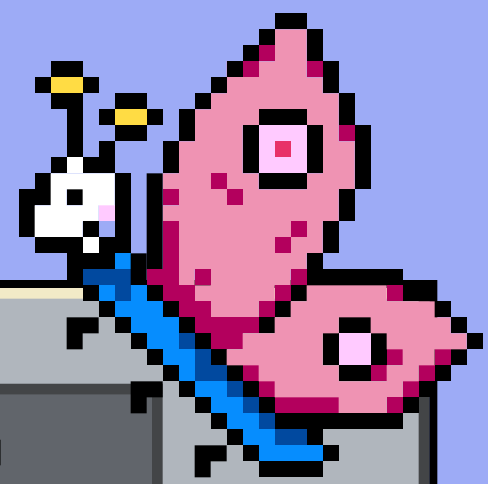
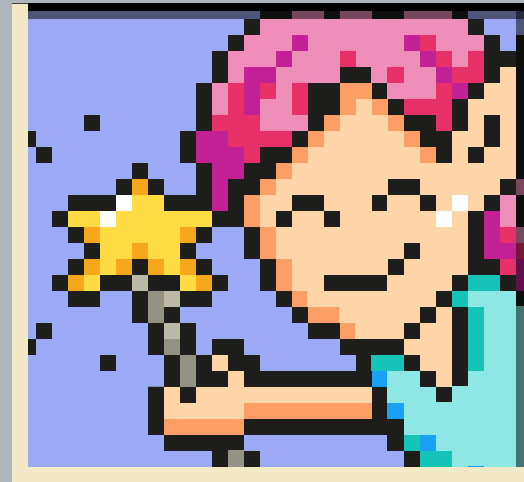
3/3

PENGUIN PERP

CREATIVE

1 2 3 4

Which designation will we definitely **not** be able to register as a **trademark** for mobile games?



WHAT THE LAW SAYS

PENGUIN PERP

CREATIVE

1 2 3 4

Before choosing a game title, it is necessary to perform a **trademark clearance**, i.e. to check whether the same or similar title:

- Has already been registered as a **trademark**, or
- Has been used for identical or similar goods or services.

Trademark clearance takes into account not only the titles of other games, but also designations of other goods and services, especially if they are renowned.

What else to avoid when choosing a game title?

- Conflict with third parties' prior rights
- Descriptive or generic titles
- Titles consisting exclusively of elements that have entered the common language or that commonly appear in game titles

For more on this topic, please refer to Codozasady.pl:



MISSION 4: BACK ALLEYS OF TIME

CREATIVE

1 2 3 4

The protagonist of your game travels in time, ending up in different eras where characters from other times and places are lost:

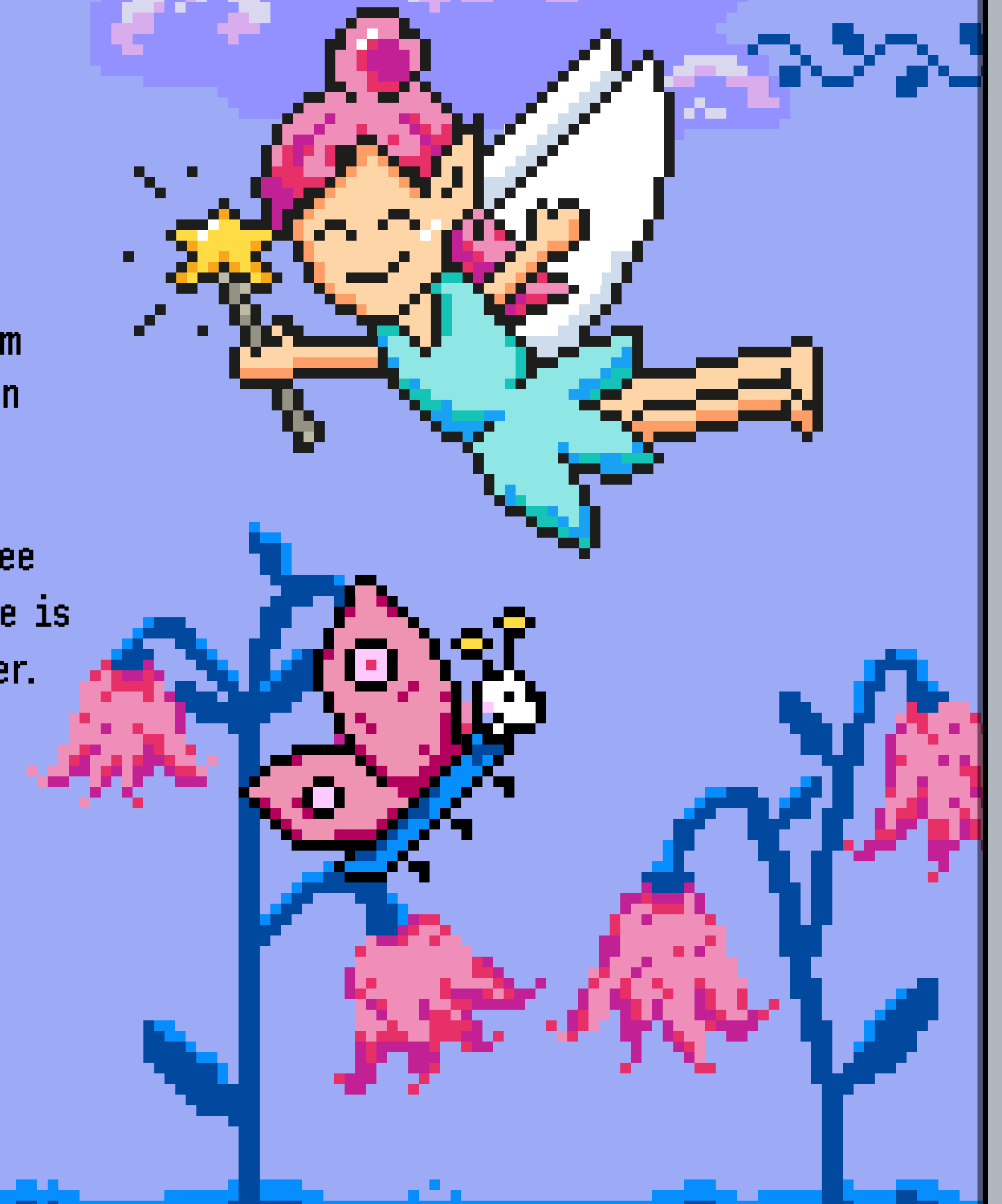
- Julius Caesar
- Elvis Presley
- Mata Hari
- Elon Musk.

The player has to help them to find their way in the new conditions and learn new skills (e.g. how to use a smartphone, participate in a fashion show, drive a car). This will allow the characters to return to their proper time and find peace.

You are to determine whether the use of the likeness of real people (living or dead) carries any risk.

Can you see the team through this mission safely?

Test yourself in three tasks. In each, there is only one right answer.





1/3

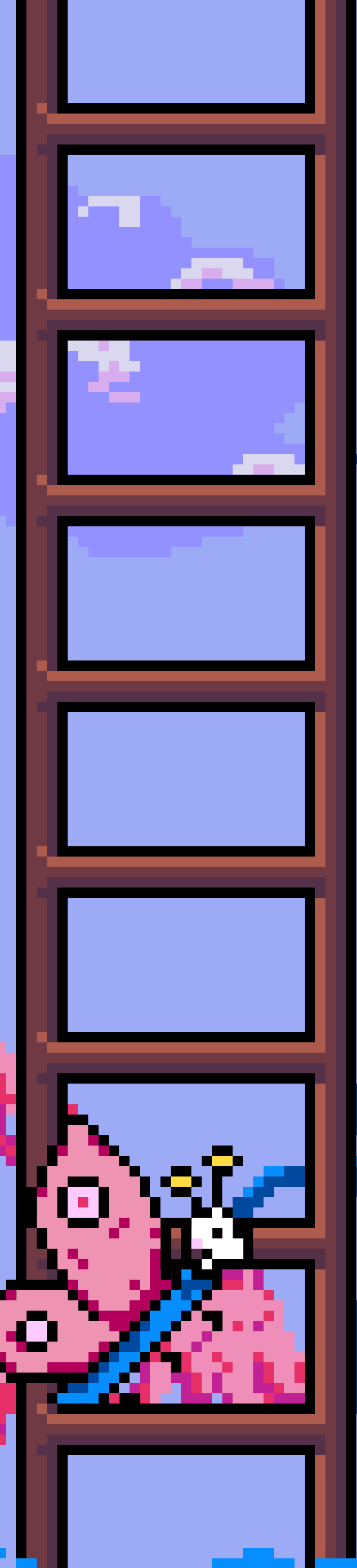
BACK ALLEYS OF TIME

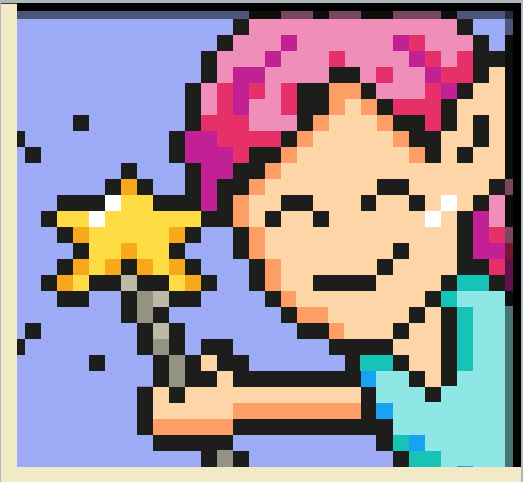
CREATIVE

1 2 3 4



What is a likeness?





2/3

BACK ALLEYS OF TIME

CREATIVE

1 2 3 4

In principle, is it possible to use the likeness of a real-life person in a game?



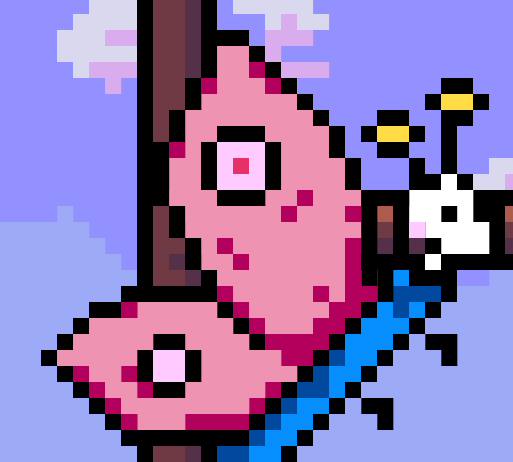
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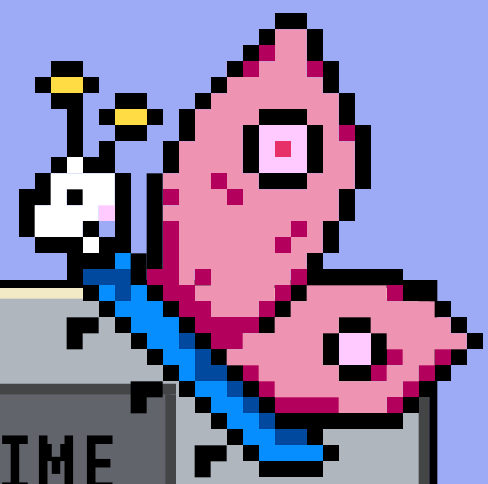
BACK ALLEYS OF TIME

CREATIVE

1 2 3 4

What does it take to use the image of Frederic Chopin in a game?





WHAT THE LAW SAYS

BACK ALLEYS OF TIME

CREATIVE

1 2 3 4

In Poland, a person's likeness is protected under copyright law, and under the Civil Code as a **personal good**.

- To use the likeness of a **living person** you have to get their consent.
- For **deceased people** you need their relatives' consent.

Attention!

Even with consent to use a likeness, it is possible to violate someone's personality rights, if for example the use of the likeness is **offensive**.

In different countries, the rules may vary. So it is worth verifying:

- The law of the person's home country, and
- The law of the countries where the game will be distributed.

For more on this topic, please refer to Codozasady.pl:



CREATIVE

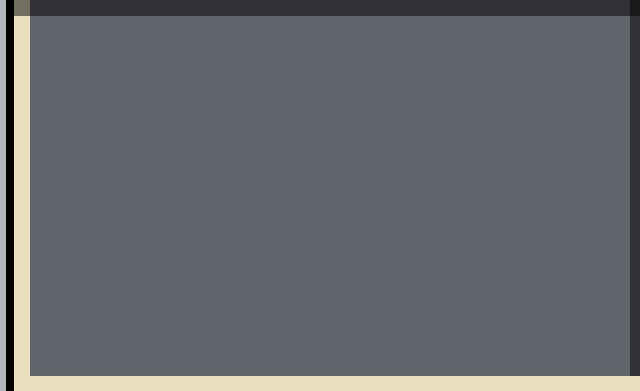
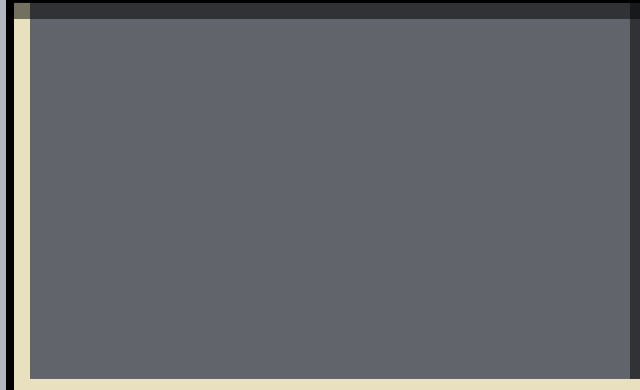
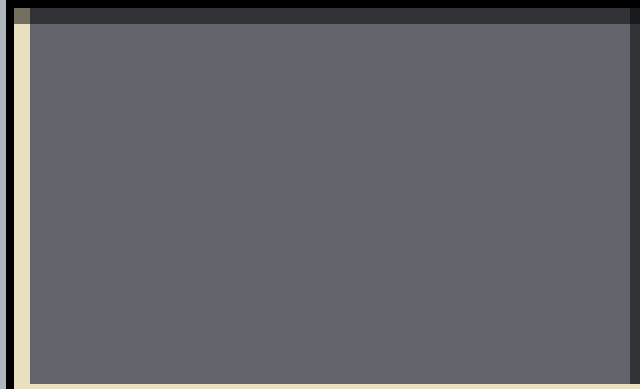
1 2 3 4

CONGRATULATIONS!

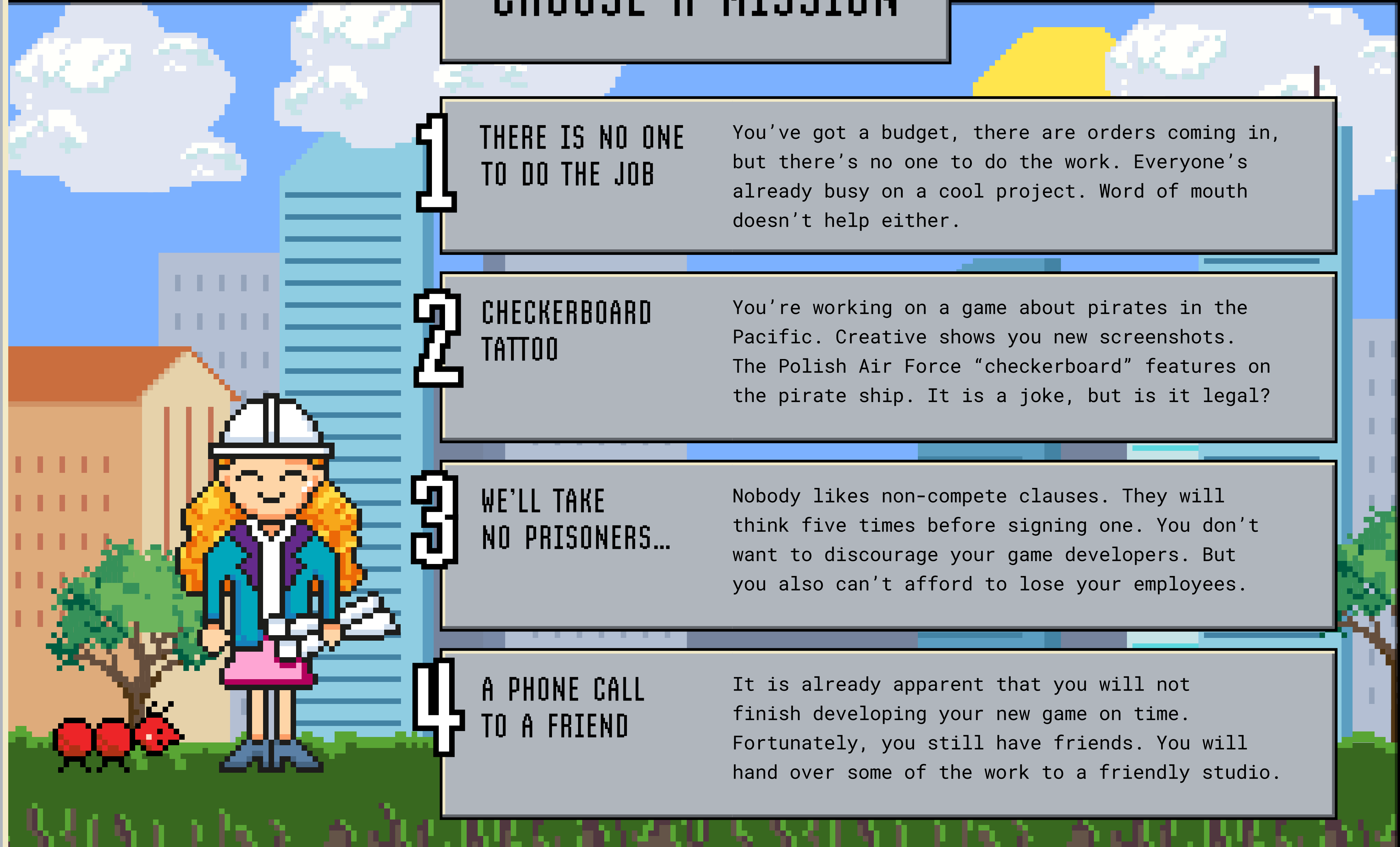


YOU HAVE COMPLETED THE FOURTH MISSION!

Check out the other character challenges!



CHOOSE A MISSION



1

THERE IS NO ONE TO DO THE JOB

You've got a budget, there are orders coming in, but there's no one to do the work. Everyone's already busy on a cool project. Word of mouth doesn't help either.

2

CHECKERBOARD TATTOO

You're working on a game about pirates in the Pacific. Creative shows you new screenshots. The Polish Air Force "checkerboard" features on the pirate ship. It is a joke, but is it legal?

3

WE'LL TAKE NO PRISONERS...

Nobody likes non-compete clauses. They will think five times before signing one. You don't want to discourage your game developers. But you also can't afford to lose your employees.

4

A PHONE CALL TO A FRIEND

It is already apparent that you will not finish developing your new game on time. Fortunately, you still have friends. You will hand over some of the work to a friendly studio.

MISSION 1: THERE IS NO ONE TO DO THE JOB

The GameDev industry knows no limits. You can hire a graphic designer from the Philippines and a writer from South Africa. Or you could if it weren't for visas, work permits and all that paperwork.

The project will be over before it can be sorted out. Or maybe not?

The team is counting on you, and you need to find some solution.

Mission: to hire a game developer not from the EU, the EEA or Switzerland, and not mess around with immigration law.

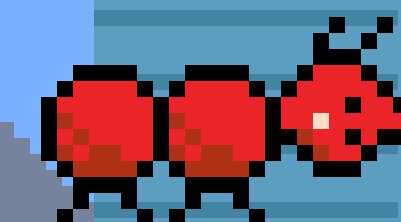
Can you see the team through this mission safely?

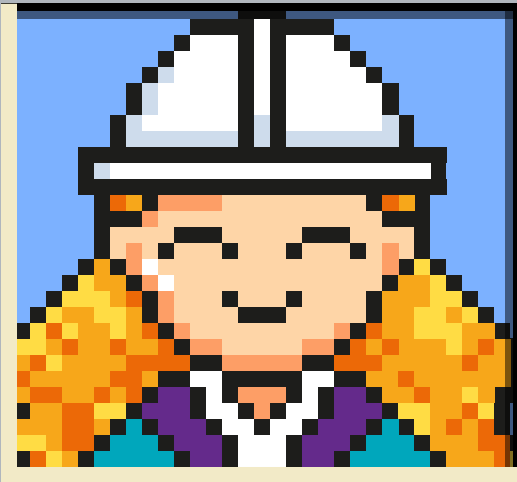
Test yourself in three tasks. In each, there is only one right answer.



MANAGER

1 2 3 4





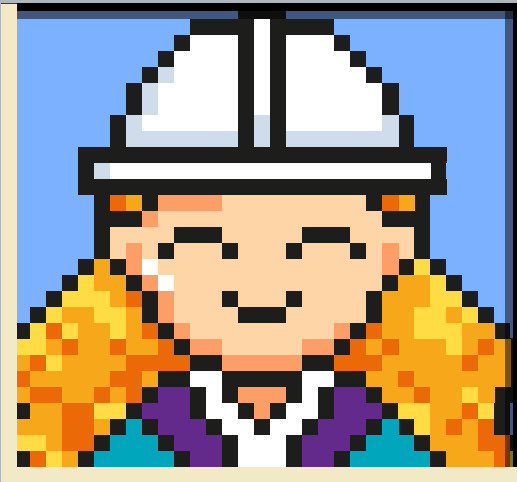
1/3

NO ONE TO DO THE JOB

For how long can you hire somebody for temporary work?

MANAGER

1 2 3 4



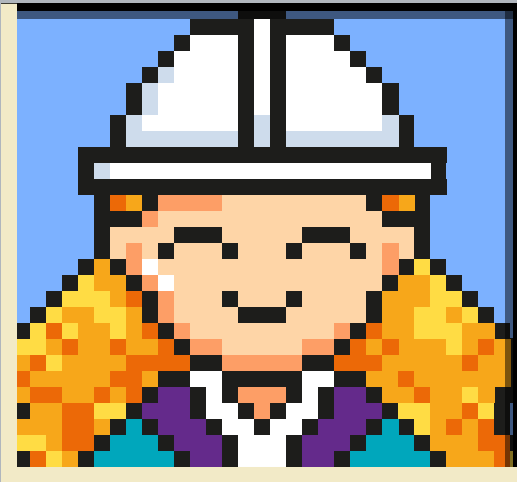
2/3

NO ONE TO DO THE JOB

You select the "employer of record" option. How will you secure the acquisition of intellectual property rights?

MANAGER

1 2 3 4



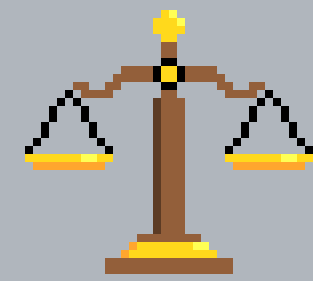
3/3

NO ONE TO DO THE JOB

A foreigner provides remote work outside Poland,
but wants to come to a team meeting.

MANAGER

1 2 3 4



WHAT THE LAW SAYS

NO ONE TO DO THE JOB

You have several options:

→ **Use an employment agency.**

You will avoid the hassle of hiring a foreigner and legalising their stay, but this is an option for 18 months at the most.

→ **Allow an employee to work remotely from their own country.**

This option is convenient for the employee and beneficial for you, as you don't have to obtain a work permit or residence permit. But you may have trouble figuring out which law governs (the law of the employee's or the employer's country).

→ **"Employer of record"** is something of a hybrid of employee outsourcing and remote work. But you are not formally the employer, so you aren't guaranteed all the rights and obligations of the parties to an employment relationship.

For more on this topic, please refer to Codozasady.pl:

MANAGER

1 2 3 4



MISSION 2: CHECKERBOARD TATTOO

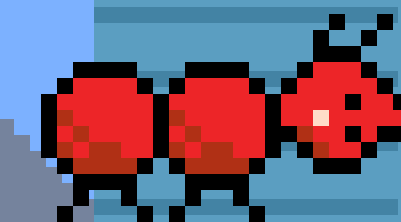
The team is having a good time. The game has numerous easter eggs you wouldn't find in a real pirate adventure on the South Seas.

- The staysail at the fore of the ship displays the "checkerboard" of Polish military aviation.
- Māori attackers are tattooed with the logos of tech companies.
- And the largest cannon on the main ship is called Little Boy, like the bomb dropped on Hiroshima.

I think it's time to reel in this creative extravaganza.

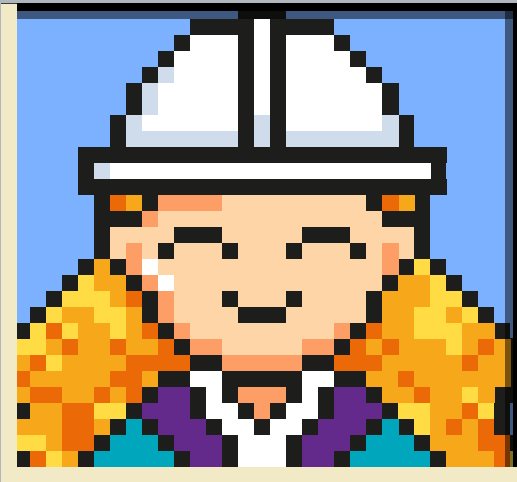
Can you see the team through this mission safely?

Test yourself in three tasks. In each, there is only one right answer.



MANAGER

1 2 3 4



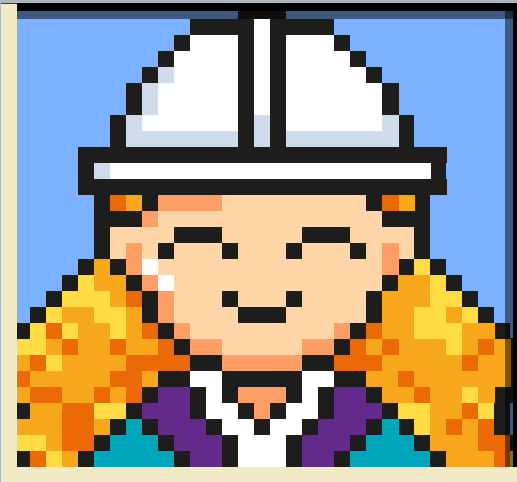
1/3

CHECKERBOARD TATTOO

Can the checkerboard symbol on an airplane be used in a war game?

MANAGER

1 2 3 4



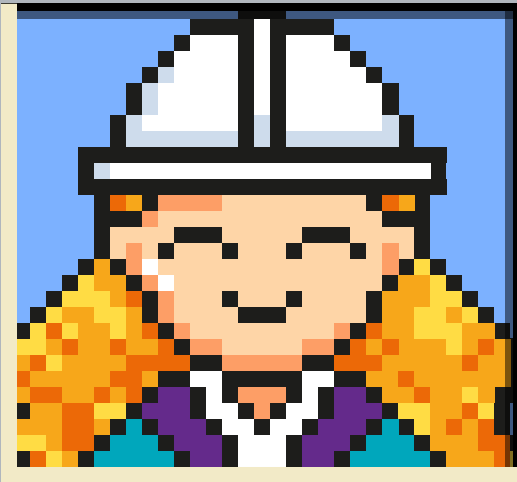
2/3

CHECKERBOARD TATTOO

Your game **cannot** count on distribution in **Japan** if you call a weapon of mass destruction in the game:

MANAGER

1 2 3 4



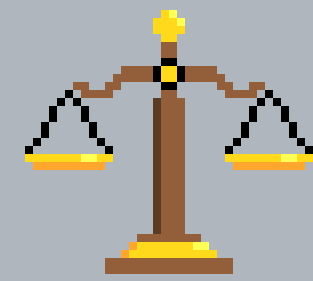
3/3

CHECKERBOARD TATTOO

Cultural appropriation is a potentially risky issue, so it's better to be cautious when using in a game:

MANAGER

1 2 3 4



WHAT THE LAW SAYS

CHECKERBOARD TATTOO

References to culture, tradition, symbols or military signs may be **subject to special legal protection** or constitute national heritage.

For example, the Red Cross symbol is established and protected by the Geneva Convention. It cannot be used in video games.

If you want to use symbols, such as military signs, you need to check the rules for their use. It may require a permit.

Also, be careful with easter eggs --“kicks-and-giggles” can land you in hot water, especially if the game is to be distributed in a country with a different culture.

For example, China is particularly sensitive to issues of Taiwan and Tibet--as several game makers have learned the hard way.

For more on this topic, please refer to Codozasady.pl:

MANAGER

1 2 3 4



MISSION 3: WE'LL TAKE NO PRISONERS...

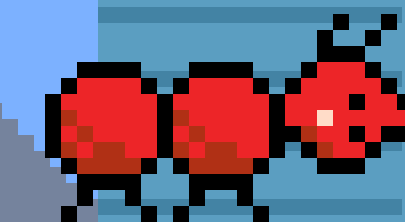
You are afraid that your competitors will poach your game developers.

You do what you can to keep people happy, but you can't raise salaries indefinitely. And teambuilding outings and Fruit Thursdays are no longer enough.

I think you need to start introducing non-compete clauses into contracts. But how to formulate them?

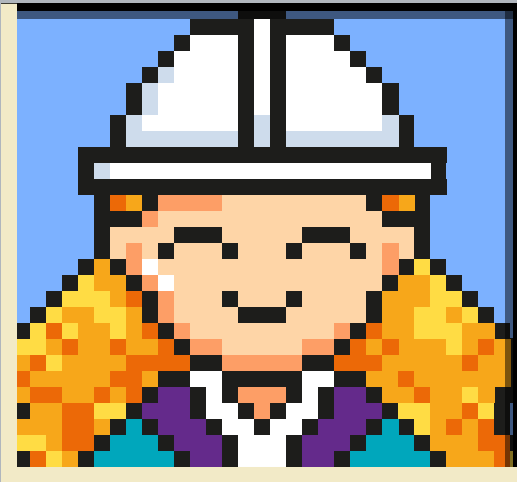
Can you see the team through this mission safely?

Test yourself in three tasks. In each, there is only one right answer.



MANAGER

1 2 3 4



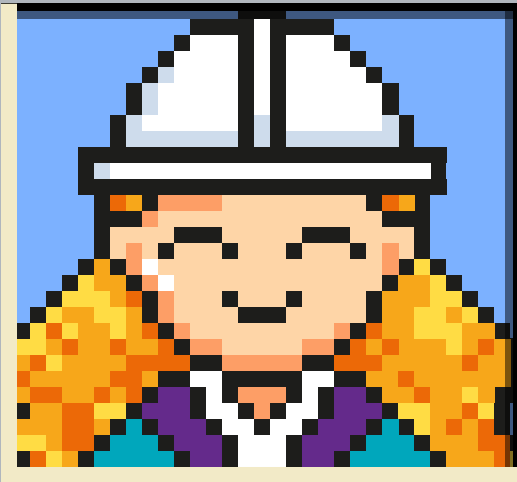
1/3

WE'LL TAKE NO PRISONERS

A non-compete clause can:

MANAGER

1 2 3 4



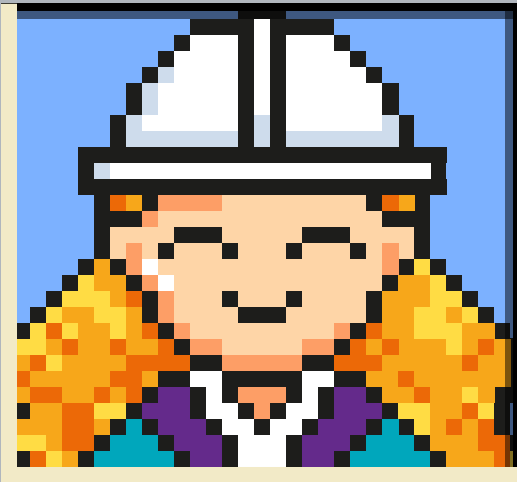
2/3

WE'LL TAKE NO PRISONERS

A non-compete clause should:

MANAGER

1 2 3 4



3/3

WE'LL TAKE NO PRISONERS

You try to persuade a buddy from your **old company** to join your new company, but in the old contract there is a peculiar ban with huge penalties.

MANAGER

1 2 3 4



WHAT THE LAW SAYS

WE'LL TAKE NO PRISONERS

The risk of key people moving to competitors exists not only in the GameDev industry.

Non-solicitation and no-poaching clauses restrict:

- The possibility of contacts
- Soliciting cooperation or
- Hiring away a company's employees and collaborators.

Non-solicitation means a ban on poaching former colleagues by persons who have been hired by a competitor or started their own business.

No-poaching is an agreement between companies banning them from hiring each other's staff.

A non-compete clause must have a clearly defined scope covering, among other things, the subject matter of the activity and the limitations on time and territory.

For more on this topic, please refer to Codozasady.pl:

MANAGER

1 2 3 4



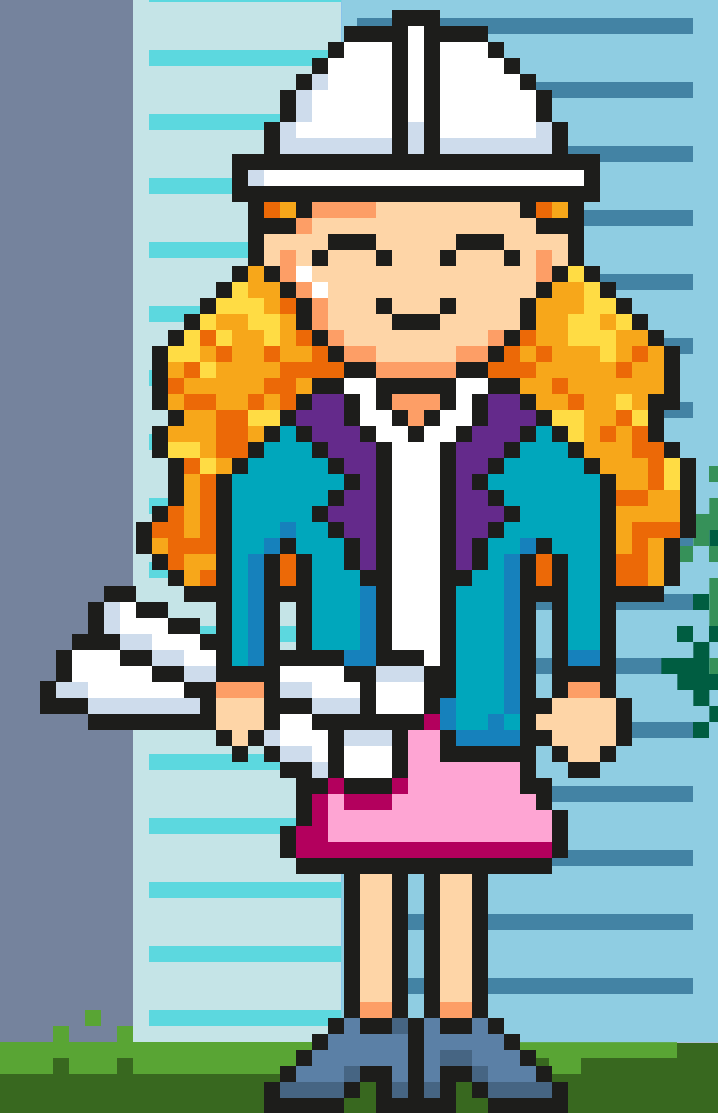
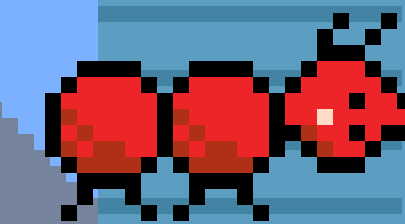
MISSION 4: PHONE A FRIEND

Localisation will be made for you by a friendly team.

You will sign an outsourcing contract. You just need to prepare for this cooperation to avoid mishaps with the authorities.

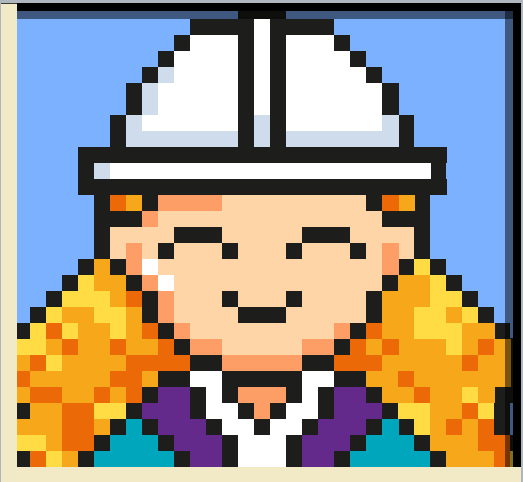
Can you see the team through this mission safely?

Test yourself in three tasks. In each, there is only one right answer.



MANAGER

1 2 3 4



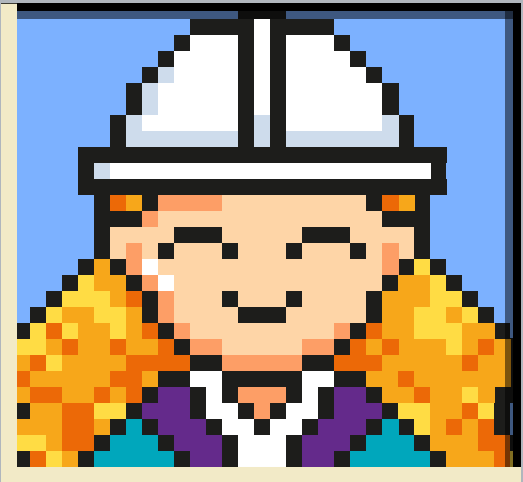
1/3

PHONE A FRIEND

Reclassification is:

MANAGER

1 2 3 4



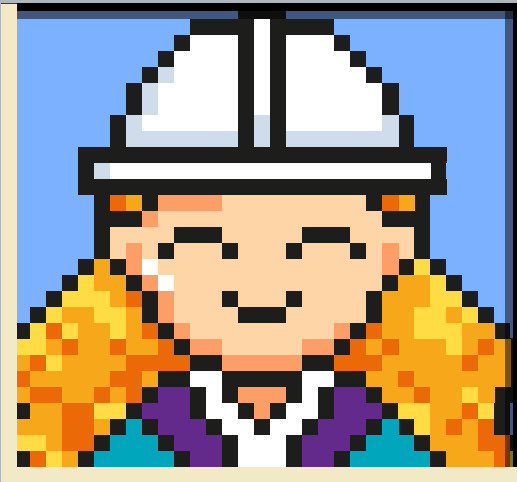
2/3

PHONE A FRIEND

In an outsourcing contract, it is worth regulating:

MANAGER

1 2 3 4



3/3

PHONE A FRIEND

Fruit Thursdays and a gym card are **for everyone**--so what if there is no difference if a person is an employee or not?

MANAGER

1 2 3 4



WHAT THE LAW SAYS

PHONE A FRIEND

Recognition of the collaborative team as your employees, and not “outsourcers,” is the main risk.

The legal classification of a contract does not depend on its name.

If a developer from a foreign company performs services under the same terms and conditions as your employees, they can be treated as your employee. Then there will be the issue of social insurance contributions, etc.

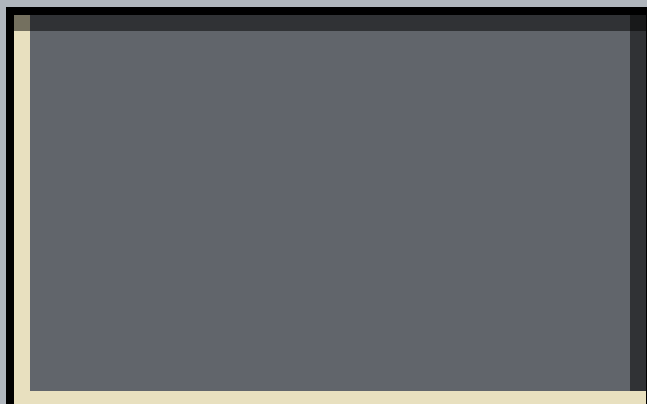
To reduce this risk, you can, for example:

- Not give instructions on exactly how to perform the task
- Not keep time records for outsourced people
- Allow the services to be performed offsite
- Offer different benefits to employees than to outsourced people
- In the contract, avoid references to notions such as job assignment or holiday leave.

For more on this topic, please refer to Codozasady.pl:

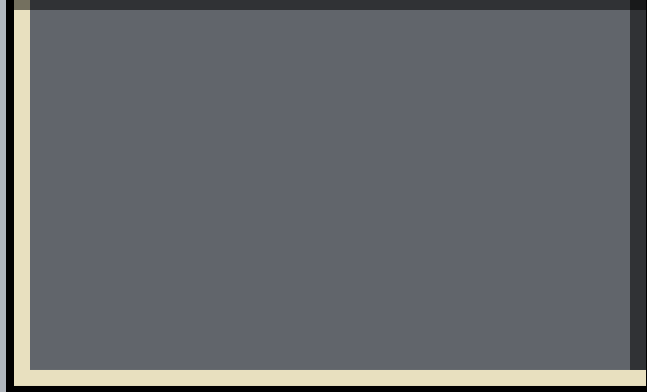
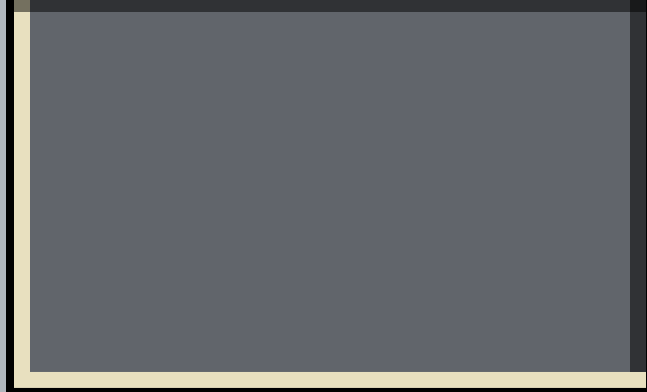
MANAGER

1 2 3 4



MANAGER

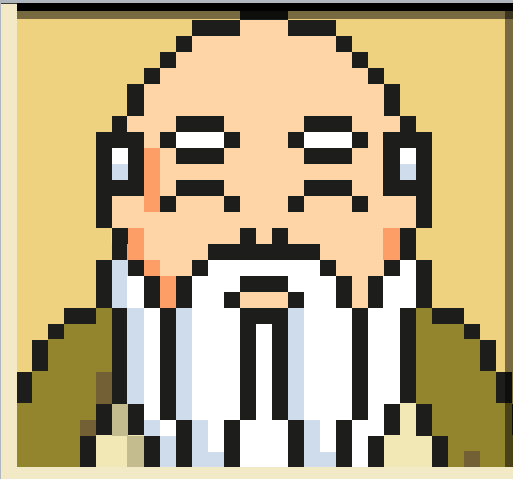
1	2	3	4
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CONGRATULATIONS!



Check out the other character challenges!



ACCOUNTANT

1 2 3 4

CHOOSE A MISSION

1

YOU SHALL DEVELOP

Creative insists that all costs incurred in the development of a new game constitute “development work,” which is favourably taxed. Is that right?

2

IP BOX--A WAY TO CUT TAXES

The boss comes in with a great new idea for tax optimisation. At a conference, she heard about the IP Box and wants to implement it immediately. What will you answer her?

3

THE BIG CLEANUP

THE BIG DAY has arrived--an investor wants to buy into your game. The champagne is chilling and the social media posts are ready to go. The only thing left is due diligence. Can you cope?

4

THE WOLVES OF THE WARSAW STOCK EXCHANGE

Every industry has its good times and bad times. Various options are on the table, and your team is pestering you on whether the company is finally going public.



MISSION 1: YOU SHALL DEVELOP

You read in the Polish tax law that development means

“an activity comprising acquiring, combining, shaping or using currently existing knowledge and skills, including information technology tools or software, to plan production, or to design and develop modified, improved or new products, processes or services, excluding routine and periodic upgrades, even if such changes are improvements.”

Do they write this way on purpose?

Just in case, you apply for an individual tax interpretation.

While waiting for it, you explore the topic yourself.

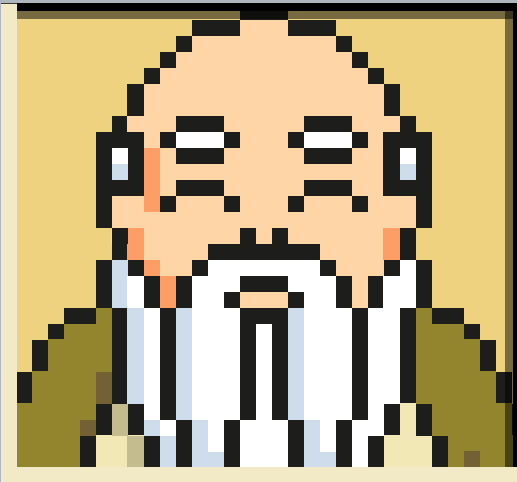
Can you see the team through this mission safely?

Test yourself in three tasks. In each, there is only one right answer.



ACCOUNTANT

1 2 3 4



1/3

YOU SHALL DEVELOP



What does the taxman consider to be development works?

ACCOUNTANT

1 2 3 4



2/3

YOU SHALL DEVELOP



Does a micro studio have to keep any records?

ACCOUNTANT

1 2 3 4



3/3

YOU SHALL DEVELOP



What is an individual interpretation of tax law?

ACCOUNTANT

1 2 3 4



WHAT THE LAW SAYS

YOU SHALL DEVELOP

As a rule, **most costs** incurred in the development of a new game **qualify as development**.

Development work will include, for example:

- Creation of characters
- Design of add-ons and expansions after the release of the game.

But for example:

- Modifications to the game or
- Fixing login bugs

hardly count as development work (these are routine and periodic upgrades to new products).

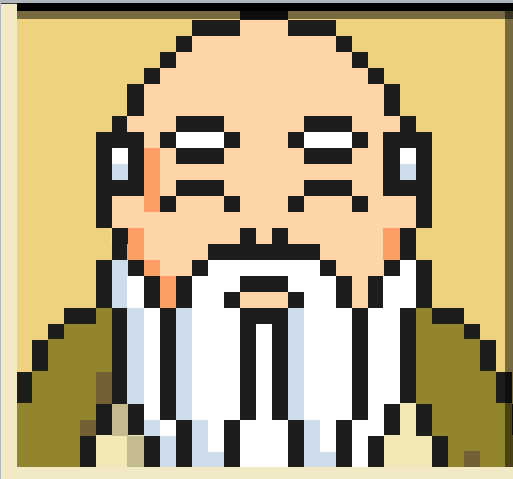
Even if the work on the game qualifies as development work, several conditions still need to be met.

You should have a definite **process scheme** according to which you plan, build and control the processes for modification and development of games, and keep proper **records**.

For more on this topic, please refer to Codozasady.pl:

ACCOUNTANT

1 2 3 4



MISSION 2: IP BOX--A WAY TO CUT TAXES

To implement the IP Box? Just in case, you apply for an individual tax interpretation, as there is a lot of conflicting information on the internet, and taxes are a serious matter.

In your request for an interpretation, you describe your company as a producer and publisher of online games for personal computers and mobile devices (smartphones and tablets) equipped with web browsers. That you create the games on your own and have an alpha version of a super new game. You want to confirm the company's right to apply the IP Box to revenues from the sale of rights to the game.

You are awaiting for an answer, but the boss is impatient. You have to give her something.

Can you see the team through this mission safely?

Test yourself in three tasks. In each, there is only one right answer.



ACCOUNTANT

1 2 3 4



1/3

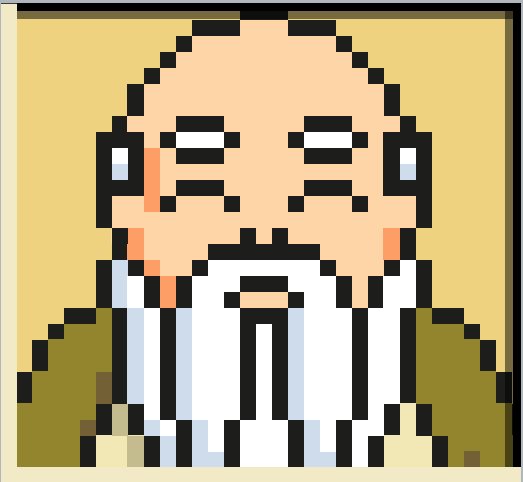
A WAY TO CUT TAXES



What is QIPR?

ACCOUNTANT

1 2 3 4



2/3

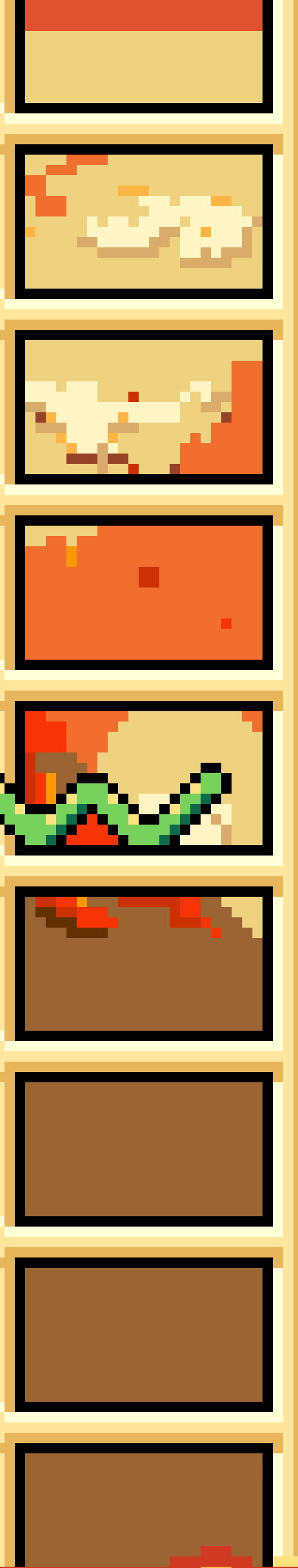
A WAY TO CUT TAXES



Do you have to keep any records?

ACCOUNTANT

1 2 3 4





3/3

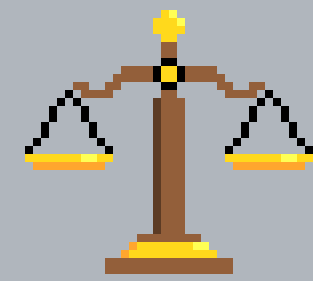
A WAY TO CUT TAXES



What R&D activities are eligible for the IP Box?

ACCOUNTANT

1 2 3 4



WHAT THE LAW SAYS

A WAY TO CUT TAXES

The IP Box is designed for payers of personal income tax and corporate income tax. They can apply a lower 5% income tax rate if:

- They earn revenue from **commercialisation of qualified intellectual property rights**, e.g. their own copyright in a computer program
- The qualifying computer program has been produced, developed or improved as **part of ongoing research and development activity**--one feature of such activity is novelty, so routine, standard activities, based on existing tools, don't count as R&D

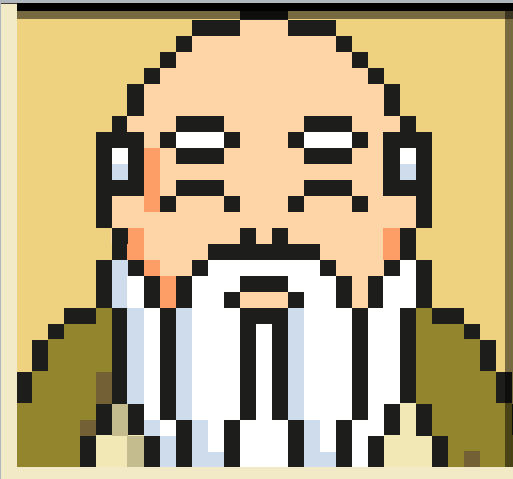
→ **You have records** enabling you to determine revenue, deductible expenses and income (loss).

The IP Box is different from the R&D tax credit, but you can claim both of them.

For more on this topic, please refer to Codozasady.pl:

ACCOUNTANT

1 2 3 4



MISSION 3: THE BIG CLEANUP

You and the investor have both swiped right, and have agreed on key issues. The projections in Excel look rosy. Now you just need to survive the audit. The investor would like to see a few documents.

Terrified? Having a panic attack? No, you're prepared! You did a self-audit and implemented the appropriate corrective measures. For several weeks, you have been collecting and anonymising documents, pinning down the finances.

Where can you stumble?

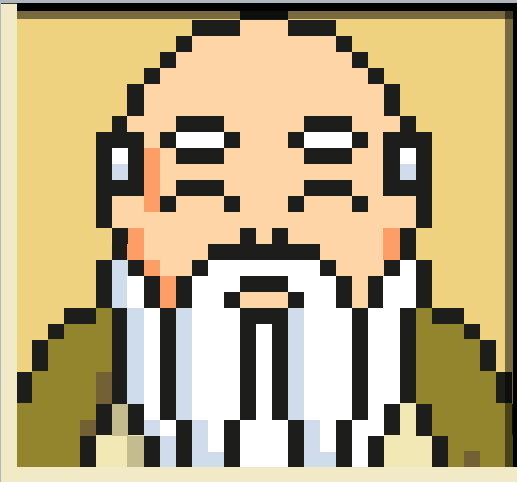
Can you see the team through this mission safely?

Test yourself in three tasks. In each, there is only one right answer.



ACCOUNTANT

1 2 3 4



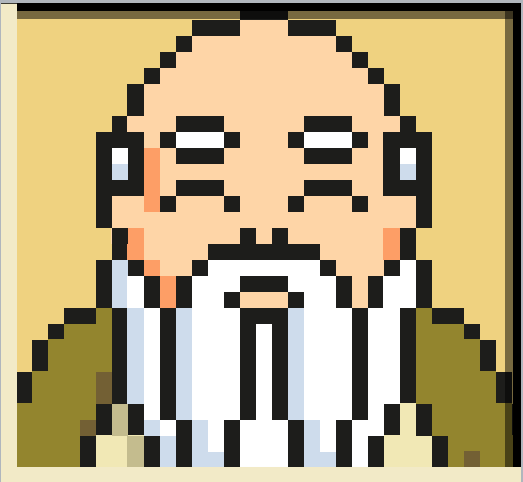
1/3

THE BIG CLEANUP

You signed some contracts acquiring IP rights with a qualified electronic signature, while the other party signed with another publicly available electronic signature

ACCOUNTANT

1 2 3 4



2/3

THE BIG CLEANUP



There is a **change of control** clause in several contracts.
Such a clause:

ACCOUNTANT

1 2 3 4



3/3

THE BIG CLEANUP

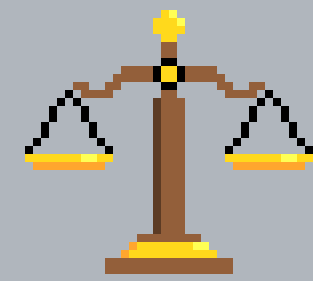
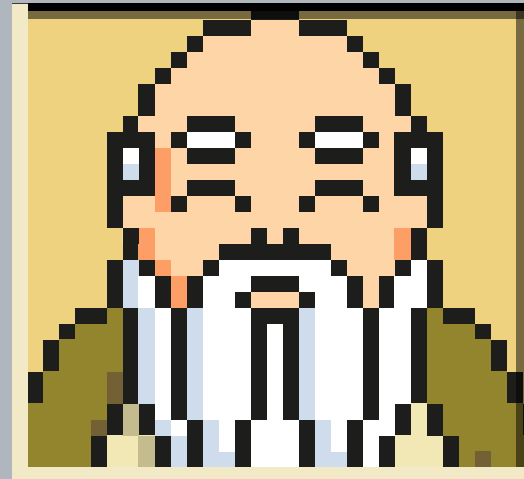


To check the title to shares, you have to:

ACCOUNTANT

1 2 3 4





WHAT THE LAW SAYS

THE BIG CLEANUP

These day, **due diligence** is standard not only when selling a company or going public. Investors taking an equity interest want to confirm, among other things:

→ **Ownership of shares**

whether the shares exist, what rights they carry, whether the seller can transfer the shares

→ **Status of IP rights to the game**

whether the rights were properly acquired, licensing agreements are in order, consent to use a likeness has been obtained, etc.

→ **Existing contracts**

whether they contain change-of-control clauses

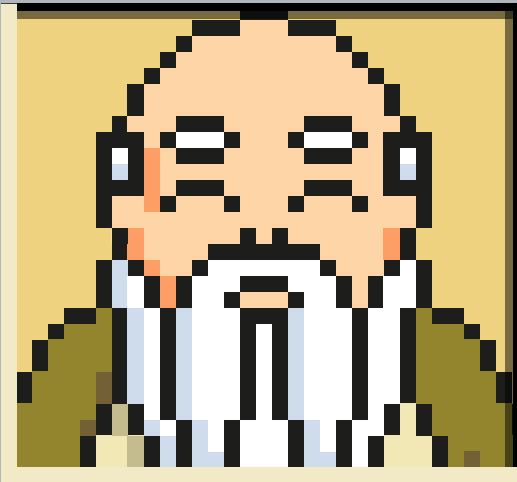
→ **Employment issues**

is there a risk that agreements with independent contractors will be reclassified as employment contracts?

For more on this topic, please refer to Codozasady.pl:

ACCOUNTANT

1 2 3 4



MISSION 4: THE WOLVES OF THE WSE

You've been considering the stock exchange for some time. You can raise capital there for further development by floating new shares.

But you have concerns. Not all listings of gaming companies have been successful... It's a bit a poker game. Are you a master of bluffing?

And above all, are you even ready for this step?

ACCOUNTANT

1 2 3 4

Can you see the team through this mission safely?

Test yourself in three tasks. In each, there is only one right answer.





1/3

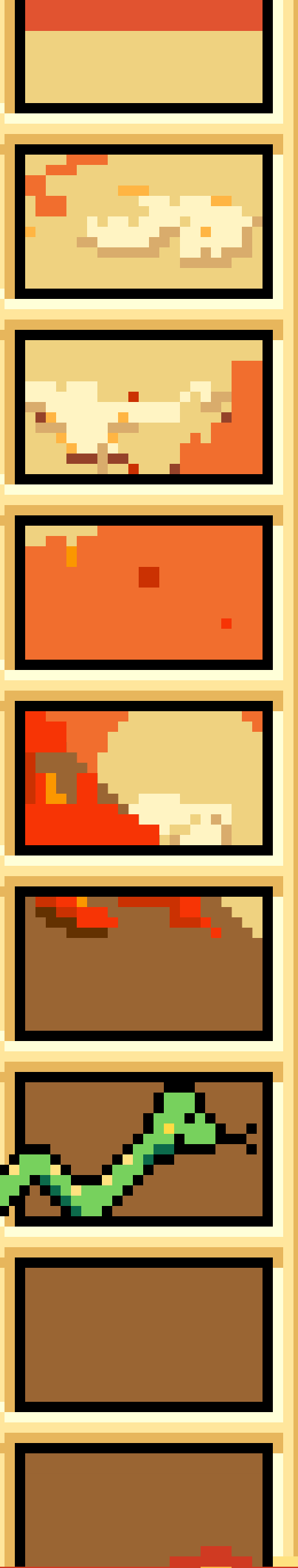
THE WOLVES OF THE WSE

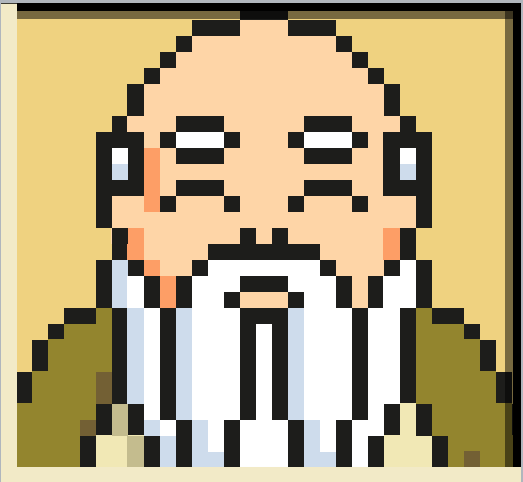


What is an IPO?

ACCOUNTANT

1 2 3 4





2/3

THE WOLVES OF THE WSE



What is due diligence?

ACCOUNTANT

1 2 3 4



3/3

THE WOLVES OF THE WSE

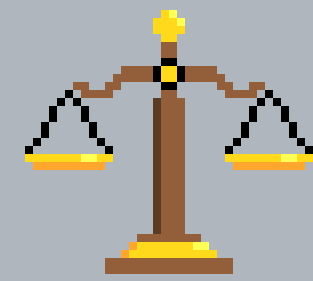
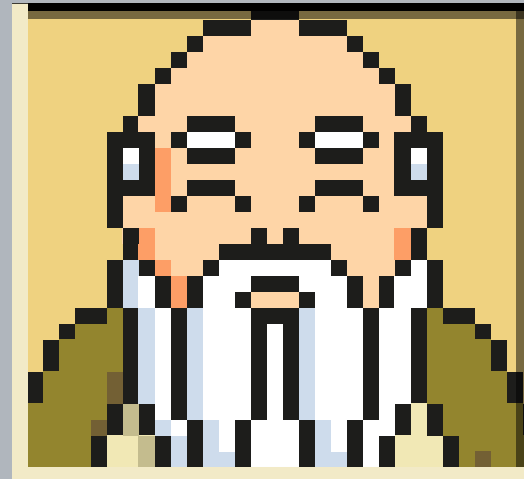


Who approves a company's prospectus?

ACCOUNTANT

1 2 3 4





WHAT THE LAW SAYS

THE WOLVES OF THE WSE

Anyone who is serious about growing their company and strengthening its position in the market may decide to list on the stock exchange.

By conducting an initial public offering, you can **raise capital for further growth, as well as raise the company's prestige and brand recognition**. And going public can be **beneficial for shareholders**.

The key **entities supporting** the offering and listing on the stock exchange are:

- Legal adviser
- Offeror
- Auditor
- PR/IR adviser.

To **go public**, among other things, you need to:

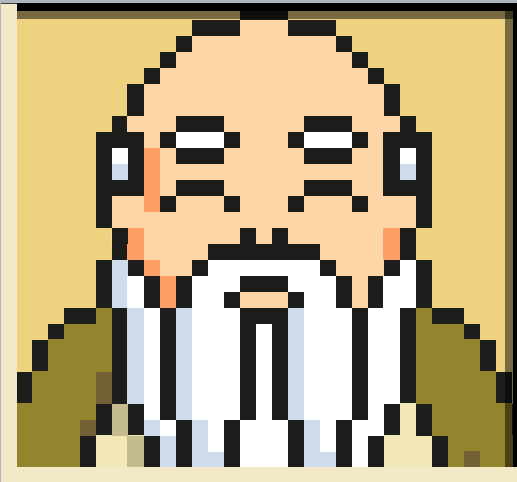
- Convert the company into a joint-stock company
- Conduct due diligence
- Prepare a prospectus
- Obtain approval of the prospectus by the Polish Financial Supervisory Authority (KNF).

This sounds ominous, but it can be carried out smoothly.

For more on this topic, please refer to Codozasady.pl:

ACCOUNTANT

1 2 3 4



CONGRATULATIONS!



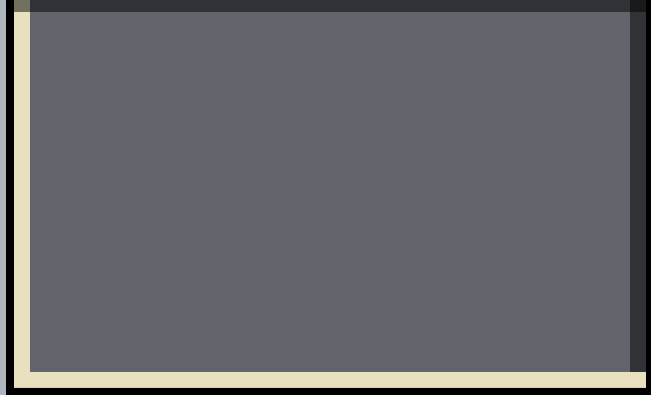
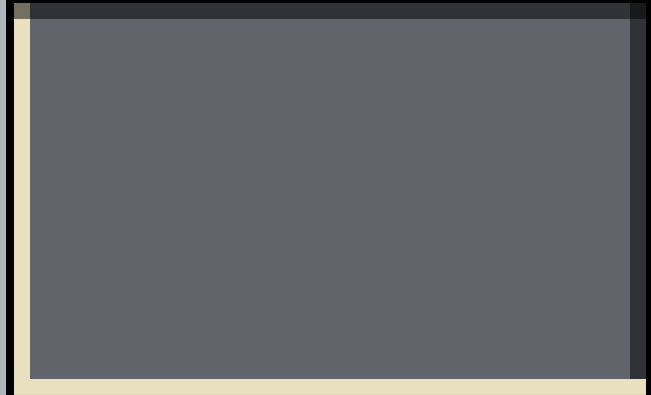
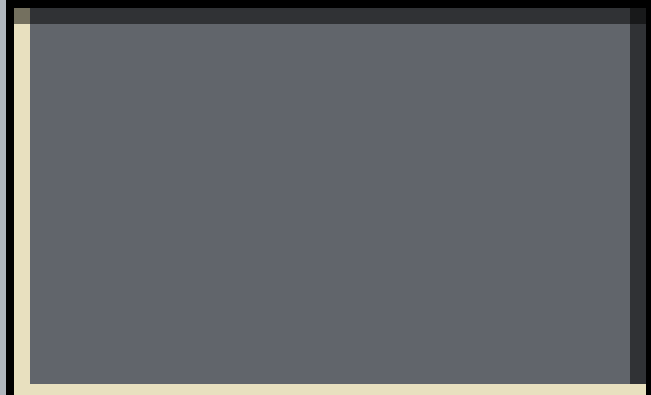
YOU HAVE COMPLETED
THE FOURTH MISSION!

Check out the other character challenges!



ACCOUNTANT

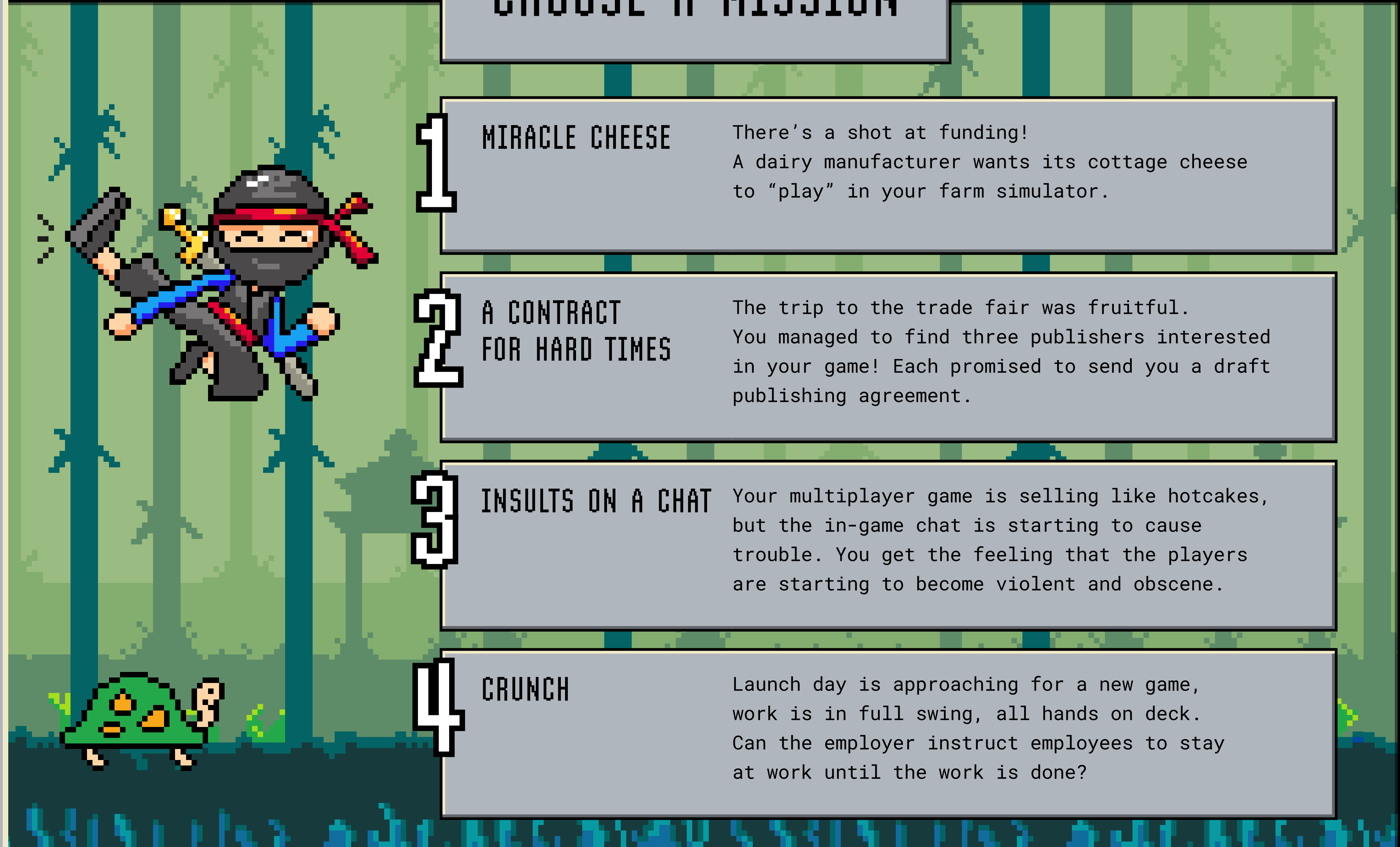
1 2 3 4



CONSULTANT

1 2 3 4

CHOOSE A MISSION



1

MIRACLE CHEESE

There's a shot at funding!
A dairy manufacturer wants its cottage cheese to "play" in your farm simulator.

2

A CONTRACT FOR HARD TIMES

The trip to the trade fair was fruitful.
You managed to find three publishers interested in your game! Each promised to send you a draft publishing agreement.

3

INSULTS ON A CHAT

Your multiplayer game is selling like hotcakes, but the in-game chat is starting to cause trouble. You get the feeling that the players are starting to become violent and obscene.

4

CRUNCH

Launch day is approaching for a new game, work is in full swing, all hands on deck. Can the employer instruct employees to stay at work until the work is done?



MISSION 1: MIRACLE CHEESE

Surprisingly, you all agree that introducing cottage cheese into the game is not a bad idea. The financial situation has been dire, but this cooperation will help finance the game. It will also mean adding new tasks to the game, such as milk bottling or coordinating deliveries.

But the cheesemaker sees it a little differently. They claim their product is a "miracle cottage cheese" that cures COVID-19. They also want to show that cheese produced by competing brands goes rancid faster.

This is making you uneasy, but you are the Consultant and everyone is looking to you for the answer.

Can you see the team through this mission safely?

Test yourself in three tasks. In each, there is only one right answer.



CONSULTANT

1 2 3 4



1/3

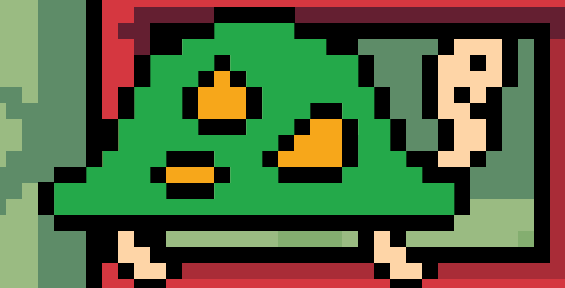
MIRACLE CHEESE



Can in-game advertising suggest that your advertiser's brand of cheese cures COVID-19 or prevents the disease?

CONSULTANT

1 2 3 4





2/3

MIRACLE CHEESE

Is it necessary to somehow **indicate** that the game contains an advertising message?

CONSULTANT

1 2 3 4





3/3

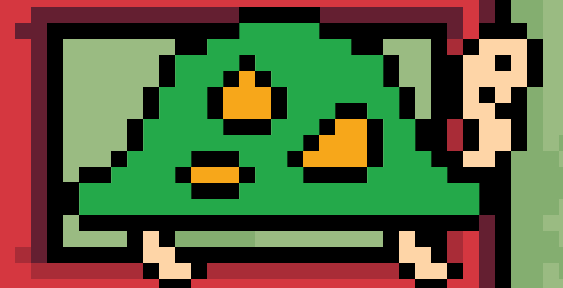
MIRACLE CHEESE

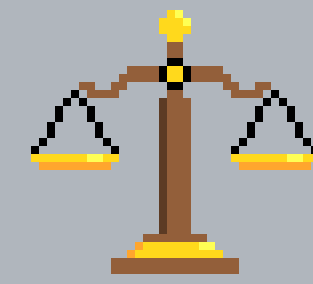
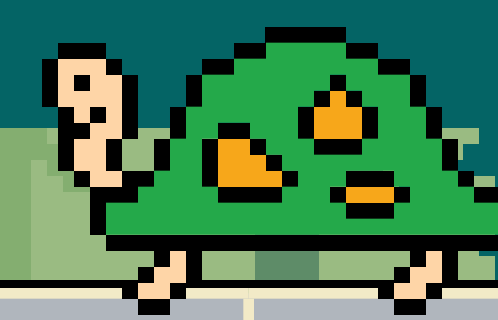


You place an advertisement for cheese in the game.
Now the manufacturer is using characters from your game
in its own ads. Is this allowed?

CONSULTANT

1 2 3 4





WHAT THE LAW SAYS

MIRACLE CHEESE

In the contract with the advertiser, the game developer must **carefully regulate**:

- How the product is to be presented in the game
- Which character is to use the product (and what for)
- Whether there will be alternative products (other brands or “no name”).

Also, any in-game advertising must comply with the law. Not only the advertiser, but also **the GameDev studio and publisher may bear responsibility for advertising.**

You have to remember that:

- Certain goods and services are **not allowed to be advertised** (or there are restrictions)--in Poland this applies for example to alcohol, tobacco, drugs and gambling
- Advertising **must not be misleading** or contrary to fair dealing, and comparative advertising is a no-no (it's a minefield of tricky rules)
- **You have to inform players** that the game contains advertising or product placement.

For more on this topic, please refer to Codozasady.pl:

CONSULTANT

1 2 3 4



MISSION 2: A CONTRACT FOR HARD TIMES

Finally, the efforts to secure a publisher have borne fruit. A few days after returning from the trade fair, drafts of publishing contracts are arriving in your inbox. The first contract is 50 pages, the second is 5 pages, and you are afraid to open the third.

The mythical word “recoup” flashes in the former contract, right next to 100%. Some strange revenue sharing percentages are striking. The words “gross” and “net” crop up chaotically in the text. Also, there is something about the transfer of rights. The second contract is more pleasant--it’s barely there. All you see is that the contract is governed by Korean law.

The truth is that you don’t understand anything. After all, this is your first contract with a publisher! The Consultant becomes the source of all hope.

Can you see the team through this mission safely?

Test yourself in three tasks. In each, there is only one right answer.



CONSULTANT

1 2 3 4



1/3

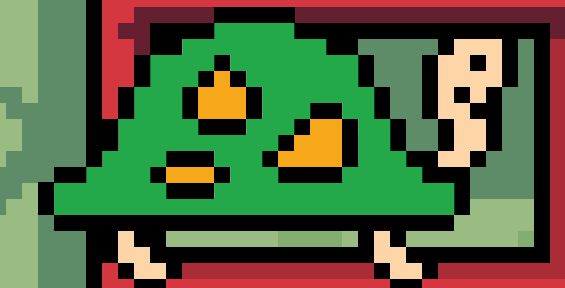
FOR HARD TIMES



A US publisher is offering an “**exclusive, worldwide licence,**” but at the same time, you want to enter the Chinese market with another publisher. Do you accept the Americans’ proposal?

CONSULTANT

1 2 3 4





2/3



FOR HARD TIMES

What does "100% recoup" mean?

CONSULTANT

1 2 3 4





3/3

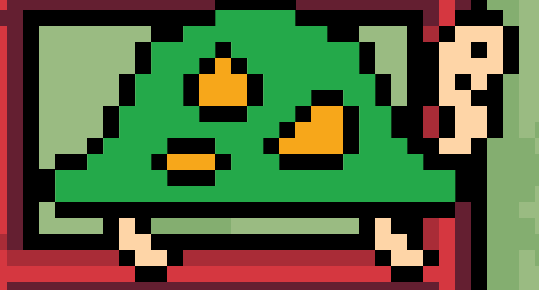
FOR HARD TIMES

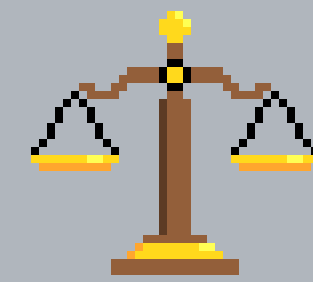
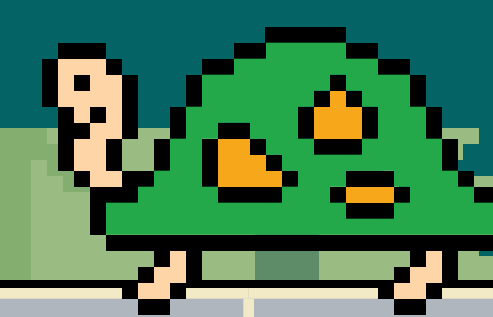


The draft publishing contract sent to you by the publisher indicates that “the contract is governed by the laws of South Korea.” This means that:

CONSULTANT

1 2 3 4





WHAT THE LAW SAYS

FOR HARD TIMES

The game **publisher**:

- Finances the production of the game
- Is responsible for marketing and distribution
- Manages the relationships with distributors (but doesn't always do it all).

For this, the publisher expects a fee --usually a percentage of the revenue from the sale of the game.

The first publishing deal is usually, well... a failure. It is worth talking to experienced colleagues and seeking advice from a lawyer familiar with the gaming industry.

The **publishing contract** needs to regulate:

- Issues of **copyright** and other intellectual property rights to the game
- The publisher's rights and obligations in game **distribution**
- Rules for financing game production and **distribution of profits** from sales of the game
- The nature and scope of **marketing services** provided by the publisher.

For more on this topic, please refer to newtech.law and Codozasady.pl:

CONSULTANT

1 2 3 4



MISSION 3: INSULTS ON A CHAT

The chat in your online game is going wild!

The players outdo themselves--disgusting nicknames, vulgar, discriminatory and violent statements and threats. It's all like a thriller, but embarrassing to quote. The situation is serious because, after all, some of your players are children.

And now some gangs have formed. They are talking about strange things ... and soliciting young players.

Should you close your eyes and see no evil? But it could kill the image of the game! And what does the law say about it? As the game producer, do you have an obligation to react?

Can you see the team through this mission safely?

Test yourself in three tasks. In each, there is only one right answer.



CONSULTANT

1 2 3 4



1/3

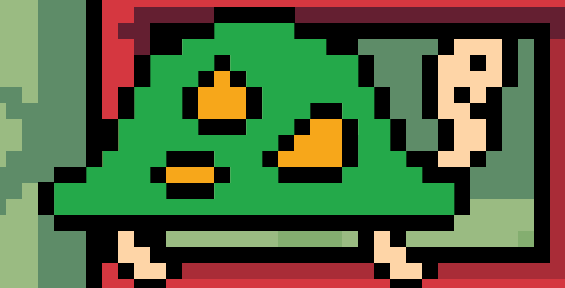
INSULTS ON A CHAT



What is grooming?

CONSULTANT

1 2 3 4





2/3

INSULTS ON A CHAT



What should the game provider do under the notice & takedown process?

CONSULTANT

1 2 3 4





3/3

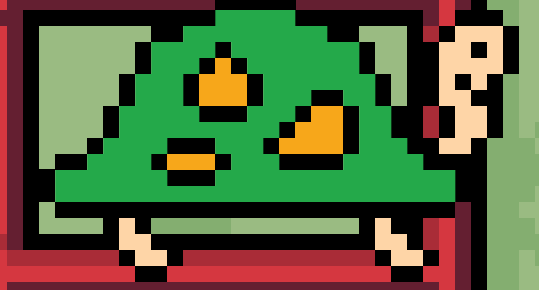
INSULTS ON A CHAT

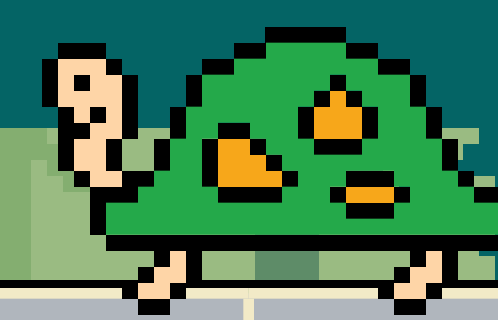


Which of the following behaviours **must be reported to law enforcement authorities** under threat of the game company's own criminal liability for failure to report:

CONSULTANT

1 2 3 4





WHAT THE LAW SAYS

INSULTS ON A CHAT

Online game providers (especially developers, but also publishers and distributors) are liable for the content published by users within certain limits, under the **notice & takedown** process.

In principle, they are not required to actively monitor the content.

But the situation is different when user behaviour shades into what could be defined as criminal acts.

In some cases, the game provider **must notify** law enforcement authorities of suspicion that a criminal offence has been committed.

Multiplayer games are **international** in nature. In other jurisdictions, the monitoring and response obligations may be stricter than in Poland.

For more on this topic, please refer to Codozasady.pl:

CONSULTANT

1 2 3 4



MISSION 4: CRUNCH

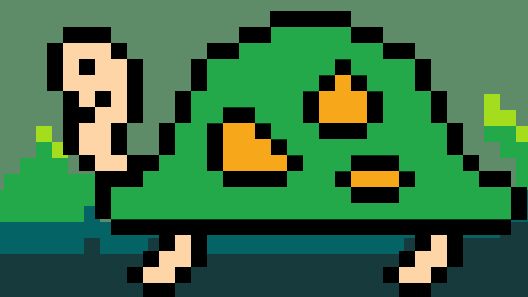
As usual, the schedule is one thing, but life never goes according to plan.

You are already two weeks behind schedule, and the developers say they won't be able to work that long. The company insists, and the workers protest.

What can you do?

Can you see the team through this mission safely?

Test yourself in three tasks. In each, there is only one right answer.



CONSULTANT

1 2 3 4



1/3

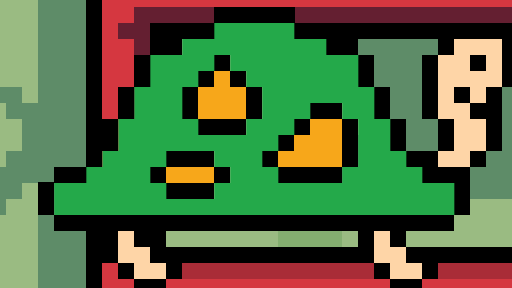
CRUNCH



Overtime regulations apply to:

CONSULTANT

1 2 3 4





2/3

CRUNCH



How many overtime hours can an employee work at the most?

CONSULTANT

1 2 3 4





3/3

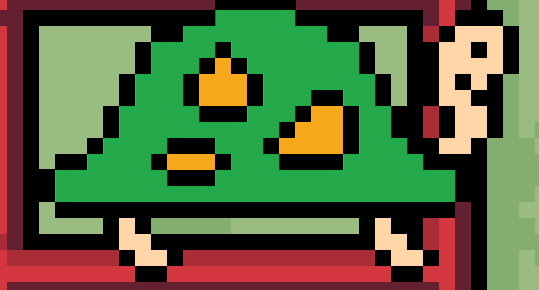
CRUNCH

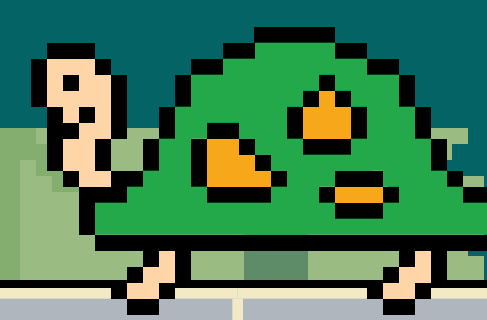


Is it necessary to work on Saturdays?

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WHAT THE LAW SAYS

CRUNCH

Overtime regulations in the **Labour Code** apply to employees. Among other things, overtime is permitted when an employer has particular needs.

It is also possible to cooperate with a GameDev studio on a non-employment basis (e.g. a **B2B contract**), but then the working rules for overtime are defined by the contract.

It is better **not to conclude** separate service contracts with employees for crunch work—such an agreement may constitute circumvention of the law.

It is important to remember that:

- For example, pregnant women and young workers **cannot** be obliged to work overtime
- An employee must have 11 hours of **uninterrupted rest** each day
- **Compensation** is due for overtime
- **Night work** requires extra pay
- A full day off is due for work on **Saturday**.

For more on this topic, please refer to Codozasady.pl:

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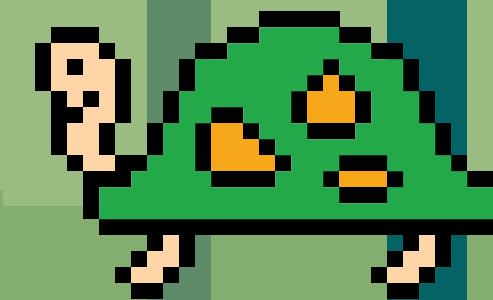


CONGRATULATIONS!



YOU HAVE COMPLETED THE FOURTH MISSION!

Check out the other character challenges!

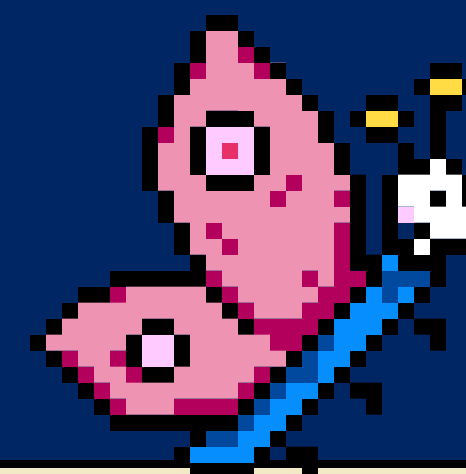


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DYN TNE
SKI+ RS.



The game does not constitute legal advice and should not be the basis for making business decisions. (We are lawyers – we have to say this.)

THANKS FOR PLAYING OUR GAME!

The purpose of the game is to highlight the legal pitfalls developers can fall into when creating their own professional game.

GameDev CEO Simulator was developed by:

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The game content reflects the current legal status as of December 2023.

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