

INTELLECTUAL PROPERTY DISCUSSION GROUP (IPDG)
TERM CARD
HILARY TERM 2024

Convenors: Chor Woo (Phoebe), Lauren Crais, Mohammad Ataul Karim, Sarath Ninan Mathew

‘Intellectual property protection for video games -- An MDA framework-based analysis’

[Dr. Angelia Jia Wang](#), Associate Professor at the Law School, Durham University

Abstract: The gap between video games and copyright, an intellectual property (IP) right, is that the doctrinal copyright theories cannot explain the nature of the gameplay and game rules. The lack of a theoretical framework addressing the gameplay comprising abstract ideas and specific expressions has caused much confusion and uncertainty in the games industry and among legal practitioners across jurisdictions. This article explores whether the gameplay, a core value of the game, should be protected by copyright, patent or not protected at all. It employs a novel analytical framework based on Hunicke et al.’s theory of mechanic–dynamics–aesthetics, a game-designing theory, to analyse the IP legal nature of the gameplay and game rules. Based on the proposed analytical framework, it conducts a case study of three representative games, from aesthetics to mechanics, to demonstrate that dynamics as the game system consists of expressions of the game designer. Considering the cross-border nature of the development and trade of video games, this article undertakes a comparative study of IP law in the United Kingdom and China. It concludes that dynamics as the game system is expressive and can be protected by copyright.

(Week 1)

Date: Tuesday, 16 January 2024

Time: 03.00 pm — 04.00 pm

Venue: Seminar Room D, Faculty of Law Building, St. Cross Road
(Hybrid)

Light Refreshments will be provided to those attending in person.

‘Copyright and Academic Publications’

[Dr. Christina Angelopoulos](#), Associate Professor at the University of Cambridge

Abstract: Current practice in scientific journal publishing requires the transfer or exclusive licensing of copyright from researcher-authors to publishers. In light of the ongoing serials crisis, this has led to strong criticism. The consequences are particularly troublesome for publicly funded research, where the result is the appropriation of publicly funded work by private entities. This reality underpins recent calls for release of publicly funded research under Open Access (OA). Various tactics to encourage OA publishing, such as Rights Retention Strategies (RRS)) or Plan S, have emerged on the non-legislative level. In parallel, certain EU Member States are experimenting with the introduction of a Secondary Publication Right (SPR), i.e. a right for the author of a scientific publication to make it available online

for free following a given embargo period. Based on a study published in 2022, updated to account for new developments and the author's evolving understanding of the issues, this presentation examines ways in which current EU copyright law inhibits access to and reuse of scientific publications and considers possible solutions.

(Week 3)

Date: Monday, 29 January 2024

Time: 03.00 pm—04.00 pm

Venue: Seminar Room D, Faculty of Law Building, St. Cross Road
(Hybrid)

Light Refreshments will be provided to those attending in person.

‘Bridging the Digital Divide through Mobile Communication Standards: Intellectual Property and Economic Growth in the Global South’

[Wayne Chinembiri](#), PhD candidate at Technical University of Munich, Germany

Abstract: This presentation explores the role of global mobile communication standards such as 3G, 4G and 5G in bridging the digital divide in the Global South. It will focus on the connection between intellectual property rights and economic development, highlighting how robust IP systems can facilitate technology transfer and innovation.

(Week 4)

Date: Tuesday, 06 February 2024

Time: 03.00 pm—04.00 pm

Venue: Seminar Room D, Faculty of Law Building, St. Cross Road

Light Refreshments will be provided to those attending in person.

Social Session

We will host an informal session in Week 5 for the discussion group to get together informally. The activity and specific date / venue will be decided based on an opinion poll in the IPDG WhatsApp group.

(Week 5 / Week 6)

Case Reading

This session will discuss *Andy Warhol v Goldsmith*, a case on fair use under US copyright law. The judgment of this case will be circulated in advance of the session. Sarath Ninan Mathew, IPDG Co-convenor will facilitate the session; participants are expected to engage in discussion and deliberation of the different aspects of this case.

(Week 7)

Date: Tuesday, 27 February 2024

Time: 03.00 pm—04.00 pm

Venue: Seminar Room D, Faculty of Law Building, St. Cross Road

Light Refreshments will be provided to those attending in person.
