

MAHARASHTRA NATIONAL LAW
UNIVERSITY, NAGPUR



1ST MNLU-N NATIONAL COMMERCIAL MEDIATION COMPETITION, 2023

(VIRTUAL)

APRIL 14-16, 2023

PRELIMINARY ROUND - I COMPETITION PROBLEM

Organized by

Alternative Dispute Resolution Society

&

Centre for Intellectual Property Rights & DPIIT- IPR Chair

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THE SAGA OF VUTIVURI KNIGHTS

Dhoom Dhadaka Inc. (hereinafter "DDI") is a video game development company in the country of "Beetiboree". It was incorporated in 2010 and has over time become one of the leading game developer companies in the country. In 2021, DDI created the game "Vutivuri Knights", a multiplayer online role-playing video game (MMORPG), to critical acclaim and has garnered positive reviews from gamers across the globe. The game propelled DDI to the limelight, revolutionising the gaming industry. The interactive gameplay between the players and the NPCs ("Non-Playable Characters") through complex and compelling narratives creates an immersive experience that was previously unexplored in the industry. Traditionally, NPCs in games were reduced to supporting roles, merely populating the game's ecosystem, as scripted by the game developers. However, with the innovations incorporated by DDI, NPCs were used, to provide gamers with an immersive gaming experience. This was done through branching dialogues and an AI-powered interactive system responding to the players' actions and responses.

The Gaming Industry is highly competitive and fast-paced, with new games and technologies emerging constantly. Developers face pressure from their investors, shareholders, and customers to innovate and stay ahead of the curve. They also face challenges from piracy, hacking, and other forms of cybercrime that can undermine their revenue and reputation.

DDI's creative team has proposed certain changes in the game which include the deletion of certain NPCs, including Hobbit, for a better gaming experience.

The antagonistic NPCs in the gameplay were distinguished by their discernible fighting styles, and a bright neon pink fanny pack. Hobbit, an NPC, a run-of-the-mill bank teller, was characterised by his empathetic, witty responses and his iconic Green Flannel Shirt.

There exists a game similar to "Vutivuri Knights" called "City Streets" developed by a young college student named Keys along with some friends in their sophomore year in 2018. Keys was an extraordinary student who achieved meritorious results in their academic endeavours as well as co-curricular activities, during their time at "Maango National Technology University" (MNTU). However, due to Keys' career priorities, and the funding crunch, "City Streets" could not be promoted well. Thus, it was not a hit amongst the gaming community.

As a gaming enthusiast, Keys is fascinated by the prospect of trying out new games. Their recent exploration into "Vutivuri Knights" has left them particularly intrigued, and they have become quite familiar with the game's mechanics and storyline. As Keys delves deeper into the game, they begin to notice similarities between "Vutivuri Knights" and their own game, "City Streets".


Keys is active in the gamers' community "Dhamaka" of the social media platform, "VisibleX". Enraged by the thought of their game being copied, they wrote about it elaborately on Dhamaka, highlighting their plight. Keys begins by presenting evidence of their work on "City Streets" and pointing out the similarities between their game and "Vutivuri Knights", these included avatar customization options, including clothes, hairstyles, and accessories; world-building tools, such as terrain editors, object placement, and scripting; quest templates, such as collecting items, defeating enemies, and rescuing NPCs; and, user-generated content features, such as sharing and rating custom content were highlighted. They expressed frustration and disappointment that their hard work was allegedly stolen by DDI without permission or compensation.

Keys has a strong emotional attachment to their intellectual property and feels that they have been personally wronged by DDI. Additionally, there existed a character named "Smeagol" (An NPC) which had striking similarities with "Hobbit", and in fact was a more interactive character performing various tasks within the storyline; being a task manager, bank-teller, supporting combat fighter, and also overlooking operations such as financing, armoured vehicles, houses among other things of the gaming character through a separate website on the game namely "ShireWEB".

Keys has a strong online presence and has been using social media to rally support for their cause. They have been critical of DDI practices and have accused them of exploiting gamers for profit. They publicly accused them of stealing their ideas and have been using social media to rally support for their cause. They have been extensively campaigning against DDI by drawing comparisons between their game and "Vutivuri Knights" which led to a drop in the value of DDI's shares. A particular video dated 20th January 2022 was particularly damning and causing the trading value of their shares to drop dramatically from Rs.128 to Rs. 67 on the same day sending the investors into a frenzy. The top brass at DDI had to convene an emergency meeting to address the emergent issues. In a hurry, Mr. Andrew T., the Chief Financial Officer tripped on the stairs while suffering from a panic attack.

In light of the recent developments, DDI responded by issuing a public statement reiterating their position that they developed "Vutivuri Knights" independently and that any similarities to City Streets are coincidental. They expressed their respect for intellectual property rights but also their need to protect their creative work and reputation.

DDI's legal team has uncovered evidence that suggests that Keys may have actually stolen some of their ideas from a third party. They argue that this makes Keys' intellectual property claims less credible and could potentially expose them to legal liability.



Keys is a known advocate for indie game developers and has accused DDI of monopolising the market with their blockbuster titles.

The present dispute could put DDI at a disadvantage with the gaming industry market being highly competitive and fast-paced due to new technologies being developed and introduced in the market, which could potentially cause a huge loss to DDI's upcoming new games in which DDI has made huge investments.

The parties have agreed to discuss their issues through mediation requested by Keys at the International Arbitration and Mediation Centre.