



April 08, 2013

Game Designers are Originators!

With a legal opinion, an open letter, and a signature campaign, the Game Designer Association (Spiele-Autoren-Zunft e.V., SAZ) counteracts the refusal of the Fachgruppe Spiel e.V. to acknowledge game designers the status as originators and to continue the discussions about contract matters with the SAZ as the game designers' representation.

The initial point was discussion papers on the subject of *Minimum Standards in Contracts* and a *Code on matters of intellectual property rights regarding games*, which the SAZ had presented to the Fachgruppe Spiel, the federation of the game companies in the Association of the German Toy Industry. The SAZ represents more than 400 game designers from Germany and other countries and is their representative organization.

The Fachgruppe Spiel principally puts the game designers' status as originators into question and thus rules out any further objective, factual discussion with the SAZ, within the meaning of § 36 UrhG (German Copyright Act). This is all the more bewildering since the member companies of the Fachgruppe Spiel continuously enter into contracts with game designers regarding the rights of use of their works, thus de facto acknowledging their authorship; and the companies also demand relevant declarations of authorship from the game designers. That shows that the reality looks different.

The legal opinion *Games and the Protection of Intellectual Property Rights* reduces the argumentation of the Fachgruppe Spiel to absurdity. In the open letter, the board of the SAZ calls on the Fachgruppe and its members to reconsider their position and to return to the negotiating table. It is clear that without the game designers and their works, the companies would have little basis with which to conduct business.

The SAZ is also curious about the reaction from the German Cultural Council on this subject. The SAZ has been a member of the Council since 2008; the Fachgruppe Spiel only since the beginning of 2013.

Parallel to the open letter, the SAZ has started an [online signature campaign](#), with which everybody who is interested can support the claims of the SAZ.

Attachments:

- Open letter to the Fachgruppe Spiel and its member companies
- Legal opinion "*Games and the Protection of Intellectual Property Rights*"

The following companies are members of the Fachgruppe Spiel: *Asmodee, Amigo, ASS, Clementoni, Goliath, Habermas, Hans im Glück, Hasbro (MB, Parker), Hutter Trade (Huch & friends), Jumbo, Kosmos (Klee), Mattel, Noris, Piatnik, Ravensburger, Schmidt-Spiele, Selecta, Winning Moves, Zoch.*

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The SAZ represents game designers' rights and interests, and advocates the strengthening of the cultural assets of games in society.