



## **Other Worldly Avastars**

Do you have a parallel existence in Second Life, or another virtual world? Do you spend hours dressing and preening your avatar in a Massively Multiplayer Online Role Playing Games (MMORPG)?

Lots of people do!

Do you design and make virtual stuff for other players? Do you offer virtual services or play out an engaging role that inspires others to tell your story? And, perhaps more to the point, are you one of the growing number of people earning a decent second living?

You may have answered yes to some of those questions, but not necessarily thought that it was possible to earn a living in a parallel world. Well, Business Week reported the first Second Life millionaire back in November 2006 and despite the global economic slump, there are apparently still plenty of virtual dollars to convert into real cash money.

But, there's more to virtual life than money...there's fame too. You feel like a minor player in these virtual worlds but there are plenty of celebs in the parallel universe earning a name for themselves as they relate their exploits across the blogosphere and yet others almost mythologizing these super-avastars.

Crossover from the other side is inevitable. At some point, virtual worlds will go truly mainstream among the chattering classes. Just as not having a twitter account today seems negligent, having only one life in the real world will become as unfashionable. When that happens one can imagine all kinds of crossover marketing exploits as the companies that sell comic books, action figures, and computer games suddenly recognise the caché; associated with these avastars and their exploits.

So, what of the avastars with their painstakingly created virtual costumes, character acting, and role playing that exists only as lines of binary on a remote server? Will they have rights to their likeness and exploits in the virtual world as we do in the first life?

Advocates of copyleft, open access, and Creative Commons licensing might like to consider the implications of applying such a license to their creative works in virtuality, including their avatar likeness and the digital chattels they produce in those worlds. Angela Adrian of Bournemouth University, Poole, England, has raised the issue of the end user license agreements (EULAs) associated with the likes of Second Life and how they are meant to offer users protection for their creations in those worlds. However, she warns that the very existence of such licences will inevitably attract the attention of the law, which will then wish to step in to enforce intellectual property rights.

She suggests that:

perhaps items and characters created in virtual worlds by players should be treated as intangible chattel while allowing the underlying designs and code of the game designers to retain their intellectual property rights.

This meshes quite well with behavior in the "real" world where you might purchase a book, feel that you own the physical book, but don't have any claims on the copyright associated with the content of that book. "Players should own the characters and items (as intangible chattel) in the game's virtual world without acquiring the underlying copyright [of the bits and bytes] in that virtual world," says Adrian. After all, even though the structure and the building blocks of the games are the legal property of the designers, each character created is the embodiment of someone else's story.

If we do not define our rights in virtual worlds now, then there will be a "what happened" moment some time soon when the distinction between worlds vanishes and everyone - players, game designers, fan communities, and the legals - will be unable to figure out who owns what. And, at that point it's the latter party, rather than anyone else, that will be converting those dollars into real cash money.

Angela Adrian (2009). Intellectual property or intangible chattel? *Int. J. Intercultural Information Management*, 1 (4), 331-343