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INSIDER

The Premier Guide to Casual Board and Card Games
Issue #9 – Fall 2014

A TOUCH OF EVIL™

DARK GOTHIC™

DECK BUILDING GAME

Join the hunt for evil creatures in Flying Frog's new card game

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Lamp Light Games was founded in 2013 to bring new, creative board games to life. Our mission is to design and publish a variety of games that are both fun and challenging. We strive to build a business on the principles of integrity, service, and ingenuity. Games bring people together!

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Flying Frog Productions is dedicated to making fun, fast-paced, and exciting games! Each game is rooted in a particular genre and conveys a cinematic gaming experience. First and foremost, we are gamers, ourselves. We are making the games that we want to play with all of the features that WE would want in a game. Our games have an emphasis on fun, fast gameplay with strong theme, and maximum replayability.

FlyingFrog.net



Founded in 2013 by Greg Cozza, Inappropriate Gaming publishes board games for adults based on hilariously inappropriate topics. No subject is safe when it comes to our games. We strive to provide quality games that you can enjoy while laughing your @\$\$ off.

InappropriateGaming.com



Looney Labs offers a small line of fun, award-winning family games. Our mission is to create fun — but it isn't just that we make fun games — our games create fun times! Our biggest hit is *Fluxx*, the card game with ever-changing rules. Pick your favorite theme (from Zombies to Pirates to Cartoon Network) and get together with your family and friends around the table for a game today!

LooneyLabs.com/our-games



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USGamesInc.com/cards_and_games.html



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Dice Hate Me Games is committed to bringing entertaining, innovative, and challenging games to the table and beyond. Our passion for board games, dedication to quality, and guiding life philosophies are reflected in the innovative designers, keen developers, and talented artists with which we choose to work.

DiceHateMeGames.com





~A TOUCH OF EVIL~ **DARK GOTHIC** DECK BUILDING GAME

JOIN THE HUNT FOR EVIL CREATURES ...

Dark Gothic is a brand new deck-building card game that offers an exciting theme, new mechanics, and accessible gameplay. Set in the same world as the popular *A Touch of Evil* board game, *Dark Gothic* allows 2-6 players to each take on the role of a monster-hunting Hero in post-Colonial America, tracking down Gothic creatures such as Werewolves, Vampires, Ghosts, and Gargoyles that are terrorizing the countryside!

But beware! These Villains are deadly, gathering all manner of minions to do their bidding and working hard against the Heroes to plunge the world into the Shadows! The Heroes must use their Cunning, Spirit, and Combat as resources to acquire Gear and Allies to aid them in their fight, exploring Locations and keeping the forces of darkness at bay.

Dark Gothic can be played competitively, where all of the Heroes race to defeat the Villains and become the top monster hunter before the Shadows consume them all. It can also be played cooperatively, where all of the Heroes work together to overcome the creatures of the night as the Shadows move even faster.

With simple and fast gameplay, *Dark Gothic* is easy to learn and fun to master! Playtime runs from 20-60 minutes and no two games are ever the same, as there are 8 different Heroes to play and 9 different Villains to hunt (3 random Villains are used per game).





GAME FEATURES:

RESOURCES

There are three different resources in the game: **Spirit** (blue), **Cunning** (green), and **Combat** (red). These different resources are used to acquire cards to add to your deck and make your Hero stronger over the course of the game. These resources are also used to defeat creatures and minions that you come across on your hunt for the big bad Villains themselves. In addition, there is a wild card resource called **Honor** (silver) that allows you to choose what color it is whenever you encounter it. Having three resources dramatically changes the depth of the game without becoming complex. This allows for greater variation in how the Heroes and cards play, and brings the theme to life as the Gothic horror feel and narrative unfolds.

HEROES AND VILLAINS

Each Hero has a different starting deck breakdown, allowing them to specialize, as well as a unique ability that makes them different from each other. The Villains also scale in difficulty over the course of the game, and many have global effects to change the game while they are wreaking havoc across the land until the Heroes can defeat them.

DARK SECRETS

The shadowy towns and inhabitants have many secrets of their own to hide, and can often find their way into a Hero's deck, acting as a time bomb waiting to go off when it is finally drawn into hand and revealed.

THE OMEN DIE

To add an element of chance, the fantastically sculpted, custom Omen Die is occasionally rolled for certain card effects or character abilities.



YOU NEVER KNOW WHAT EVIL LURKS IN THE SHADOWS
WHEN YOU DELVE INTO THE WORLD OF... DARK GOTHIC!





Camel Up

Camel Up is the newest winner of the Spiel des Jahres (Game of the Year) award in Germany. As the most popular tabletop game award in the world, it can increase sales of a game to half a million or more over its lifetime. For *Camel Up*, this is a well-deserved accolade for a fantastic casual game.

In the game, 5 camels race around a desert track that surrounds an Egyptian pyramid. Camels move when a player decides to turn the pyramid upside down to drop one of the dice it contains. Camels that land on the same spot stack on top of each other, and when a camel moves, it carries with it all of the camels above it.

As the camels race, players try to anticipate which camel will win each leg of the race. A player can “bet” on his camel of choice by selecting a betting tile for that camel, or try to affect the camels’ movement by placing a special tile on the board. A player can also bet on an overall winner or loser by playing a card face down from his hand. After each leg and at the end of the race, players are rewarded for betting correctly, and the earliest bets earn more money. The player with the most money at the end of the game wins.

If fun and surprises are what you’re looking for, you’ll find them in *Camel Up*. The game has the feel of going to the racetrack, complete with cheers and moans when bets are won or lost. Plus, with support for up to 8 players, a large family can all join in. While the race itself is based on chance, a player who reads the race carefully and places bets at the right times is more likely to succeed. The artwork and components are top-notch, and the game is filled with originality — where else can you find a pyramid contraption for rolling dice or wooden camels that stack on top of each other? Nowhere.



MSRP: \$40

Designer: Steffen Bogen

Publisher: Z-Man Games

2-8 players, ages 8+, 30 mins.



Chris James

Editor-in-Chief and Award-Winning Game Designer



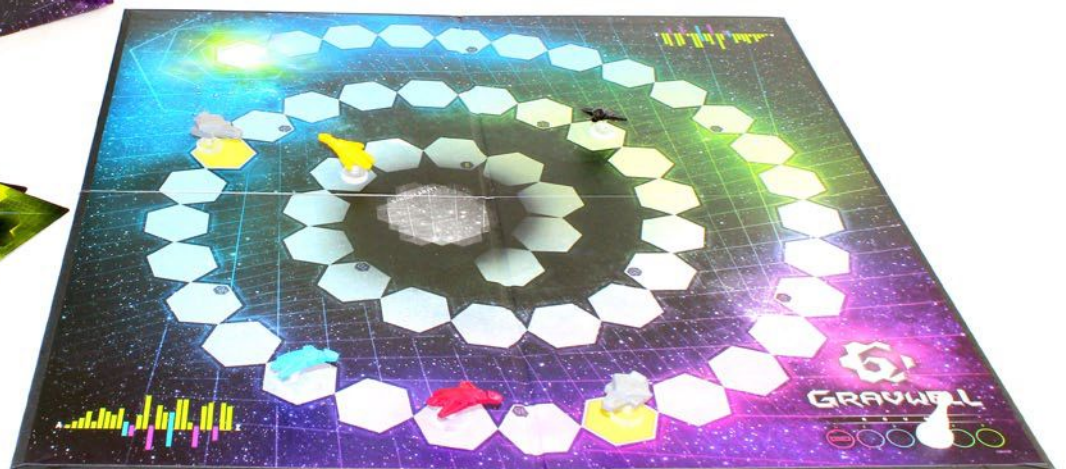


Gravwell

Gravwell is a space-themed game with a simple goal: move your ship around a spiral-shaped track to the Warp Gate at the end. However, it has a twist that will blow your mind: rather than always moving toward the goal, your ship moves toward the nearest object. In other words, all players' ships are interdependent as they slingshot past one another trying to reach the Warp Gate.

At the beginning of each round, players take turns selecting fuel cards, which contain elements that will propel a ship a certain number of spaces. Special cards are also included to alter movement in different ways. During each round, players simultaneously select a card from their hand and place it face down on the table. These cards are then revealed and resolved in alphabetical order. The round continues until all cards have been played. Once during each round, a player may use his "Emergency Stop!" card to cancel his ship's movement. The winner is the first player to reach the Warp Gate, or the furthest player after 6 rounds of play.

Gravwell is a mind-bending game that really draws you in. After learning a few key concepts about the unique movement style (for which there are many examples in the rulebook), the game is elegantly simple. Yet, the psychology of trying to predict other players' actions so you can slingshot past them is far from easy. There is no such thing as a "runaway winner" in this game, since moving far ahead will inevitably bring you back to where the rest of the group is. If you're looking for a fascinating game that truly makes you feel like you're lost in space, be sure to pick this one up.



MSRP: \$35

Designer: Corey Young

Publisher: Cryptozoic Ent.

1-4 players, ages 15+, 20-35 mins.



Relic Expedition

Startup game publishers often commit many errors on their first game. This is not so with Foxtrot Games — in fact, their debut game *Relic Expedition* is now high on our list of favorite “casual strategy” games. In this game, players are jungle explorers trying to collect a set of ancient relics while avoiding the pitfalls of the jungle.

On a turn, two dice determine if the current player can move an animal (which can inflict damage on players) and how many actions he can take. For each action, a player can choose to move his explorer in various ways or draw a supply token from a bag. As an explorer approaches the edge of the board, new tiles are drawn to fill in the empty spaces next to him, revealing more areas of the jungle. The tiles may reveal relics, quicksand, poison ivy, animals, and more. Some tiles also reveal a whole section of the jungle, including a river, cave, or mountain, which require special supplies to explore them. Supplies and relics that are retrieved by a player are stored in his backpack, but only 8 total items can be stored at a time. The first player to collect 4 matching relics and leave the jungle by helicopter is the winner.

There is so much to like about this game — light strategy, great production value, interesting theme, lots of surprises, fast pace, tough choices, great competitive play — in fact, it's tough to come up with any criticism at all. The rules may be a bit long and detailed for the uninitiated casual gamer, yet the gameplay is quite intuitive and the clever “Field Guide” booklet makes you feel like you're getting ready to explore the jungle. If you're willing to put in some time to learn the ropes and you like games like *Survive*, *Settlers of Catan*, or *Eruption*, you should definitely give this one a try.



MSRP: \$50

Designer: Randy Hoyt

Publisher: Foxtrot Games

2-4 players, ages 10+, 30-60 mins.

SET

SET is a small card game published many years ago, but it still has amazing momentum and we were recently sent a review copy to try. The premise of the game is simply to retrieve the most cards by identifying sets of similar cards. It sounds so basic that it's not even worth your time, right? Wrong!

To play, 12 cards are laid out on the table face up and players simultaneously search for sets. Each card contains 4 distinct features: a shape, a color, a number of icons, and shading. A valid set consists of exactly 3 cards where each feature is either alike on all of the cards or different on all of the cards. These criteria allow sets to vary wildly and be quite hard to spot. When a player finds a set, he calls it out and collects the cards. If the set is not valid, he loses a point.

SET proves to be a challenge for even the smartest of players. Only rarely is a valid set obvious — most of the time, each card must be carefully considered on an individual basis to find common or uncommon characteristics. The pressure of doing so faster than the other players provides a tense but fun experience. By today's standards, the box and card backs are due for a makeover — nevertheless, this is a game that deserves a spot in any casual game collection.



MSRP: \$13

Designer: Marsha J. Falco

Publisher: SET Enterprises

1+ players, ages 6+, 30 mins.



MSRP: \$20

Designer: Uncredited

Publisher: Wiggles 3D

2+ players, ages 10+, 30 mins.

RANDOMonium

RANDOMonium is a party game that is best described as a mix between Dominoes and word-association games like *Apples to Apples*. Players choose a hand of 10 double-sided tiles containing a wide variety of words and phrases, from funny adjectives to celebrities. Each player then takes turns setting the 20-second timer and placing as many tiles on the table as possible.

Tiles are placed next to existing ones so that two words are associated together. The player must state the association out loud as the tile is placed. Examples might include “toes are nasty,” “Toy Story and Dirty Dancing are movies,” or “I have chest hair.” If there are any disputes about an association that was made, they are resolved after the timer expires, and the player draws a new tile for each one that is rejected by the group. The first player to get rid of all of his tiles wins.

Even after a stressful day (or perhaps *because* it was a stressful day), we found this game to be very entertaining — we simply did not want to stop playing. The tiles are plentiful, the associations can be very funny, and the possibilities are almost endless. The time pressure of the game causes players to blurt out the first thing that comes to mind, which can be surprising. We had a blast debating nonsensical associations for tiles that didn’t seem to fit anywhere. While the game can technically support large groups of up to 16 or more players, it seems ideal for smaller groups in order to reduce the time between turns.

GAMES YOU'D LIKE TO PLAY AGAIN!



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Get Lucky

In *Get Lucky*, players are gathered at Lucky Mansion, where Doctor Lucky resides. But unbeknownst to him, everyone is out to get him for one reason or another. However, his remarkably good luck will help him escape many deadly encounters until one player can finally deal a fatal blow.

Each player controls two characters, which can be upgraded with Weapons, Motives, and Opportunities. Doctor Lucky visits each of the characters in ascending order (his pawn is placed on the card) and the player who controls that character takes a turn. He can choose to draw a card, play an upgrade card, swap a character with one from a common area, or attempt to kill Doctor Lucky. If a kill attempt is made, the number of kill points for that character and all upgrades is totaled. All other players take turns optionally discarding cards containing luck points — if the total luck equals or exceeds the total kill points, the attempt fails and Doctor Lucky gets away. Otherwise, the attempt succeeds and the player who made the kill is the winner.

Get Lucky is a fantastic card game that we do not hesitate to recommend for teens and adults. It is very easy to learn, but there is much more than meets the eye — subtle strategies and trade-offs keep the game interesting. For instance, the order of play is not clockwise, but is based on card numbers — swapping a card can actually change the turn order mid-game. There is also a constant balance of trying to prevent other players from winning while also creating a good winning opportunity for yourself. What's more, each card contains a back story — while optional, we found it amusing to read the stories from the winning cards.



MSRP: \$17

Designer: James Ernest

Publisher: Cheapass Games

2-6 players, ages 12+, 20 minutes

Forbidden Island

Forbidden Island is a cooperative game in which players are trying to gather 4 sacred treasures that can control the elements of fire, wind, water, and earth. However, the island on which these treasures are hidden is cursed! As players roam around collecting treasures, the island is continually sinking into the ocean.

The board consists of 24 island tiles, which are arranged randomly. On each turn, 2 or more Flood cards are drawn that specify which tiles become flooded (flipped face down). If a tile is already flooded and the corresponding Flood card is drawn again, the tile is removed from play. To capture a treasure, a player must land his pawn on one of the tiles with a treasure symbol and discard 4 matching Treasure cards. Treasure cards are drawn on each turn — however, mixed in with the treasure cards are “Waters Rise!” cards, which increase the number of Flood cards that players are required to draw on each turn. To win, players must work together to collect all 4 treasures and escape the island before it is too late.

Forbidden Island has managed to garner incredible success since its debut in 2010, and rightly so — it packs a challenging cooperative game with brilliant mechanics into less than 30 minutes. The tiles and sculpts are beautiful and nicely organized in a quality tin box. The production value and gameplay experience simply can't be beat at this price. 🎲



MSRP: \$18

Designer: Matt Leacock

Publisher: Gamewright

2-4 players, ages 10+, 30 minutes





Casual Games

Anomia
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 Blokus
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Chocoly*

Cover Your Assets
Doodle Dice*
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 Eruption
 Farmageddon
 FITS
 For Sale
 Forbidden Island
Four in a Square*
 Get Bit!
Get Lucky*
 Going, Going, GONE!
 Gold Mine
Gravwell*

Gunrunners
 Hanabi
 Hey Froggy!
 Hey Waiter!
 Hive
 Incan Gold
 Indigo
 King of Tokyo
 Kulami
 La Boca
Mars Needs Mechanics*
Match Stix*
Niya*
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 Ticket to Ride
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 What the Food?!

***Newly added**

Party Games

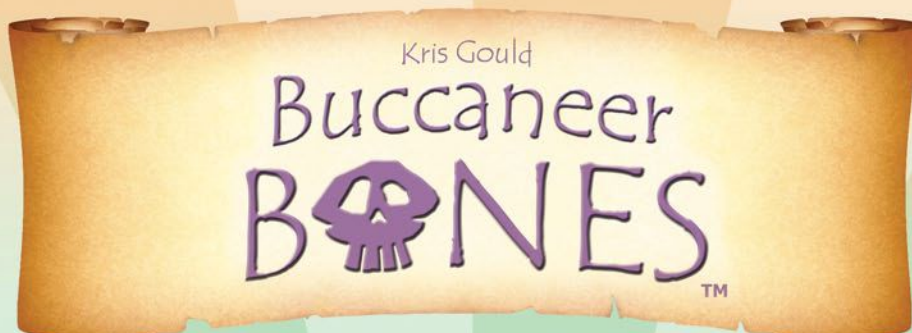
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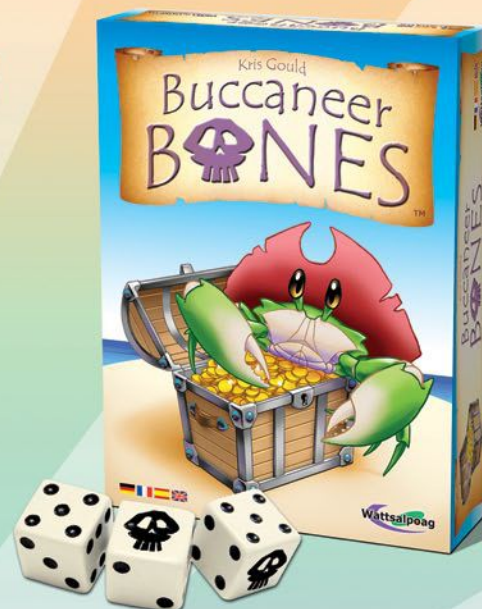
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Q&A With Producer Boyan Radakovich

TableTop is the award-winning, smash hit video series created and hosted by Wil Wheaton and produced by Geek & Sundry. Each episode features Wheaton playing tabletop board games with his celebrity friends and has become a fan favorite since it debuted in April 2012. With over 30 million views to date, TableTop has changed not only the industry, but also the public perception of what it means to be a gamer. We reached out to one of the show's producers and game industry veteran, Boyan Radakovich, to learn more about what goes on behind the scenes.



Chris James

Editor-in-Chief and Award-Winning Game Designer





CGI: Thank you for taking the time to speak with us, Bo! Please tell us how *TableTop* got started and how you got involved.

BR: Thanks for supporting the show! Essentially, Wil called me right after he got off the phone with Felicia Day and asked if what-would-become-*TableTop* was possible to create. And I was absolutely convinced that with a) Wil's genuine passion for tabletop gaming and his celebrity gravitas powerful enough to change the perception of what a gamer is, plus b) my industry experience and connections to all the national retailers, top publishers, and hottest game designers, and c) a kickass crew coupled with the rising tide of the digital movement in entertainment, we could definitely create something amazing. I just didn't know then how massive it would become. But I'm convinced Wil believed all of this was possible from the very start and had the clear vision to find success for our team.

CGI: What has been your favorite episode to produce so far, and why?

BR: In Season 1, *Castle Panic* is my favorite episode. It clearly demonstrates what *TableTop* is all about: friends bonding over gaming. The chemistry was great, the jokes were hilarious, and everyone had a great time. I couldn't have written a better episode if I tried. *Star Wars X-Wing* and *Ticket to Ride* had a very similar feeling. Maybe I just love the episodes where couples get to play games together — Tara and Yuri, Seth and Clare, and Wil and Anne. Seeing families gaming together is truly rewarding and inspiring for me.

CGI: Capturing each key moment during the game must be a challenge. How does your film crew keep up with the dynamics of gameplay behind the scenes?

BR: Simply put: the crew is amazingly talented. Our First AD, Adam Lawson, put together a super professional crew for *TableTop*, filled with award-winning talent. Also, I sit in the control room right next to the director, Jenn Arnold, helping predict the behavior of the players so that we can get the cameras in position before the action actually happens. Jenn is very sharp and can keep five cameras all perfectly framed at a moment's notice. I'll say things like, "She'll probably buy a building, so get ready for a wider shot with the actor and the board," or "He's about to play a card on Wil," and she'll get a two shot of both actors for the reaction. It's this really careful attention to detail and awareness of the actual game state that lets us catch all the action. *TableTop* is not rigged or scripted at all, so we have to be really sharp and stay ahead of the players in production. You can watch the extended edition versions of the show on [YouTube.com/geekandsundry](https://www.youtube.com/geekandsundry) and see for yourself.

Also, a very important part that people really overlook is the editing. We have amazing editors for *TableTop* that take all this wonderful chemistry, beautiful footage, all of our interview segments, careful notes, and game component scans and craft a story that people will find fun and engaging. Steve Grubel is our main editor and he's brilliant at his job and part of my regular gaming group, as well. I spend a lot of time with all the editors going over each game before they go into the footage, and then Wil, Felicia, and I will help give comments during early viewings by making suggestions to tell





the overall story of the episode. Editing the show is a real challenge and I truly want to thank all of our great editors for making the show possible!

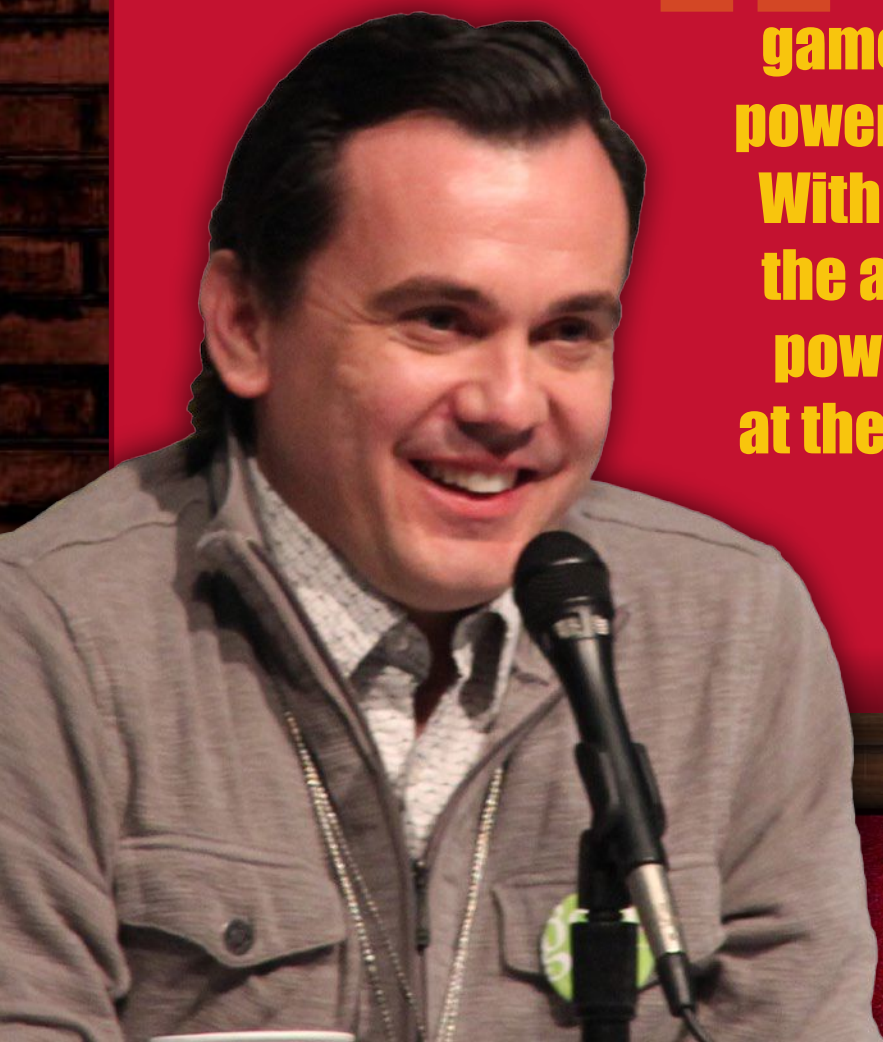
CGI: *What is your process for selecting games to appear on the show? What qualities do you look for in a game?*

BR: A few months before we begin production, Wil and I make a list of around 80 to 100 games. We then filter the list based on several factors: a game must look really good, have a high ratio of luck to strategy, and be something that Wil actually enjoys. Most importantly, the games have to be introductory in nature. *TableTop* is designed to bring new gamers into our community. We do this by bringing them through “gateway” games like *Ticket to Ride*, *Alhambra*, *Qwirkle*, and *King of Tokyo*. Then, from there, they can venture forth into games like *Smash Up*, *Lords of Waterdeep*, and *Betrayal at House on the Hill*. But once you’ve got players at

that level, they’re in the deep and ready for *Agricola*, *Arkham Horror*, and all the wonderful deep strategy games in our hobby.

Wil and I are opposed to gatekeepers in our community. These are people who say, “You can’t enter because of X,” where X is some made-up criteria. *TableTop* is the opposite of this. It proclaims loudly, “You are all welcome at our gaming table.” I also find it incredibly hypocritical that all these gatekeepers forget how they got started in this community. They didn’t start off playing *Eclipse* and *Ora et Labora*. They started at level 1 just like everyone else. So, we are firmly committed to the only approach that will guarantee the long-term health of our community: a) always be inclusive of all people regardless of age, gender, and social group, and b) actively seek games that serve as gateways to introduce new members.

I love playing tabletop games because they’re powered by friendship ... With *TableTop*, we have the ability to share that powerful bond created at the gaming table with every viewer.



Boyan Radakovich

Producer of TableTop

Photo Copyright © 2013 Steven Bustamante



CGI: *Wil and Felicia are big celebrities to many board game fans. What are they like off-camera?*

BR: Wil and Felicia are pretty much the same when the camera is off. That's why the show is so powerful; everyone knows it's genuine. Well, except for the fact that Wil tends to win a LOT more at games when the cameras aren't on. Wil's a very strong gamer and people often forget that when they play against him at our promotional events. He actually won the *Star Trek Catan* tournament and beat *Takenoko* designer Antoine Bauza at his own game during Gen Con in 2013.

CGI: *Congratulations on a fantastic Indiegogo campaign, raising nearly \$1.5 million for your third season! Could you tell us why you chose to be independent rather than continue your relationship with Google?*

BR: Thank you! The response was overwhelming! But going independent wasn't a choice so much as a necessity. Google canceled the funding for all channels, including Geek & Sundry, the company that makes *TableTop*, without an alternative. The danger of relying solely on Google money was something I warned about early and suggested we get off platform and go independent, but why change things if they're not broken? Unfortunately, Google's experiment did end and we were left with a real challenge in funding Season 3. We knew that the fans wouldn't accept that the show was simply cancelled, because the support has been so strong for both years. I was not surprised that the fans would come out and help crowdfund Season 3. But I was truly amazed at how far beyond our expectations the campaign funded! It's a tremendous honor to have such a loyal fan base for something you make. *TableTop* fans are truly the best!

CGI: *Gathering a truly dedicated fan base is no easy feat. How did you manage to do it, and what is it about the show that keeps them coming back for more?*

BR: *TableTop* fans are super dedicated and there's a contingent that will camp online refreshing every minute until videos post. As to the how, there are probably two key points to engaging our fan base. One, we actively engage and interact with our fans directly, especially on social media. Fans can message us personally and we'll respond with funny stories or pictures. I've even live-coached people through games on Twitter before — fans will take pictures of the games they're playing and ask, "Hey @tabletop, what should I do?" and I'll give some strategy tips. We share lots of behind-the-scenes videos, so fans know we're authentic. And we travel extensively to many comic conventions and gaming shows where I give panels, game with fans, and talk to the retailers personally. At Gen Con, fans can play games on the actual Geek Chic table from *TableTop* with Wil himself. We try to give back as much as possible to fans and stay focused on growing the community.

But I hear the cynical reader saying, "Oh, that's just basic marketing and community management. Where's the secret sauce?" The second answer is a bit more metaphysical, but I believe it's the source of our strong connection to the fans. When players come together around the gaming table and share the excitement and tension of the game, a powerful emotional bond is formed between those players and a strong lasting memory of the event is created by each player. It's the sharing of this memory and the retelling of the epic nature of the game that further strengthens the emotional bond between the players. With *TableTop*, we have the ability to share that powerful bond created at the gaming table with every viewer. It's as if the viewer is the fifth player, and we all share in the same common experience. Watching Anne slam the table in *Ticket to Ride* is like having the shock of that experience happen to you, and you can share this memory with your game group just like all your other gaming memories. Everyone reconnects to their own personal





memory of the event and the common bond grows stronger. It's this very powerful connection of friendship that keeps fans coming back. Neil Gaiman says that he "loves paperback books because they're powered by sunlight." Well, I love playing tabletop games because they're powered by friendship.

CGI: *The second annual International TableTop Day reached over 80 countries on all 7 continents. How did this get started and what feedback have you received?*

BR: *TableTop Day* was a holiday I originally created in 2013 to help promote the gaming community, strengthen brick-and-mortar retailers, and really spread the word about the show, but also to get the fans excited and organized into gaming groups. The amazing thing about gamers is that we love to share our passion for gaming with others. *TableTop Day* is that shining ornament around which our community can hopefully organize and grow each year. The response to our first two years of *TableTop Day* is honestly the fire that keeps me motivated and moving forward — scientists gaming on Antarctica, kids playing with their families in far-off countries I've never visited, students starting gaming clubs on

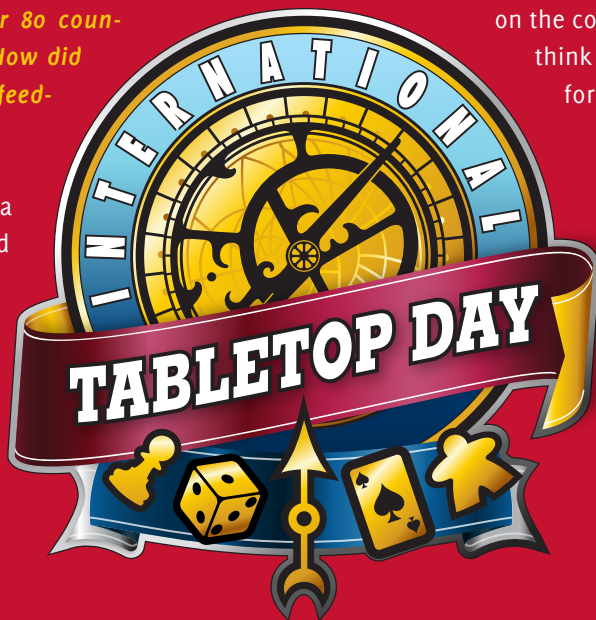
campuses all over the world, churches opening their doors specifically for gaming with people outside their congregation, and just the sheer number of people playing tabletop games in coffee shops, libraries, and game stores worldwide. It's an amazing feeling having helped create and promote a real holiday. In many ways, *TableTop Day* has a great chance of having a permanent positive effect on the community. It's truly humbling to think of how many lives our passion for gaming has affected.

CGI: *What is in store for the future of TableTop? Any secrets you can share? We won't tell anyone!*

BR: The big news is that we'll be doing a *TableTop* RPG spin-off show. Wil and I have been asking for this since the beginning. You'll notice that in Season 2, there aren't any role-playing games. This is because I argued that the

format deserved its own show dedicated to the storytelling form. This is also more in line with the original concept Felicia had for the show *TableTop*. She wanted an RPG-focused web-show, and we tried to do a bit of blended show in Season 1 with RPGs and traditional board games. But we're super excited about getting a chance to make a new show now! I can't wait to get into pre-production!

Boyan Radakovich is a producer for TableTop and the creator of the gaming holiday TableTop Day. Bo is also an Origins Award-finalist game designer, the creative director for Gamesmith, sought after creative consultant, the former marketing director of one of the largest games distributors, valued community organizer, and an outspoken advocate for the cognitive and social benefits of tabletop gaming. 🎲



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Don't Be **THAT** Player



12 Rogue Gaming Behaviors to Avoid

When it comes to board games, I think we all would like to consider ourselves great players with a healthy dose of sportsmanship, strategy, and fun. But let's face it – we've all played in a game or two (or a dozen) where our behavior might not have been the most pleasing to the other players. And should those other players bring their own unwelcome behaviors to the table? There's a TV show idea right there: "The Real Boardgamers of Atlanta."



James Floyd Kelly

Full-time Technology Writer,
Part-time Swashbuckler



Illustrations by Brad James

Bad behaviors abound in our world, and the gaming table is not immune. I'm not pointing fingers here, either — I'm just as guilty when it comes to occasionally exhibiting a bad behavior or two between dice rolls and card reveals. That said, here are a dozen rogue behaviors that I've seen (or exhibited) over the years. When you're done reading, maybe it's time to ask yourself, "Which of these behaviors might I be exhibiting at the game table?" As they say, the first step to fixing a problem is admitting you have one.



1. The Lawyer

"Per paragraph 3, section 2, I believe that move is a violation. No, we don't need a vote — the rules are quite clear." This player can be a real nitpick when it comes to the rules. He may even have a PDF copy of the rules on his mobile phone, complete with keyword searches. Nothing is off limits, including posting a fast question to the Board Game Geek forums or even emailing the game's designers to clarify a point — the game can wait until the issue is resolved.

Crime: Forgets that the letter of the law can sometimes be ignored in favor of the spirit of the game.

Sentence: Five games of *Chutes & Ladders* with two 5-year-olds and a promise to "lighten up." Loss of mobile devices during the game and no access to the rules for the next four board games.



2. The General

"You really need to play all your red pieces on your next turn — it will set up a perfect power play for later in the game." This player must always be in control. She knows how best to win the game and will "help" other players with in-game decisions. Want to buy two torpedoes and a watermelon seed cannon? Expect resistance as you're told that's not a smart decision for the group. (And no, it doesn't matter that it's not a co-op game.)

Crime: Prevents other players, especially novices, from discovering the twists and secrets for themselves.

Sentence: The next five games are played blindfolded. May peek during her turn, but blindfold goes back on for other players' turns.



3. The Multitasker

"Did you guys know that Justin Timberlake is being considered for the role of The Riddler? Yeah, he... WOAH! Did you see that interception?" In addition to the game, he has his attention focused on his Facebook app, the score of the game on TV, and reading the latest issue of *Casual Game Insider* (hey, there's a time and a place).



Crime: Lack of focus ruins the social interactions enjoyed by most players during gameplay.

Sentence: Loss of a turn for each instance involving checking a phone, viewing a television show, or any other activity not directly related to the game.

4. The Fanatic



"Yeah, this game's okay, but it really doesn't stand up to *Settlers of Catan*. Hey! Let's play *Settlers*!" There is only ONE game. No other game can compare. This guy will never stop comparing the current game's mechanics to what has to be the Best. Game. Ever.

Crime: Aggravating players who are looking to sink their teeth into a new game and discover its particular joys and wonders.

Sentence: Loss of one in-game asset for each comparison made to the currently-played game. Also, must sing the words on the back of the game box to a tune picked by the other players.

5. The Daydreamer

"Oh, it's my turn? Who's winning? What was the price on that upgrade, again?" If a player can be said to really be "in the game," this person is the opposite. Whatever is going on upstairs in her head, it doesn't involve the dice, cards, and events playing out in front of her.

Crime: Slowing down the game and being oblivious to the other players' glances and subtle nods of agreement to remove her from the game.

Sentence: Player is given a blank notebook to document the actions taken by every player on every turn. Failure to document a turn requires X number of push-ups, with X being determined by the sum of two 6-sided dice for each violation.

6. The Engineer

"We should change that rule and double all rewards. It'll make the game more fun." Engineers...they love to change things. (Heaven forbid your game should have an Engineer AND a Fanatic at the table.) Beware – give them an inch ("okay, we'll start all players out with double the funds") and they'll ask for a mile ("how about instead of co-op, we change to every-man-for-himself?")

Crime: Ignoring the fact that the most popular board games have been tested and balanced for ideal gameplay.

Sentence: Prior to playing any new games, must play a full game of *Monopoly* AS THE BANK, using the official rules...with four 10-year-olds.



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7. The Conqueror

"Really? That's your move!!?" Must. Win. Every. Game. Trash talk is her only valid form of communication. She'll go out of her way to single out and intimidate anyone she sees as a weak player. For her, a true victory often involves showing her superiority by destroying another player rather than just winning the game.

Crime: Stealing the fun from a game and risking never being invited to play with that group again.

Sentence: All other players are given a token. A token may be turned in immediately after any trash-talking to change her dice roll or card play to a value (or card) determined by the player cashing in the token.

8. The Mute

"Why is everyone talking? Why can't we just play in silence? All this joking and storytelling is unnecessary. Let's just play the game, folks!" Half the fun of playing a game is the laughing and storytelling, so while this player isn't really causing problems, he's not adding to the enjoyment, either.

Crime: Not participating in one of the best parts of any board game — a good story that generates some good laughs.

Sentence: Must tell one fictional, 45-second EPIC TALE for each player playing the game. Story must include a hero, a villain, and a vegetable selected by other players. If he can't share a story, at least he can make one up.



9. The Analyst

"It's simple math! We'll win the game in six turns if we each pick a corner of the board and only upgrade on the fifth turn." Time truly can run in reverse when it's her turn. She will discuss (out loud) the next three turn iterations and all the possible outcomes (including the 56 shuffled random power cards).

Crime: Not allowing other players to enjoy the unpredictable nature of a great game.



Sentence: Before being allowed back at the gaming table, must win three games of *Yahtzee* against a group of retirees and two games of *War* (with Jokers included in the deck) against a 6-year-old.

10. The Destroyer

"Are these cards waterproof? Oops...guess not. Sorry about that." He has no regard for the game's components, and did he actually peel back the sticker on the game board to see what was underneath? His nervous biting of the cards in his hand and his tendency to get greasy cheese powder all over the components is the reason so many board game fans buy two copies of their favorite games.

Crime: A complete disregard for other people's property and basic hygiene.

Sentence: For the next three games, must wear a pristine pair of gardening gloves and a strip of duct tape over his mouth while playing.





SCAN ME



Robin Hood, Snow White, Red Riding Hood, and the other heroes of the 12 Realms are being reunited for one last epic adventure. The Dark Lords have joined forces to conquer and subjugate all the known Fairy Lands, and only the combined efforts of all the greatest heroes can halt their nefarious plan.

12 Realms is a coop, miniature game for 1-6 players including a variant for a 7th player. 12 Realms was awarded as Best Thematic Game by Fantasci Club. The reprint of the game is available via MAGE Company and our distributors.



HÖYÜK

In Höyük each player represents a clan which will settle with other clans to erect a village. A replica of a Neolithic settlement will be built on the Höyük board using tiles to represent houses. Many additional pieces, such as ovens, shrines, and pens, will also aid a player in building their settlements.

An awarded tile laying game for 2-5 players. The purpose of the game is to build the best settlement and score the most victory points. There are multiple paths to victory with many choices along the way. The best Clan will prevail in Höyük!





11. The Psychologist

"Are you SURE you want to do that? I'm not saying I have the Phlogistic Capacinator card, but if I do...what's your best move?" She doesn't care about winning so much as messing with the other players' heads or secretly controlling the outcome of the game. If you win the game, it's only because she planned it that way.

Crime: Causing too much second-guessing among the other players.

Sentence: Mind games can be called out by each player once per game — she must show all hidden assets or a player may decide the outcome of her next dice roll.

12. The Saboteur

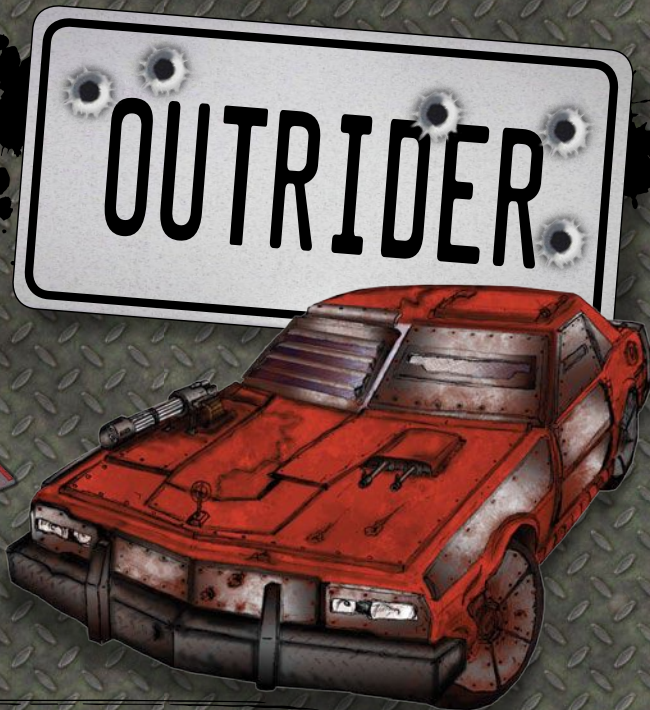
"Yeah, the ship may have reached the edge of the board, but it's space, remember? The rules don't explicitly state you can't move off the board." This guy wants to break the game by doing things the designer never imagined and certainly didn't cover in the rulebook. Expect to play the most frustrating game in existence if a Lawyer is also at the table.

Crime: Annoying other players by debating the meaning of words such as "edge" and "diagonally."

Sentence: Must leave the table and can only return by winning 30 games of *Rock-Paper-Scissors* and 30 coin flips against a 14-year-old. You do like your rules clear and simple, right? 🎲



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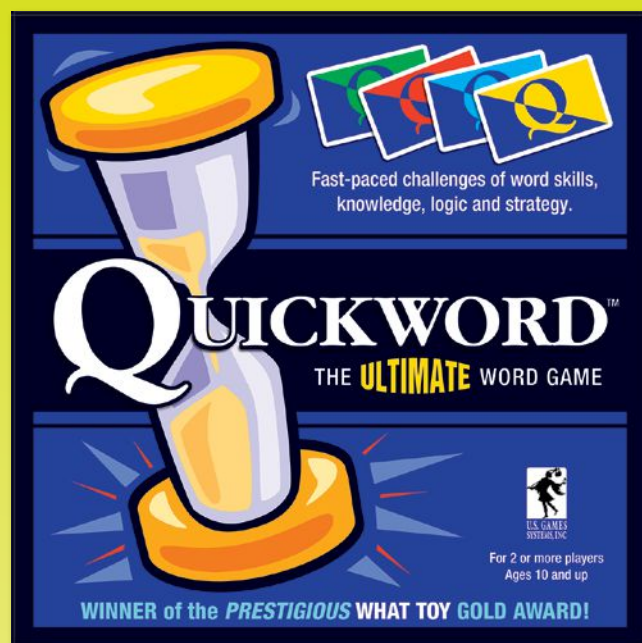
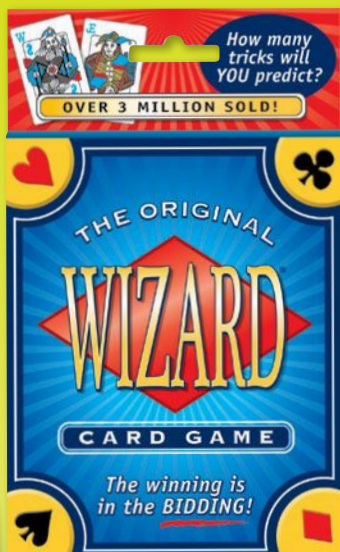
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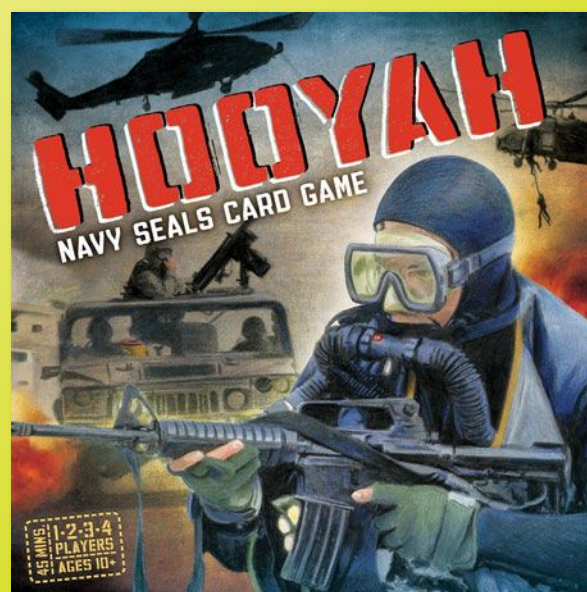
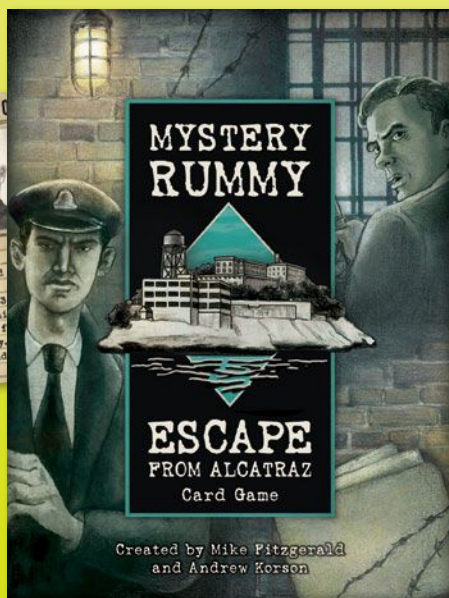
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OUT OF THE BOX:

APPLES, ORANGES, AND INTUITION



Al Waller

President of
Out of the Box Publishing

Before our company started, another publisher asked me if I knew how to make a small fortune in the game business. I said I didn't know. He then produced a wry smile and quipped, "Start out with a large fortune!" I laughed. He was right, of course, at least partially. Although it does take money to make money, there's more to the story of a successful business than that. Out of the Box, a producer of great family games, is a case in point.



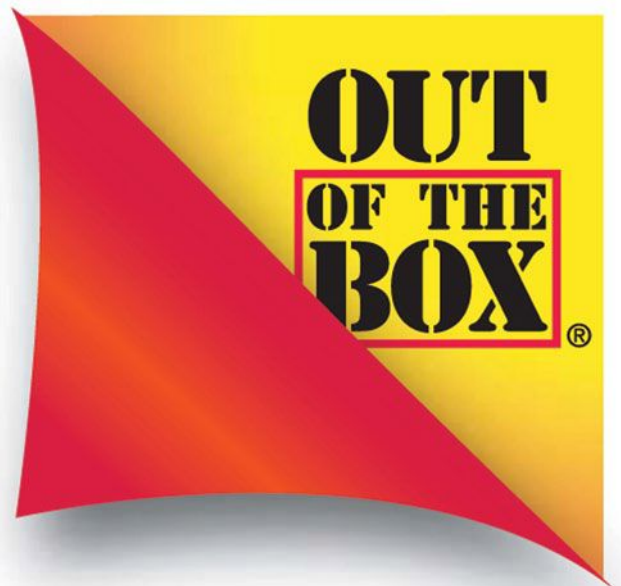
The initial spark

In 1998 I was fired, downsized, and rightsized from a company that I had helped initiate and run for several years. I had to do something else, frankly. Like many kids growing up I had enjoyed playing board games, but it was not until I became an adult that I actually thought about making one. My first attempt was a chess variant called *Chester*. It was a crude prototype with magnets glued to sawed-off *Chess* pieces. It was playable, so I showed it to a friend who was a real

gamer. He told me the game sucked and suggested I not invest my life savings in it. However, he did say he liked the idea of basing a game on *Chess* moves, so we came up with a new and improved four-player *Chess* variation that later became *Bosworth*. After much debate, we decided to publish the game ourselves rather than license it to an existing company. As a result, a new company was born that would make games for today's fast-paced family.

What's in a name?

In one of our initial brainstorming sessions, my friend asked if we should really start a game business. My response was that I had recently been fired from a corporation that I had helped start, had little survival savings, and was really happy to be out of the corporate box! My friend replied in a moment of inspiration that "Out of the Box" would be a great name for our game company. We felt we needed something unique that would encourage creative thinking and Out of the Box seemed like a great choice.



The birth of Apples to Apples

We took our first production of *Bosworth* to the Origins Game Fair and demonstrated it until we were blue in the face. We even sold a few copies! During the convention, a game inventor approached and asked us to look at his game. We kindly informed him we were there to sell games, not look at new ones. He politely went away, but came back again near the end of show hours.

This time his pitch was different. He said he had looked at all the booths and felt our company had the most family-friendly feel and really wanted to show us his game. I was tired from demonstrating our game all day and was ready to let the guy have it, when a little internal voice said: *Look at this guy's game.* I told my partner that I didn't know why, but I thought we should look at the man's game.



We agreed to playtest it that evening at one of the local cafés. During the playtest, I was so bored that I actually starting nodding off, which was embarrassing because I was sitting on a bar stool. After my head snapped back, my first thought was that my partners would kill me for wasting their time when we returned to the hotel. Fortunately, one of them saw the pearl in the oyster and said to the inventor that in its current form the game was decent, but if he would let us tweak a few things it might be more fun. The inventor immediately said, “Go for it.” As my partner began putting the board, the spinner, the troll doll and the hundred-sided dice back into the game box, I thought to myself, Oh no — he is about to rip this guy’s heart out. The man had undoubtedly slaved for years over the game, and I felt we had no right to change it. But we did it anyway. Left over were two decks of cards. We then playtested our first game of *Apples and Oranges*. The lights went on and the fun started flowing.



Apples and Oranges prototype (only 100 copies were made)

Building the distribution

We hand-built 100 prototypes of *Apples and Oranges* and took them to the New York Toy Fair in 1999. This was our first dance on the big stage, and we started pulling people out of the aisles to play the game with us. Fortunately, many retailers placed orders at the show. We told them if they ordered six games, they would get one of our 100 prototypes to take back to their store to play with their staff. Retailers still come up to me at trade shows today and tell me they have one of the prototypes.

Just before we did our first print run, someone who had played one of the games warned us of a possible trademark infringement regarding the name *Apples and Oranges*. After a few more weeks of

brainstorming thousands of possible names, we went to press with *Apples to Apples*.

Many people think that building a game brand is an overnight sensation. In reality, it took ten years for the game to be recognized as a successful product, and to this day, many people have yet to play it. Once a person has played a game he or she will generally tell other friends and family about the experience, both the good and the bad. This home-grown, word-of-mouth marketing takes time, even years, before a product is accepted by the masses. We knew we had a great game and did everything we could to teach it to anyone who was willing to play.

Barbie buys Apples to Apples

In 2007 we were selling a ton of games, and my partners felt it was the right time to move on to other projects. I, on the other hand, felt there were still more games that needed to come into the world.

Through the course of many negotiations, we made the tough decision of selling the rights for *Apples to Apples* to Mattel. At that point, I purchased a majority interest in Out of the Box.

Indigo



Gather the most precious gems to win!

In this exotically fun, family board game, players create twisting pathways for gathering gems and moving them along to an exit. Not every exit may belong to just one player; building occasional alliances with your opponents could be the key to ultimate success. Simple rules let everyone be part of this intriguing adventure.



Ravensburger



If you build it, they will come

If you have ever seen the movie *Field of Dreams*, you know about the crazy guy that built a baseball field in the middle of an Iowa corn field. Everyone believed he was nuts, but in the end many people saw his vision by virtue of seeing it in living color. My personal field of dreams after Mattel bought *Apples to Apples* was to keep Out of the Box thriving so that more great

games could be born into the world. Since I like entertaining and making people laugh, being in the toy and game business was and still is a great place to be. Everyone is just a big kid and no one ever wants to grow up. Being in the toy business is like drinking from the Fountain of Youth, since we are all kids at heart regardless of our age.

Lightning strikes twice

Finding a new social party game that could rival the success of *Apples to Apples* and fill the void in our product line was our next goal after selling to Mattel. We looked at literally thousands of game ideas submitted by inventors. Most were politely rejected up front, but we published the best ones and today we have a great line of fresh new games!

In 2012, lightning struck for the second time as we were playtesting a new game called *Snake Oil*. The laughter generated during the first play was off the charts, and everyone at the table wanted his or her own copy of the game! The next day I called the inventor. He told me he had pitched *Snake Oil* to us back in 2009, but we had then turned it down. When I asked why he was resubmitting the game three years later, he said he and his partner heeded our recommendations and fixed the game. He indicated



Snake Oil, first edition print run

he believed we were the right company to bring his invention into the world. Two weeks later, we were pitching *Snake Oil* at a trade show!

The future looks bright to me

I am an eternal optimist, believing we have the ability to shape the future we want.

Many people have asked me, "Aren't traditional toys and games dead as the world continues to move toward apps, tablets, and shoot'em up video games?" I agree with them that today's new technology is having a profound impact on our society's play patterns. However, no amount of technology can replace real human contact and face-to-face social interaction. Many parents and teachers

today see a huge advantage when kids play tabletop games to help facilitate creativity, communication, and social interaction. Gifted and talented teachers have been using games for years and their positive results are just beginning to trickle down through the entire educational system.





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Laughing and enjoying each other's company cannot be replaced by gadgets and artificial intelligence. Technology is great for some things, but for a real social experience, playing a tabletop game with friends and family is one of the best ways to have fun — even if it is a bit “out of the box.” 

OUT OF THE BOX[®]

Inspiring Fun!



The Waller family enjoys a game of Snake Oil. From left to right: Amber (daughter), Al, Lorie, and Joe (son-in-law).

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FINAL MOMENTS OF THEIR LIVES...

AND LAUGH YOUR
%@# OFF DOING IT.

CLASS DISMISSED.

The image displays the **STUDENT BODIES** game box and its various components. The box art features a chaotic school hallway scene with students fighting zombies. The title "STUDENT BODIES" is prominently displayed in a large, red, dripping font. Below the title, it says "AN 'I JUST HAVE TO OUTRUN YOU' GAME OF HORROR SURVIVAL". The box also features the "smirk & dagger games" logo and the text "PRESENTS AN ANGRY DUCK GAME".

Surrounding the box are several game components:

- Character Cards:** Includes cards for "MR. KREACH" (a zombie teacher) and "KENNY" (a student). Kenny's card describes him as "THE PHYSICS CLUB PRESIDENT WHO ALWAYS JUST PUT UP WITH BULLIES... UNTIL NOW."
- Game Cards:** Includes "DODGE" (Trigger: An attack would bash, bite or knock you down. Defend the attack, then you may move 1 or stand up.), "FLOW THRU" (An adjacent enemy one and knock 'em down, just rush into the space they occupied, ignore any obstacles.), "ZOMBIE CARDS" (A deck of cards for zombie encounters), and "ITEMS" (A deck of cards for items).
- Antidote Tokens:** Yellow circular tokens with a star and the word "ANTIDOTE".
- Weapon Tokens:** Tokens representing different weapons, such as a chainsaw and a knife.
- Reaction Tokens:** Tokens representing different reactions, such as "DODGE" and "FLOW THRU".
- Smirk & Dagger Games Logo:** A logo featuring a stylized duck head and the text "smirk & dagger games".

At the bottom right, there is a Facebook logo and the text "Smirk&Dagger", and a website address "smirkanddagger.com".



WHEN GAMES COLLIDE:

PROTECTING INTELLECTUAL PROPERTY RIGHTS IN A CROWDED MARKET



Matthew Rivaldi

Game Designer and President,
Wiggity Bang Games, LLC

If crowdfunding were a spectator sport, Kickstarter would be the modern-day demolition derby for intellectual property disputes. With Kickstarter, Indiegogo, and other crowdfunding sites providing ample cash for startups, it has never been easier for game publishers to get themselves into a head-on intellectual property pileup.

Whether you are a new game inventor taking your first game out for a test drive or you have been around the block a few times, it's good to get some safe driving tips. Most legal obstacles can be easily avoided by carefully planning your campaign. And, if an accident does happen along the way, it's important to think about what to do afterwards to make sure you still get to your destination safely.

Even after 10 years of publishing games, I still get into a minor fender bender once in a while. While launching my last game through Kickstarter (*ALPHA BANDITS*, funded July 2014) I got broadsided by another game inventor completely by accident. Luckily, we were both able to walk away from the crash with just a few scratches (and bruised egos) because we were willing to work together to make a win-win result out of an unfortunate situation.

Before I get into the details of my situation, let's first define intellectual property and learn about how we can protect our property rights.

According to the United States Patent and Trademark Office (USPTO), **Intellectual Property** is defined as: "Creations of the mind — creative works or ideas embodied in a form that can be shared or can enable others to recreate, emulate, or manufacture them. There are four ways to protect intellectual property — patents, trademarks, copyrights or trade secrets."*

Patents are inventions of design or process. For a game, this could be a new way of creating a 10-level game



* <http://www.uspto.gov/main/faq/stopfaq.htm>



board or a process of coming up with a point mechanism for establishing who wins a game. Patents are governed by the USPTO. Usually board games are safe from getting into trouble from patent infringement unless they knowingly and willingly copy another game's patent.

...

October, 2007. Innovention Toys, LLC, sued MGA Entertainment, Inc., for creating a game called *Laser Battle*, which they claim infringes on Innovention's game *Khet* (in which players use reflective and nonreflective pieces to direct light from a laser beam).

MAJOR ACCIDENT!

**CROWDFUNDED: NO
STATUS: STILL SMOLDERING.**

In March 2014, after more than 6 years of litigation, Innovention Toys won a judgment case against MGA, although MGA has contested the settlement amount.



TOP 3 INTELLECTUAL PROPERTY MISTAKES

by David Lizerbram, Attorney at Law

1

USING A DESCRIPTIVE PRODUCT NAME.

Some words or phrases make stronger trademarks than others. From weakest to strongest, you have:

- Generic terms — these can't be protected as trademarks at all.
- Descriptive terms — as you might expect, these describe some element or feature of the product. "Cheesy" might be a descriptive term for pizza, for instance. These terms are given little or no protection as trademarks.
- Suggestive terms — A suggestive trademark relates to a quality or feature of the product, but doesn't come right out and say it. Think "Chicken of the Sea" for tuna. Suggestive marks tend to be fairly strong.
- Fanciful or Arbitrary terms — The strongest of them all. "Arbitrary" applies to terms that have nothing to do with the goods (such as "Apple" for computers). "Fanciful" marks are simply words that are entirely made up.

2

USING GEOGRAPHIC TERMS AS TRADEMARKS.

Either they're geographically descriptive, in which case all of your local competitors can also say that their product is from the same place, or they're geographically misdescriptive, meaning they use the name of one place but they're really from somewhere else. In either case, you've got a problem. Try to think of a name that's more creative than "San Diego Games."

3

NOT HONORING ANOTHER COMPANY'S TRADE NAME.

This is the worst mistake of all. Most creators don't recognize that anyone who's used that trade name (or a confusingly similar name) on the same or similar products has superior rights — even if they never even thought of registering their name as a trademark. A conflicting prior use in commerce is the single biggest challenge for a potential trademark. Just because you searched Google and USPTO.gov doesn't mean you've found every potential conflict. Depending on your trade name, product, or service, and how you plan to use it, a greater level of due diligence may be required. Be careful how you search, and when in doubt (and even if you're not in doubt), hire a professional.

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A **Trademark** is usually the name of your game or your company and it's what you use to promote and sell your brand to the public. A trademark is used to protect consumers when buying a product so that there should be no confusion over which company owns the product. Trademarks are also governed by the USPTO.

September, 2013. Quinn & Sherry, owners of *The Game of Things* trademark sends Terrible People, LLC, a cease and desist notice to stop using a confusing brand name: **TERRIBLE THINGS**.

FENDER BENDER!

CROWDFUNDED:
RAISED OVER \$78,000
ON KICKSTARTER.
STATUS: RESOLVED.

Reluctant to get into a lawsuit, Terrible People, LLC, agreed to change their game name to *A TERRIBLE TIME*.

...

A **Copyright** covers creative works, which can include a game's artwork, instructions, or music. Copyrights are governed by the U.S. Copyright Office, a division of the Library of Congress.

March, 2014. Wizards of the Coast LLC sues CRYPTOZOIC ENTERTAINMENT, LLC, and HEX ENTERTAINMENT, LLC, for copyright infringement over *Hex's* alleged similarity to *Magic: The Gathering*.

MAJOR ACCIDENT!

CROWDFUNDED: RAISED
NEARLY \$2.3 MILLION ON
KICKSTARTER.
STATUS: PENDING LITIGATION.

A **Trade Secret** is a secret a company keeps secret (duh) and is typically self-governed by the company. While trade secrets can also include contact lists, databases, and other standard company information, usually the big lawsuits for trade secret misappropriations arise by taking someone else's idea and using it without permission or payment.

May, 2014. ZeniMax Media sues Oculus VR for alleged trade secret misappropriation. Oculus is the creator of a ground-breaking virtual reality headset for immersive video gaming. ZeniMax claims one of their former employees, while working for ZeniMax, helped Oculus by providing proprietary technology and know-how that enabled Oculus to develop their VR headset.

MAJOR ACCIDENT!

CROWDFUNDED: RAISED \$2.5
MILLION ON KICKSTARTER
AND SOLD TO FACEBOOK
FOR \$2 BILLION
(YES, \$2 BILLION, WITH A 'B').
STATUS: PENDING.

...

After hearing about all these accidents — some may be more intentional than others — it may make a game inventor want to keep their idea locked up in the garage. But fear of getting sued or ripped off shouldn't keep a great idea from getting made, especially when game designers now have amazing access to startup capital from crowdfunding sites.

While there is always a risk of running into a legal problem with your crowdfunding campaign, careful planning and research, combined with a willingness to work through any minor issues, can help you work around or walk away from most minor intellectual property disputes.

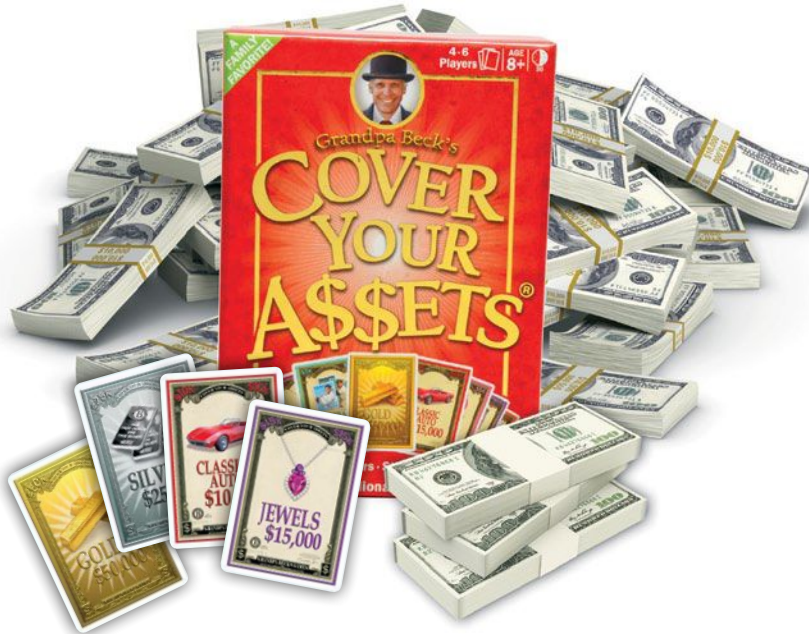


Continued on page 38



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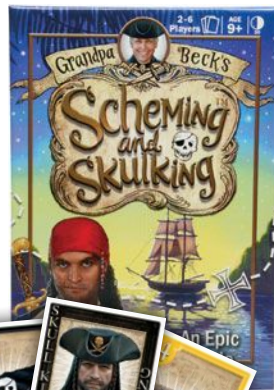


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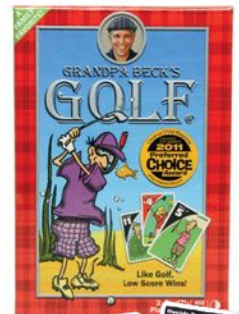
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Here's what happened to me:

Back in 2012, I was working to create a new word game that involves using letter tiles to form words. What makes this game unique from other word games is that there are special tiles that allow players to steal other players' letters.

Originally, we were going to call the game *WORD BANDITS*, which makes sense for obvious reasons — you make words and you steal letters like a bandit.



Here are the steps I took to protect our intellectual property:

STEP 1: Learn to drive! Consult an attorney.

Unless you've been down the road of securing intellectual property protection many times before, it's important to consult an attorney to help guide your journey. Many new inventors shy away from

spending the high hourly rates for a good attorney, but the few hours you'll spend usually pays for itself by making sure you get it right the first time. In this case, I chose to do the legal work myself.

STEP 2: Don't pull out in the street without first looking both ways! Research your trade name and choose wisely.

Unlike our other games we created (*Quelf*, *FURT*, and *QUAO*, which are all made-up words, or "fanciful," as the lawyers say is the strongest trade name) we knew that we had to do our research to make sure there weren't any other games or products sold in the marketplace that would be similar to *WORD BANDITS*. We ran countless searches on Board Game Geek, Google, Yahoo!, GoDaddy, Bing, Amazon, and especially USPTO.gov to determine if any other game used the words "Word" or "Bandit," separately or in

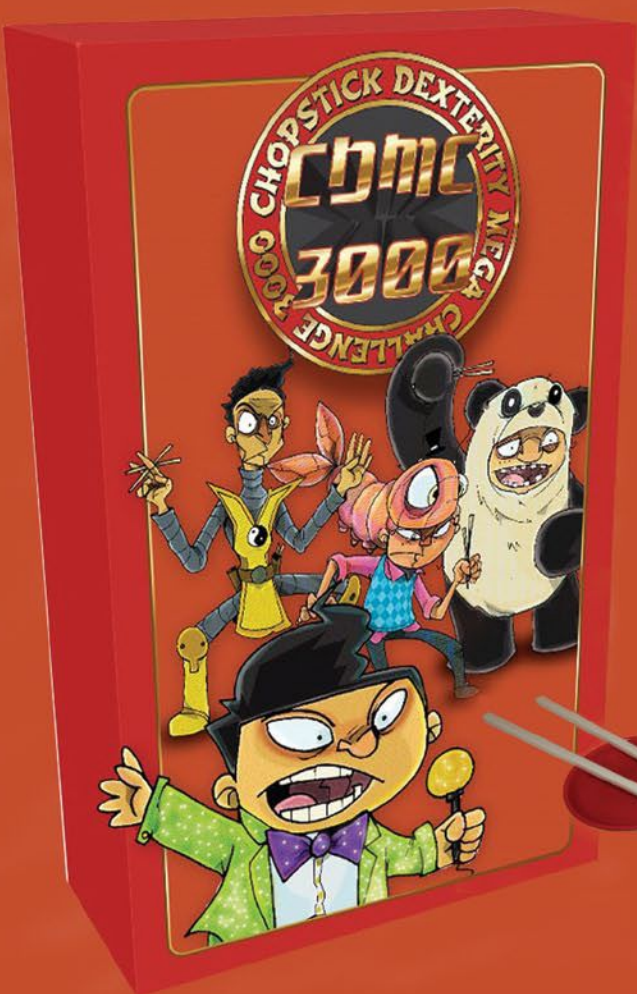
combination, which would be too similar or confusing to a consumer. We soon realized that there were so many other games with "Word" in them, that this would be a slippery road if we went ahead with that name. While we likely could have gotten a trademark registration for that name, we felt this word was too crowded in the market.

We brainstormed more names and *ALPHA BANDITS* popped up and totally clicked. *ALPHA*, like "alphabet." *A.B.*, like the letters in the alphabet. *BANDITS*, like little devious thieves that steal your letters. When we did the research again, there were only a few games with the word "Alpha" or "Bandit" in them and definitely no game we could find that had both in the name.










Continued on page 40

SEVERAL YEARS AGO, THE LOWER HOUSE OF THE JAPANESE PARLIAMENT WAS VERY ALARMED BY THE INCURSION OF THE USE OF METAL EATING UTENSILS IN JAPAN. DETERMINED TO REVERSE THIS TREND, THE LOWER HOUSE WORKED WITH FUJITA TELEVISION CONCERN TO PRODUCE A NEW GAME SHOW THAT PROMOTES DEXTERITY IN THE USAGE OF CHOPSTICKS, WITH CASH PRIZES. THEY CALL IT CHOPSTICK DEXTERITY MEGA CHALLENGE 3000. THIS SHOW, WITH HOST ACTOR KAZUO YOMURA, QUICKLY BECAME VERY POPULAR AMONG ALL AGES, SPAWNING A HOME BOARD GAME VERSION. NOW, FOR FIRST TIME, TEST YOUR CHOPSTICK SKILL IN AN THRILLING TABLETOP CONTEST. GRASP SHAPES WITH CHOPSTICKS TO WIN PIECES. WHOEVER OBTAINS THE MOST PIECES WINS! MAYBE YOU CAN BEST ALL YOUR OPPONENTS, WIN THE FINAL VICTORY STAGE, AND BECOME CHOPSTICK GRANDMASTER, TOO!*







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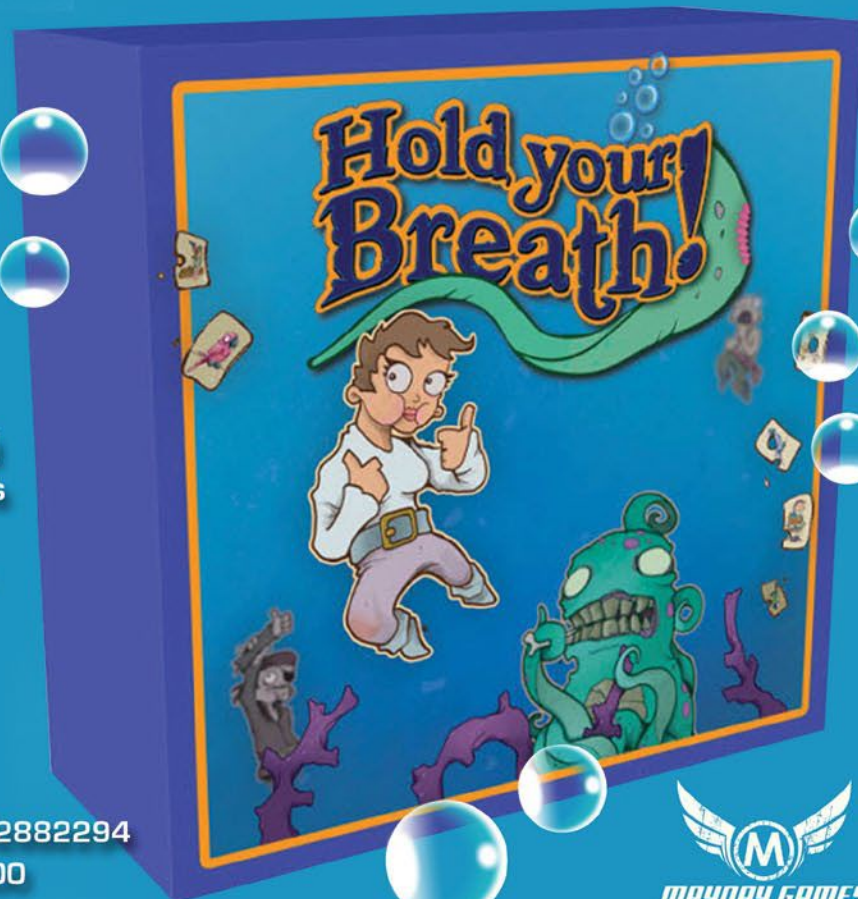
Hold Your Breath! is the final Chapter in the "Get Bit Trilogy". You play as a pirate treading water in the ocean. A very stupid pirate. You have decided to play a game with the surviving members of the crew to see which of you can Hold Your Breath the longest. Why? Never underestimate the stupidity of boys in large groups.

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-  Wooden Pirates



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STEP 3: Reserve a parking spot! Register your trademark, patent, and/or copyright.

Once I knew we had a name we liked, in February 2013 (17 months before our Kickstarter launch) I filed an application with the USPTO to reserve *ALPHA BANDITS* as an “Intent to Use” trademark. This trademark filing status is available to anyone that is fully intending to use this name in commerce and spend considerable time and money to invest in building the trade name in commerce.

By filing for this trademark application we are essentially telling others to politely “Back Off” of using this name in commerce. This may seem aggressive, but it’s a proactive tool that also is useful for other game designers during their research for Step 2.

An even better trademark protection would be to file a “Use in Commerce” application, but in order to do so I would have needed to be actually selling the

product through interstate commerce. By registering it initially as “Intent to Use,” I have to pay an additional filing fee when I upgrade the trademark to “Use in Commerce,” but, considering what happened in Step 5, it was an investment worth making.



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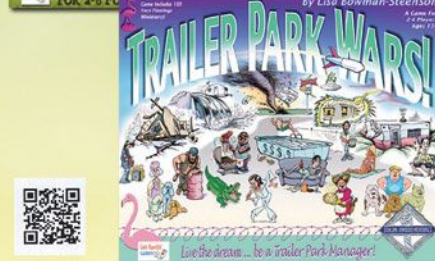
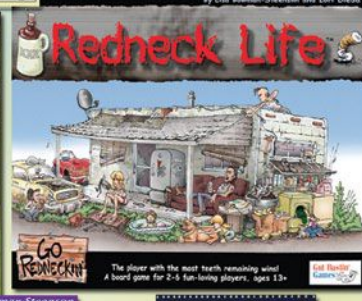
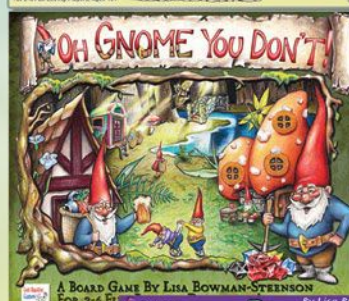
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STEP 4: Drive! Start using your trade name.

After filing the “Intent to Use” trademark, I began sharing my idea with potential consumers through social media posts on Twitter and Facebook and to retailers at trade shows. In early 2014 I started setting up the game on Kickstarter as a placeholder (not public) to be the space to initially launch the game in public commerce.

By using the trademark in public, I started building brand recognition and gained more legal protection by proving my intent to transition the trademark to “Use in Commerce.”

STEP 5: It's your turn to go. Enforce your right of way.

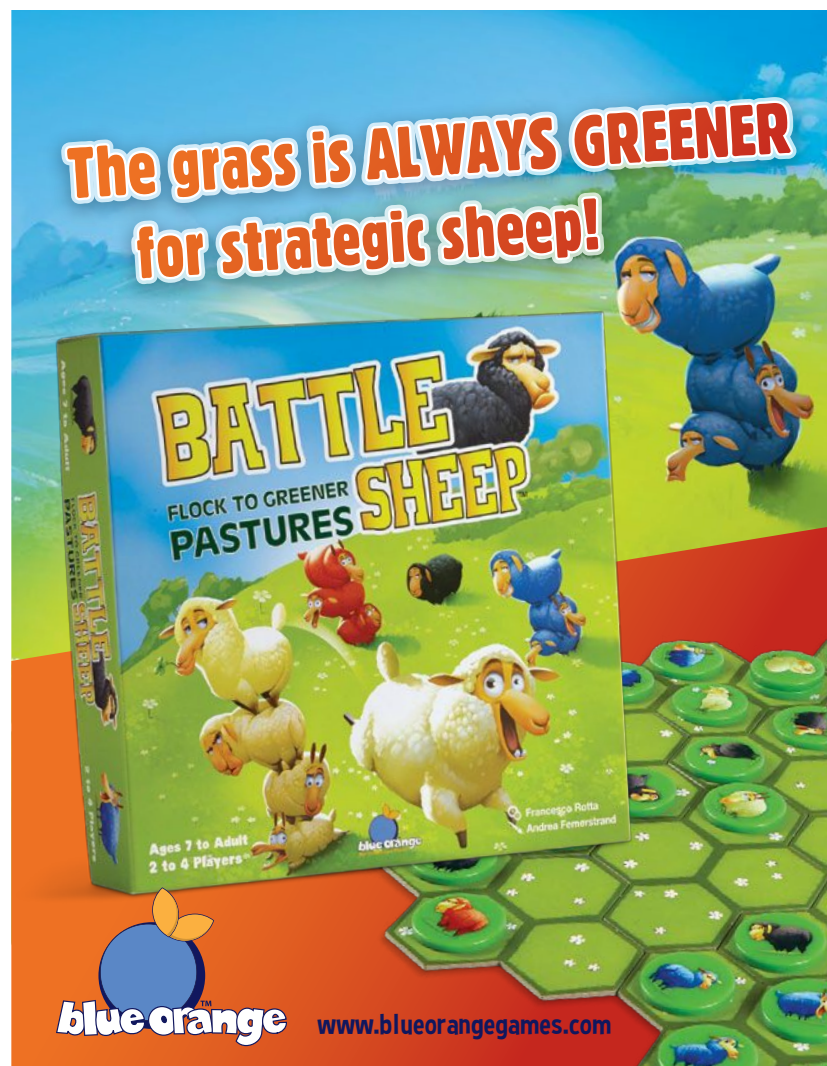
Just as I was about to launch our Kickstarter campaign, the accident happened. Seemingly out of nowhere another game designer, Joshua A.C. Newman, launched his own game called *Mobile Frame Zero 002: Alpha Bandit*. It's a very cool tactical game he created using giant robots made from LEGO pieces, but unfortunately the name *ALPHA BANDIT* was the most prominent text on the box cover, which was going to cause confusion to consumers when I launched my Kickstarter campaign.

When I saw his Kickstarter go up in April 2014 I was filled with road rage. My immediate reaction was to notify Kickstarter and have them pull his campaign, which, according to their policies, was within my rights to do as the trademark applicant. But I didn't do that. I decided to sleep on it for a night and come back to it the next day when I was calmer.

How could this happen? Well, as it turns out, Joshua was on a very similar path to my own in naming his game. It appears that both of us started working on the games at about the same time. While initially researching the name, Joshua had also found no conflicts and proceeded to develop his game. His only mistake was that he didn't apply for the “Intent to Use” trademark application or double-check the name again before launching his Kickstarter campaign.



The original cover for *Mobile Frame Zero 002: Alpha Bandit* on Kickstarter





The next day I woke up realizing that I had to see it through his eyes. Joshua, a fellow game designer, was just traveling down the same road as me and forgot to check his blind spot. The accident happened and it likely wasn't intentional. Coming from it at a more rational angle, I sent him a message explaining that I was using the trade name ALPHA BANDITS, I had filed the application with the USPTO, and I was planning to launch my own ALPHA BANDITS Kickstarter campaign. I firmly stated that I was first in line as owner of this trademark (my tiny slice in the big gaming world pie) and we couldn't both use this name. I was firm in asking him to change his game name, but not threatening. I finished by saying, "Can we work this out so both of us can benefit from this situation?"

He responded with, "#%^\$! I'm sorry! Totally a mistake, but you obviously own the trademark. I'll do some more research and switch the branding before the Kickstarter ends! I'll make sure all my

backers know, and I'll make sure that they know about your project. I'll also make it clear that you've been a singularly excellent fellow creator, since we both want them to support independent game production."



Continued on page 44

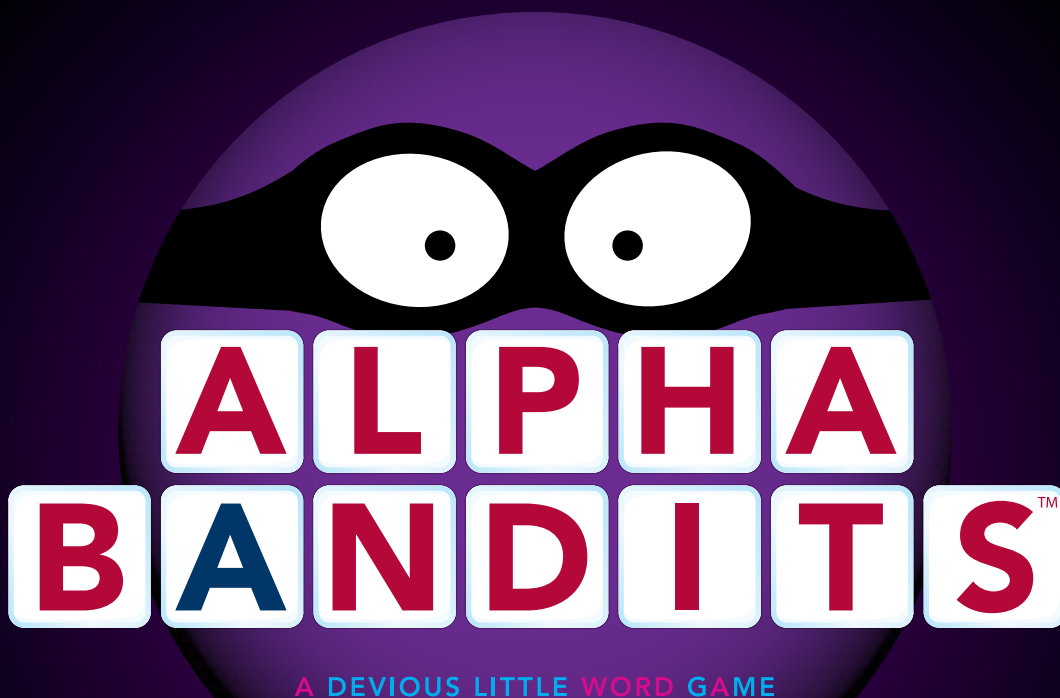
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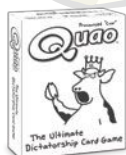
FUNDED ON **KICKSTARTER** JULY 31, 2014

Thanks to all those that supported our campaign
Alpha Bandits will be available soon.



For distribution opportunities:
info@wiggitybang.com

For release dates and more info:
AlphaBanditsGame.com



Wiggity Bang Games, LLC



Whoa! I was blown away. I gave up a little bit because I didn't have him take down the Kickstarter campaign, but I gained a lot because I made a new friend and we both have launched successful campaigns. On top of this, he was able to change the name of his game to *Intercept Orbit* and I still have the name for my game (*ALPHA BANDITS*). What had started out as a bad accident became a win-win situation for both of us.

I hope that my experiences help you on your journey with game publication. May your travels be safe and may your trip be just as enjoyable as the destination! 🎲



Matthew Rivaldi is the owner of Wiggity Bang Games, LLC, and is the co-creator of the original Quelf, FURT, QUAO and ALPHA BANDITS games. He lives in San Diego, California, and enjoys inspiring the next generation of entrepreneurs by teaching business classes at night at local colleges. When he's not working and teaching he enjoys spending all his free time with his wife and two children.

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