

Wizards and Demons: Does a Copyright Claim Spell Trouble for Card Gamers?

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Lisa Ferrari spoke with *World Intellectual Property Review* about a problematic copyright grant that has upset players of the card game, Magic: the Gathering. In August, Robert Hovden, a physics professor from the University of Michigan successfully obtained copyright protection for a deck he created, dubbed "Angels and Demons". His actions caused confusion and anger in card game communities, with fears rising over whether using an online 'decklist'—a list of the cards a player will use in a game—could foreshadow legal consequences. admitted initially sounding surprised that "a plain old deck of cards could be granted a copyright registration." "The cards used in MTG contain images and text that are clearly eligible to be registered; the selection and arrangement of elements on the cards may also be copyrightable," she explained. "It is certainly a possibility that an applicant could obtain a copyright registration for a deck of MTG cards, even if the cards are similar to the cards created by Wizards or others in the MTG community. But the issue of similarity is one that is left to infringement litigation."

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