

Asian Pacific Copyright Association (APCA) together with the Hong Kong Commercial and Maritime Law Centre (HKCML) present:

Metaverse, NFTs and Copyright

2 September 2022 (Friday)

11:00 am to 12:30 pm
HKT/SGT

1:00 pm to 2:30 pm
AEST

3:00 pm to 4:30 pm
NZST

This online seminar brings together speakers from Hong Kong, New Zealand and Singapore who will discuss the issues concerning copyright issues related to Metaverse and NFTs. The speakers will cover the captioned topic from different perspectives: legal issues of video games in light of Metaverse, the impact of marketplaces over NFT rights, and the proper protection mode for NFTs.

Ms Alida Stanley (President of the Copyright Society of Australia) will be moderating this session featuring Assistant Professor Tianxiang He (City University of Hong Kong), Associate Professor Alexandra Sims (University of Auckland) and Assistant Professor Corinne Tan (Nanyang Technology University).

About the co-hosts:

APCA Asian Pacific Copyright Association provides a forum for discussion and promoting, through legislation, dialogue and education the maintenance and development of copyright and related rights in the Asian Pacific Region. [Click to subscribe](#)

Hong Kong Commercial and Maritime Law Centre seeks first to enhance and promote research in commercial law and maritime law, and second, to provide educational opportunities to scholars, lawyers and business professionals.

Speakers:



Assistant Professor Tianxiang He
City University of Hong Kong, School of Law

Legal Issues Related to Video Games and the Impact of Metaverse.

The video game industry in China is developing rapidly, and as the technologies behind games evolve many legal problems have arisen. This paper provides a detailed account of the legal problems related to legal determination of virtual objects, game modding, cloning, cracking, webcasting and machinima. It points out that the current trend in both court judgments and scholarship is to focus merely on addressing specific problems through the lens of application of the current laws lacks a holistic and futuristic perspective that needs to be considered in conjunction with the future trends in the development of the games industry. This paper suggests that we must watch game developments carefully and assess the potential impact of related legislative moves and legal decisions. The paper concludes that the disruptive power of new technologies will be better regulated by a network of regulatory tools rather than law alone.



Assistant Professor Corinne Tan
Nanyang Technology University, College of Business (Nanyang Business School) - Division of Business Law

How Marketplaces Characterise Rights in NFTs

There are now marketplaces custom-made for Non-Fungible Tokens (NFT) users to trade in and monetize NFTs. Through examining the policies as well as the infrastructures on marketplaces such as OpenSea and Rarible, this paper considers and evaluates how rights in NFTs are extrinsically and intrinsically characterised by these marketplaces. It also assesses the extent to which these characterised rights are consistent (or inconsistent) with copyrights, and considers what rights are most analogous to those owned by purchasers of NFTs. The paper concludes that the flourishing of these marketplaces are premised on potential purchasers' lack of clarity and confusion around what they actually own, and proposes clearer delineation of what rights purchasers have in NFTs.



Associate Professor Alex Sims
University of Auckland, Business School, Department of Commercial Law

NFTs and the Law of the Horse (and other oddities)

Non-Fungible Tokens (NFTs) have created considerable interest and hype as well as causing confusion and misunderstanding. And while the high profile uses of NFTs so far have been for digital art, NFTs have an almost infinite range of uses. While no one (yet) is suggesting a course on NFTs—those familiar with Easterbrook's "Law of the Horse" will understand this reference—some people believe NFTs pose unique challenges for the law and our ideas of value. For example, some are incredulous that people are willingly pay eye watering sums for something that can be copied with a right mouse click. Others are concerned that NFTs will facilitate money laundering and other criminal activities; unscrupulous creators will sell "unique" NFTs to more than one purchaser; thieves will sell stolen NFTs to unsuspecting purchasers; and/or creators normally retain ownership of copyright in the NFT digital art works they are selling. While all these activities (and more) are possible with NFTs, they occur with NFTs' analogue counterparts. In truth, therefore, NFTs simply shine a light on existing laws and practices of which most people are unaware. In addition, some creators of NFTs—or more accurately (profile pictures) PFPs—have deliberately assigned the IP rights, including the copyright, to purchasers. Yet some PFP creators who have transferred their IP rights to PFP purchasers have been more successful than other creators who have retained their IP rights. This demonstrates the important principle that intellectual property rights are not necessarily a prerequisite for success, instead other factors can be more important.

Moderator:



Ms Alida Stanley
President, Copyright Society of Australia

Registration:

Please register at <https://rb.gy/ngcuwr>.

After registering, you will receive a confirmation email containing information about joining the meeting.



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For enquiry, please contact Miss Candice Wong at candice.wong@cityu.edu.hk

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Event

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