

Osborne  
Clarke



# Aimbots and wallhacks go to court

International eSports Conference 2008  
Cologne, May 28, 2008

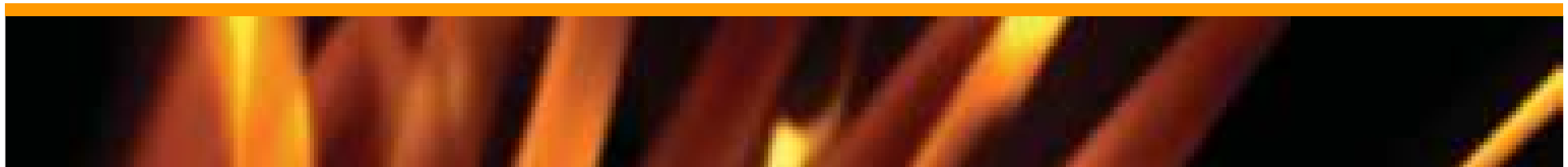
Konstantin Ewald  
Attorney-at-Law, Germany/Partner

The  
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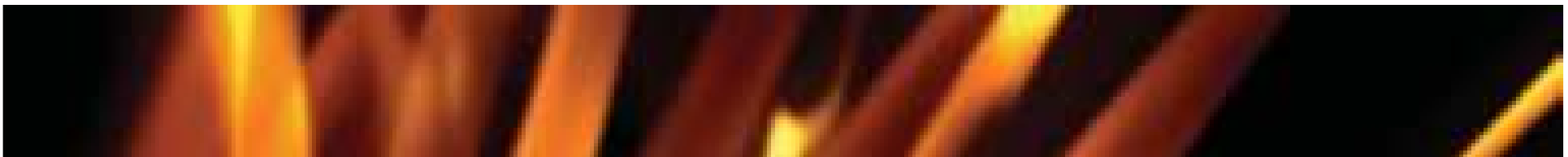
uk technology  
innovation  
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awards  
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## Overview

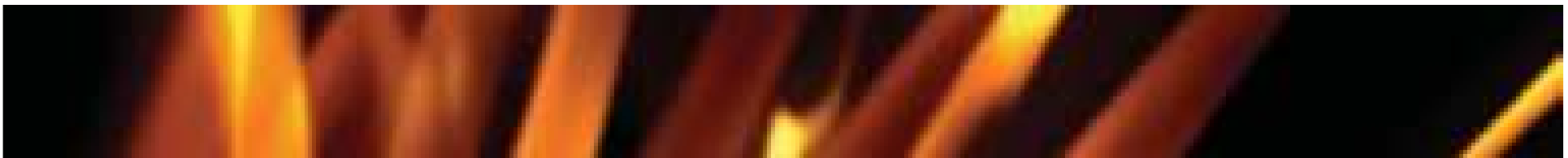
1. What happened?
2. Cheats go to court
3. Who is right?
4. The decision
5. Lessons learned
6. Outlook





## 1. What happened?

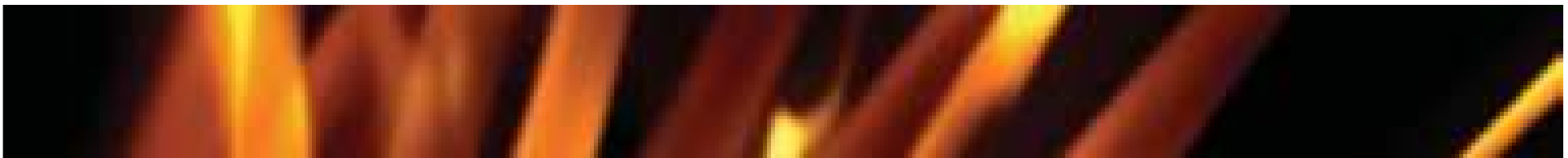
- Match decisive for advancement from amateur to pro series.
- Team C (with Player X) played against Team D.
- Team D lodged a protest, describing why they thought Player X had used aimbots/wallhacks.





# 1. What happened?

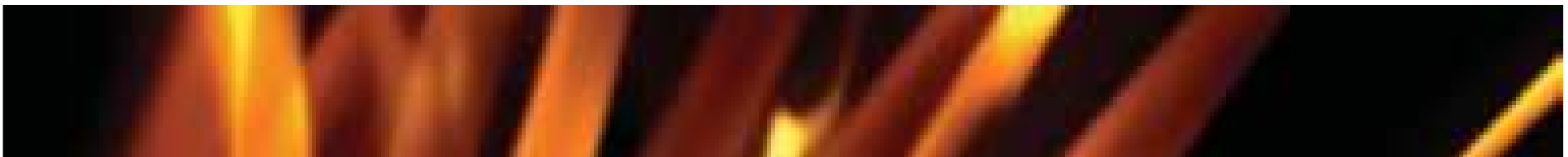
Let's have a look!





## 1. What happened?

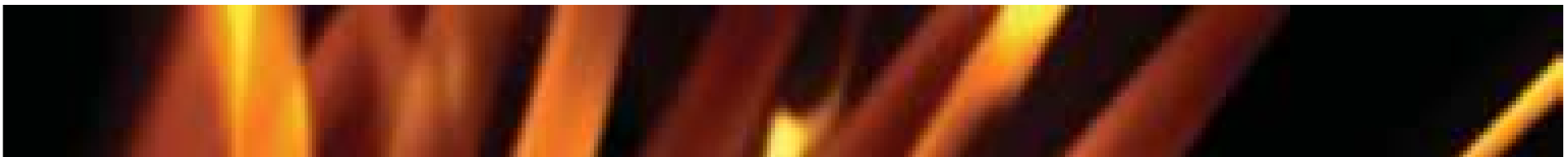
- Team C submitted a formal response.
- Anti Cheating Team reviewed game demo and timetables.
- Three different admins concluded independently from each other that aimbots/wallhacks were used.
- Both Team C and Player X were disqualified.





## 2. Cheats go to court

- Player X and Team C sought injunctive relief against the league operator (ESL), demanding repeal of the disqualification.
- Arguments:
  - "Anti cheat software detected nothing"
  - "ESL acted arbitrarily"
  - "ESL acted negligently"





## 2. Cheats go to court

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**E-SPORTS**

### Computerspiel-Bundesliga Software-Doping

Von Konrad Lischka

Sechsstellige Preisgelder und Sponsoring: "Counterstrike"-Spieler in die Profiligen erstmals ausgesorgt. Ein Zocker soll mit Doping betrogen haben und wurde vom Ligabeirat für das Amtsgericht Köln.
- 

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Doping im E-Sport

### Ballermänner vor Gericht

Hat ein Egoshooter-Team getrickt und flog deshalb ordnungsgemäß aus der Liga für elektronischen Sport? Solche Fragen muss nun erstmals ein Gericht beantworten. VON BEN SCHWAN

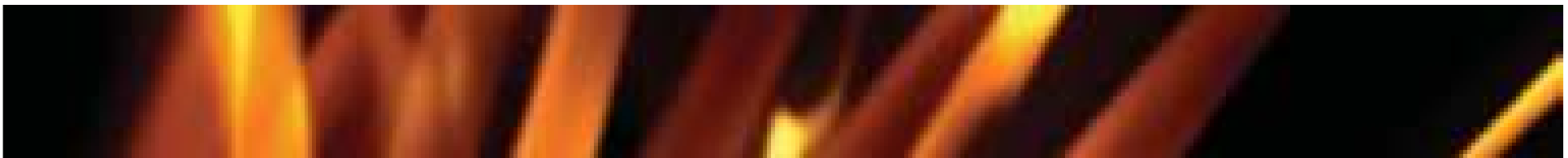


"Aimbot" ist die Testosteron-Überdosis des Counter-Strikers. Foto: dpa



### 3. Who is right?

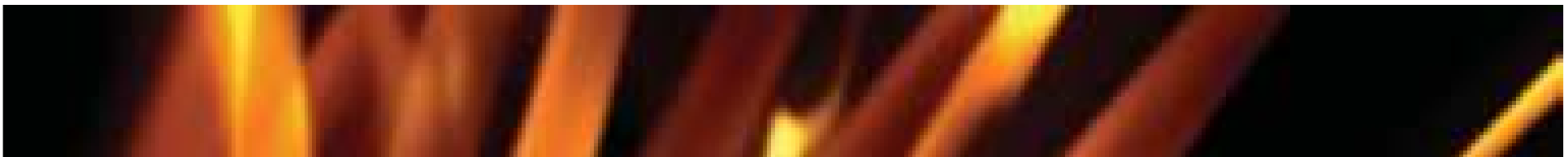
- Cheats are like viruses - some always go undetected by surveillance software.
- Admins are independent.
- ESL acted according to its detailed rules.
- 100% proof cannot be achieved.
- League operator has "virtual domestic authority".
- League operators' common goal: Fair Play!





### 3. Who is right?

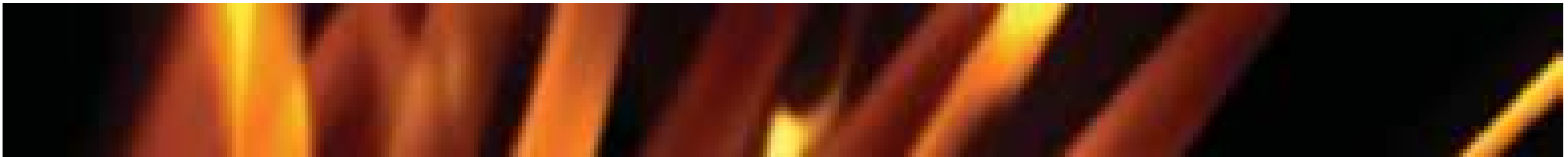
- Let's watch a few scenes of the match again in slow motion!





## 4. The decision

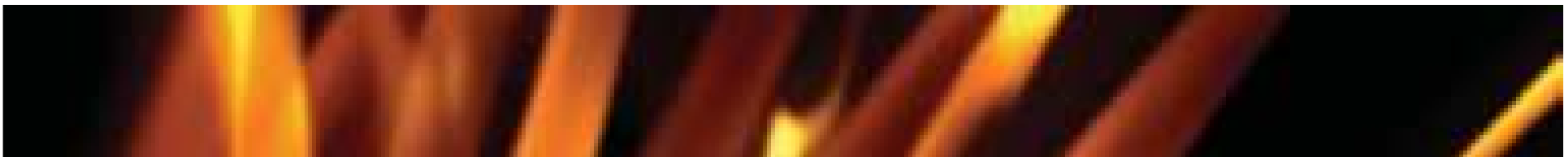
- Court finds for ESL, rejects application for injunctive relief.
- Judge holds that letting Player X participate would cause damage to ESL's reputation.
- "ESL has satisfactorily shown that suspicion was not voiced arbitrarily".





## 5. Lessons learned

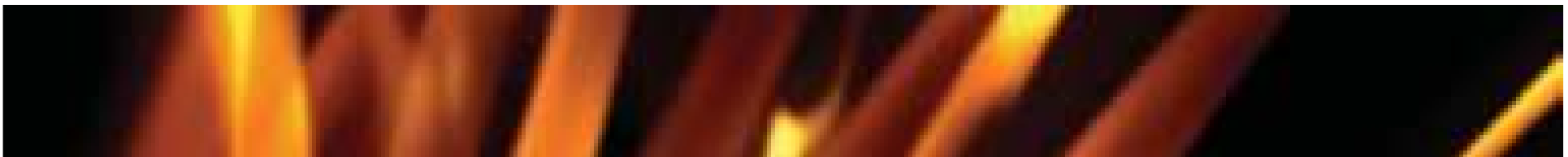
- Courts are not familiar with eSports and cheating, need extensive explanation.
- League operator's documentation of cheating cases must be comprehensible.
- Cases are costly and time-consuming: hundreds of pages of briefs and hundreds of hours of legal work.





## 6. Outlook

- Affair should incite eSports league operators to review their anti cheat procedures.
- Independent review by several admins seems necessary, but also sufficient.
- In the long run, arbitration bodies independent of league operators may be worth considering.



Thank you for listening!

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