Privacy Invasive and Poorly Named Game on Twitter Ends In Law Suit

August 25, 2016 - If you have never heard of an online game named Stolen, you are not alone. At its peak the game had around 40,000 users. The premise of the game was to allow users to take anyone's Twitter profile and turn it into a virtual trading card. That card could then be traded or sold using in-game currency. And of course, in order to get in-game currency, you had to purchase it from the game's manufacturer with real currency. If this all sounds like a bad idea to you, you aren't alone. The game was pulled in January due to bad publicity but its story doesn't end there. Today, a federal class action lawsuit was filed in California.

Tweet

```
(function() {
var s = document.createElement('SCRIPT'), s1 = document.getElementsByTagName('SCRIPT')[0];
s.type = 'text/javascript';
s.src = 'http://widgets.digg.com/buttons.js';
s1.parentNode.insertBefore(s, s1);
})();
```

```
(function() {
  var po = document.createElement('script'); po.type = 'text/javascript'; po.async = true;
  po.src = 'https://apis.google.com/js/plusone.js';
  var s = document.getElementsByTagName('script')[0]; s.parentNode.insertBefore(po, s);
})();
```

From a privacy standpoint, Stolen seemed more invasive that it probably was. After all, any virtual trading card created by the game was only taking information that you had already posted on Twitter as a part of your profile. But unless you are a professional athlete, the idea that anyone can come along, use your information to make a trading card and then sell or trade it is a little off-putting.

When the game was released last year, it created a bit of a slow building firestorm. Oddly enough, people weren't too happy to find out that their information was sometimes being wrapped up in a trading card and sold without their permission or knowledge - hence the name of the game; Stolen. A better title might have been "Profile Identity Theft."

One of the primary issues with the game is that it allowed players to steal and trade the profile data of anyone on Twitter. You didn't have to be connected with the person you were stealing information from. Nor did you need to get the permission of the people you were creating trading cards for. Inevitably, that means that the twitter profiles of actors, athletes and various other people who make their living in the public spotlight were the ones most likely to have a trading card made up in their name. At this point you might be thinking, "that could create some legal problems." Well, it did.

The suit filed in California alleges that the game violated the publicity rights of those who had trading cards made in their name. Frankly, it is hard to see how that isn't the case since the game's manufacturer - Hey, Inc. - was making money by selling virtual currency. And the only way that virtual currency was worth anything was if the people playing the game actually thought that their trading cards were worth something. For that to happen, you had to have fairly famous people on the cards. Famous people who weren't being paid and who hadn't given permission to have their names and images used.

There is also a pretty good chance that copyright laws were violated by the game. That's because a lot of famous people on Twitter have their pictures taken professionally. And those pictures are either the property of the people in them or of

the photographers who took them. Either way, there is a real possibility of this issue coming up in the suit.

From an outsider's perspective, Stolen was a bad idea from the beginning. Even the name of the game has negative connotations. It's hard to understand how anyone could have thought that a game based solely on misappropriation of user profiles would have been a good idea using any label. But by calling the game "Stolen" it would seem that they knew what they were doing was wrong to begin with, but they did it anyway. At least, that my opinion on the matter.
byJim Malmberg
Note: When posting a comment, please sign-in first if you want a response. If you are not registered, click here. Registration is easy and free.
Follow me on Twitter:

Follow ACCESS