

# IGDA makes opposition statement to King's 'Candy' trademarks

31



by Danny Cowan @db\_cowan (11 months ago)

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The International Game Developers Association has issued a statement opposing King's recent Candy Crush Saga trademark filing, criticizing the developer's "predatory" attempt at owning and controlling the words "candy" and "saga" across all gaming platforms.

The organization plans to leverage its Business and Legal Special Interest Group to investigate the filing. King's "candy" trademark was recently [approved](#) for publishing by the US Patent and Trademark Office, giving developers and organizations 30 days to oppose the mark's final publication.

"While we understand and respect the appropriate exercise of Trademark rights," IGDA executive director Kate Edwards said. "King's overreaching filing in its application for the Trademark for its game 'Candy Crush Saga,' and its predatory efforts to apply that mark to each separate word contained in that name, are in opposition to the values of openness and cooperation we support industry wide, and directly contradict the [statement](#) King's CEO, Riccardo Zacconi, made on January 27th."

Edwards continued: "Our Business and Legal Special Interest Group will be providing a more comprehensive analysis of this issue from its perspective soon."

King targeted indie developer Stoic Studio last year, claiming that its title The Banner Saga was "confusingly and deceptively similar to [King's] previously used Saga marks." King [relented](#) in the following months, stating that it "has not and is not trying to stop Banner Saga from using

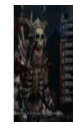
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its name."

[Image: King]

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Daemorothe

Feb 21, 2014

It shouldn't be possible to trademark single words that are in the Webster/Oxford dictionaries, simple as that. Candy Crush, yes, Candy Crush Saga, yes. But Candy individually? And for BOTH games AND clothing? CLOTHING!?!? That throws the whole "we have a product in that space" out the f\*cking window.

WTF is wrong with the people who approved that application!?

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---1

Feb 19, 2014

IGDA could've used a good copy-editor. This is really just an awful sentence:

*"King's overreaching filing in its application for the Trademark for its game 'Candy Crush Saga,' and its predatory efforts to apply that mark to each separate word contained in that name, are in opposition to the values of openness and cooperation we support industry wide, and directly contradict the [statement](#) King's CEO, Riccardo Zacconi, made on January 27th."*

If you're going to stand up to Candy Crush, put a little spine in your language.

1 [Like](#) [Reply](#)



arc\_salvo

Feb 18, 2014

Honestly, I feel like they only have the right to trademark "Candy Crush" and "Candy Crush Saga". Anything beyond that just seems unwarranted.

1 [Like](#) [Reply](#)



**RicharddeLeonIII**

Feb 18, 2014

King.com can die in a fire. Hopefully they crash as hard as Zynga did (tho zynga still has some more falling to do).

2 Like Reply



**sjone121212**

Feb 18, 2014

I sometimes wonder if Riccardo and Marc Pincus aren't the same person. Or perhaps they'll join forces in coming years and combine to form Mega-Douche.

1 Like Reply



**GameBro**

Feb 18, 2014

\*Applause\*

3 Like Reply



**gibbeynator**

Feb 18, 2014

It's a good start, but there needs to be more outrage. This is the company that bought up an unrelated IP with the sole intent of shutting down a competing product that they couldn't shut down through a standard trademark infringement suit.

11 Like Reply



**carg0**

Feb 18, 2014

it's about time someone took these a\*\*holes to task.

3 Like Reply



**JeffHeffner**

Feb 18, 2014

Dibs on Flappy Candy Saga

2 Like Reply



**ceramicsaturn**

Feb 18, 2014

Reminds me of when that guy tried to own the word "Edge". And we all know what happened to him...

May the same thing happen to these legal happy jerks.

1 Like Reply



**woody24**

Feb 18, 2014

Well, hopefully my new game will get finished after all. "Angry Candy Bird Saga."

2 Like Reply



**GameBro**

Feb 18, 2014

@woody24 You may wanna throw "Scrolls" in there somewhere.

3 Like Reply



**woody24**

Feb 18, 2014

@GameBro @woody24 Revised my game title. "Angry Candy Birds  
Scrolls Mickey Mouse Han Solo iPod Saga"

4 Like Reply



**GameBro**

Feb 18, 2014

@woody24 @GameBro Haha, there you go.

Like Reply



**xenomorphic327**

Feb 19, 2014

@woody24 @GameBro You forgot to put the word "Flappy" in that as well.

Like Reply



**iamtherawk**

Feb 18, 2014

Well that's good, hopefully they're able to fix this with their big money relatively soon, as I know at least one indie game maker who is worried about them trying to trademark "Saga".

Like Reply



**Space**

Feb 18, 2014

I'm gonna make an indie game and copyright the word "Dead"

2 Like Reply



**Courtney**

Feb 18, 2014

"King **relented** in the following months, stating that it "has not and is not trying to stop *Banner Saga* from using its name.""

Joystiq, if you're going to drop this line in there, at least be clear. Last report I saw was that King is still opposing the trademark for The Banner Saga, preventing Stoic from being able to trademark their own game name. It's more complex than them just saying it's fine for them to use that name.

11 Like Reply



**TimN**

Feb 18, 2014

But no opposition to them completely stealing the whole game from an independent developer and then going after him for trademark infringement?

3 Like Reply



**Mogan**

Feb 18, 2014

"*IGDA makes opposition statement to King's 'Candy' trademarks*"

A classier way of saying, "The *IGDA* has called King on their bull\*\*\*\*."

9 Like Reply



**YourColourTV**

Feb 18, 2014

This better go through, or else I cant release my action-puzzler 'Candy Bird Z'

3 Like Reply



**Riavan**

Feb 18, 2014

Thing is since they are not using candy or saga on its own, it would likely never be enforceable in court. They are just bullying small companies with legal letters and empty threats.

5 Like Reply



**amberion2dp**

Feb 18, 2014

**@Riavan** If it was an empty threat, then people would just ignore it.

1 Like Reply



**Riavan**

Feb 18, 2014

**@amberion2dp @Riavan** not everyone understands the trade mark system. The reason banner saga was successfully opposed was likely due to them not knowing how to act or not wanting to pay an attorney etc.

2 Like Reply



**amberion2dp**

Feb 18, 2014

**@Riavan @amberion2dp** that's why we have lawyers. If it was an empty threat, the lawyer would look at it and say 'this is an empty threat, ignore it.' Except it's not an empty threat, and they can't afford to ignore it.

2 Like Reply

**amberion2dp**

Feb 18, 2014



**@Riavan @amberion2dp** I can guarantee you that they had a lawyer look at that letter. It costs nothing but an hour of a lawyer's time to ask 'is this something we need to worry about?' The lawyer may bill them for the hour, he/she may not. It would be foolish of them not to.

1 Like Reply



**Riavan**

Feb 18, 2014

**@amberion2dp @Riavan** strange argument. Which lawyer said it wasn't an empty threat? I don't remember any lawyers saying otherwise, just a lot of fear mongering and pandering by gaming news sites.

Like Reply



**Riavan**

Feb 18, 2014

**@amberion2dp @Riavan** problem is, you need to see a trade mark attorney or an IP specialist, chances are your run of the mill lawyer does not have in depth experience in this area.

Like Reply



**amberion2dp**

Feb 18, 2014

**@Riavan @amberion2dp** allow me to clarify my argument, as it seems to have gotten confused in the jumble. First: these letters are likely legally valid and not empty threats. Second, in order to determine that, they(the developers of the banner saga) will likely have to pay the legal fees to speak to a trademark specialist(i agree this is probably going to be necessary). If they do NOT do this, then they're being foolish. Just pay the bill and be done. It's far cheaper to do this now rather than ignore the letter and pay more later. And I think you're blowing the cost of such a consultation out of proportion. You're speaking from the perspective of an individual, with the resources of an individual. Such legal fees would be paid for by the developer or the publisher(not sure which if any in the specific case of the banner saga developer). It's a lot easier to budget for such a thing within the umbrella of a company.

1 Like Reply



**Courtney**

Feb 18, 2014

**@Riavan**

Not empty, they did legally oppose the trademark for The Banner Saga, making life more difficult for Stoic.

4 Like Reply



**Riavan**

Feb 18, 2014

**@Courtney @Riavan** you oppose at the trademarks office, it never went to court. Opposing other trade marks is different to trying to stop other people using similar ones in the marketplace. In either case, an argument and evidence that they are not using the trademark as applied for would have gone a long way, I'm assuming stotic just did nothing when they got a notice of opposition.

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