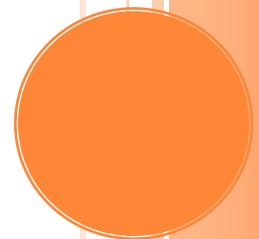


AGE VERIFICATION FOR GERMAN STEAM USERS

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8/17/2010



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Dear Mr. Holtman,

My name is Tim Eulitz and I am an editor at HLPortal.de. We are the largest German community for Valve, Steam and Steam Games. At the moment, Valve maintains an unchanging attitude toward age verification for German users. It is our belief that this aspect should change, and we would like to point out certain problems.

For years, Valve has not been abiding by the 'German Youth Protection Act'. Valve has been selling games that have been rated unsuitable for minors by the USK (Germany's rating organization for video games) without a sufficient age verification method, this is a punishable offense in Germany (JuSchG, §14).

On the other hand, Valve has not given German adults the chance to verify their age, therefore restricting them from buying games that remain unrated by the USK (i.e. uncensored versions or games unreleased in Germany). This situation not only frustrates the majority of German users but also reduces Steam sales in Germany. A recent poll on our website revealed that 60% of our users do not buy certain games on Steam due to censorship.

Valve's actions have also been quite arbitrary in the past. For example, *Counter-Strike: Source* has been sold fully uncensored to Germans in the last couple of years. However, since the game was updated to the newest version of the Source Engine, the Steam Store offers only a "Low Violence" version of the game.

Most confusingly, the USK is unaware of the fact that this "Low Violence" version even exists. They are only aware of the uncensored version of the game, which has been rated suitable for people at age 16 and over. There is no reason why Valve should apply such censorship onto Germans, but nevertheless it is happening.

A similar situation occurred when Doom 3 was on sale in Germany last week. The Store page warned German users that they would only be offered a censored version of Doom 3, available only in German. However, a censored version of Doom 3 does not exist. Furthermore, the game also has never been translated into German. This confused many German users because they were not sure if they were buying a censored or an uncensored version of the game.

Suggestions

Valve needs to improve its policies on censorship. We suggest the following:

- **Implement an online age verification system**
 - Allows adult users to access games not available in Germany
 - Allows adult users to buy uncensored games
 - Allows adult users to “uncensor” their currently censored games
 - Disallow minors from purchasing USK 18 rated games without parental approval; this would comply with the German Youth Protection Act
- **Remove the unnecessary censorship of Counter Strike: Source**
 - The uncensored version has been rated USK 16
 - German rating organizations do not even know that such a censored version exists, making it redundant
- **Create “Low Violence Warnings” in the Steam Store for all censored games**
 - Team Fortress 2, for example, does not warn potential buyers that it is in fact censored in Germany
- **Make sure Low Violence Warnings are actually needed**
 - *Doom 3's* Store page states that the game is censored in Germany, even though it is not

We understand that Valve policies will not change overnight, but we at HLPortal.de would appreciate your looking into this situation. There are many age verification methods available to Germans. One example is **SofortIdent.de**, which allows Germans to verify their age through their bank account. This is done in a matter of minutes and could be implemented into Steam. The process would cost approximately 3€ per person. We asked our users if they would be willing to pay the fee for age verification, and over 80% answered “*Yes, immediately*” (~1300 participants in total).

One may say that an age verification system for USK 18 titles will decrease sales because minors would not be able to purchase certain games anymore, but we believe this is not the case. Minors usually have to use their parents' credit card or bank account for transactions, meaning the minors actually require permission to buy games on Steam in the first place. An age verification system would simply ensure that the parents are aware of their children's gaming habits.

Additionally, an Age Verification System would greatly improve Steam’s reputation within Germany. Many websites reported on Steam blocking the activation of uncensored copies of Call of Duty: Modern Warfare 2 with a German IP address. This caused an uproar in the German community and Steam’s reputation took a big hit.

Difficulties and Problems

An Age Verification System would come with a couple of problems. Mainly this would be the complexity of the German Youth Protection Act. From a distributor point of view, games are divided into 6 groups:

1. Rated Games (USK 0 – USK 16)
2. Rated Games (USK 18)
3. Unrated Games (Not rated nor indexed)
4. Unrated Games (Index List A)
5. Unrated Games (Index List B)
6. Unrated Games (Confiscated)

First of all I would like to provide to you some general information on how the German rating system works. If a publisher decides to release a game in Germany, it gets rated by the USK.

If the USK decides to rate a game USK 18, Valve, as a distributor, is required to verify the customer's age. The USK also has the ability to deny a rating (if a game glorifies violence, for instance), which forbids the advertising and openly selling of the game in Germany.

The BPjM (*Federal Department for Media Harmful to Young Persons*) now has the ability to put a game on the "Index", which consists of two lists: List A and List B. Games on List A are, from your distributor point of view, the same as USK 18 rated games. You simply cannot advertise them, but you may sell them to adult Germans. However, this advertising ban does not affect the Steam Store. This means you are able to completely drop a censored USK 18 version of a game and instead only sell the uncensored version of it on Steam. To give you three examples: You would be able to sell *The Orange Box*, *Fallout 3* and games of the *Grand Theft Auto Series* fully uncensored to Germans.

Games on List B are the actual problem in this matter. If a game is on Index List B, it is due to be checked by a law court and may be confiscated. Confiscated games may not be sold in Germany and never should have been sold in Germany in the first place, even before a court has released a verdict. This makes it difficult for a distributor. As long as a game is only on List B, it is legal to be sold in Germany. However, if a court decides to confiscate a game, all sales of the game become illegal, even those which took place long before the court order.

However, Valve being an American company is definitely not affected by this court order and therefore does not have to face any consequences or criminal charges in case they have sold any confiscated games in Germany. We checked this with one of the BPjM's lawyers. The BPjM would only ask Valve to stop selling those games to Germans, but they would not do anything more 'drastic' than that.

In conclusion, this matter might be very complex and seems to require a lot of research, but we believe that it will eventually pay off. More and more German users desire to buy uncensored games; many even refuse to buy censored games on Steam. Especially during sales this becomes quite obvious. We hope that you will look into the limitations of what is currently in place and the benefits that can be garnered from actions we have suggested. Thank you for taking your time to read this.

Sincerely,
Tim Eulitz

All information provided has been verified with Federal Departments and Rating Organizations.