INTELLECTUAL PROPERTY

Fortnite, Wimbeldon And Tour De France

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Fanatic or not we will all be familiar with the above, each comprising sport in its own shape and form. Interestingly though the prize money in Epic Game's Fortnite World Cup 2018/2019 is said to be around US$3.000.000 and tops the major sporting events prize money being higher than that of Wimbeldon (US$2.980.000), Tour De France (US$580.000), The Indy 500 (US$2530.000), and The Masters (US$1.980.000).

Although Fornite is available to anyone in free-to-play mode a player can either earn or simply buy V-Bucks which is the sale of virtual goodies in the game including costumes, stickers and dance moves. The exact value of these sales is unknown though estimated at US$two billion annually.

With this monetisation, it is no surprise that celebrities including Alfonso Ribeiro better known as Carlton from the Fresh Prince of Bel-Air, Brooklyn Rapper 2 Milly and Instagram's Backpack Kid have pursued copyright infringement proceedings in relation to some of the dance moves in Fornite. This has raised the question whether you can own the copyright in dance moves. For copyright to subsist in a work, the work should be original and in a material form which in this instance could include texted choreography and video recordings so as to show where the dance originates from.



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