Stop Killing Games Open Letter

1. Trigger

On 3 June 2026, Yves Guillemot, CEO of Ubisoft, is listed among the industry participants at “Games in Europe: Built Here. Played Globally,” an **invitation-only** “EU Video Games Industry & Digital Policy Dialogue” hosted in Brussels by **Video Games Europe** and EGDF.

That is the opening image of this moment: Ubisoft at the table, with its CEO at the helm, in the room with **senior European Commission officials** shortly before the Commission is **expected to answer Stop Killing Games**.

Ubisoft shut down The Crew, one of the cases that helped turn the destruction of online-dependent paid games into an international consumer issue and helped drive this movement’s most successful petition. Ubisoft is now facing legal action over that shutdown, including from the French consumer organization UFC-Que Choisir, has faced legal action in California over the same issue, and is also under scrutiny by French and Australian consumer authorities.

The timing is impossible to ignore. The event takes place **thirteen days before** the European Commission is expected to answer a citizens’ initiative backed by **more than one million verified supporters**.

The programme sits directly on the same political ground on which Stop Killing Games is being debated: the forthcoming **Digital Fairness Act**, consumer choice, business models, investment, innovation, competitiveness, and the regulatory future of games in Europe.

The listed Commission participants include Executive Vice-President Henna Virkkunen, Deputy Director-General Renate Nikolay of DG CNECT, Isabelle Pérignon, Director for Consumer Policy at DG JUST, and DG GROW. These are the Commission actors and services responsible for the field in which this issue will be assessed, including officials we have met with repeatedly while explaining the actual demand.

Less than two weeks before the Commission is expected to answer the initiative, **Video Games Europe** — the lobby organization that has **already misrepresented** that initiative — is hosting an **invitation-only** event on consumer choice, business models, digital policy, and the future of games in Europe, with senior Commission officials and the CEO of Ubisoft in the room.

2. Misdirection

The same pattern appeared in Europe before it appeared in California. A short reminder:

Video Games Europe’s position paper begins by saying it is “not clear” what Stop Killing Games seeks to achieve. It then supplies its own version: a requirement to provide online services “for as long as a consumer wants them,” or a “very specific form of end-of-life plan” based on private servers.

> **That is not the demand.**

The official initiative asks for games sold or licensed to consumers to remain in a **functional state**, and for publishers not to remotely disable them before providing **reasonable means for continued operation**. VGE replaces that with **indefinite online services and mandatory private servers**.

It then builds the rest of its paper around that replacement. It argues against “server support indefinitely,” “permanent use,” releasing “game code or server binaries,” intellectual property risks, player safety risks, private-server competition, and third-party licensing problems.

Some of those may be real issues for specific technical solutions. **They are not the proposal.**

This is the **core misrepresentation**: VGE takes a flexible demand for responsible end-of-life planning, turns it into a demand for indefinite support and private-server obligations, and then declares that version disproportionate, unsafe, and legally impossible.

That is not engaging with the initiative. That is rewriting it before answering it.

> **That is misdirection.**

3. California

This becomes even harder to excuse when the timelines are compared.

In California, this same issue was brought before its legislature in the form of **Assembly Bill 1921**. **AB 1921** would prohibit publishers from disabling customer copies of video games without providing some means to continue running them, or else entitle the customer to a full refund.

California did not spend years debating whether this problem was real. **AB 1921** entered the legislative debate in February, and lawmakers moved directly into the work a democratic process is supposed to do: defining the issue, testing lobby claims against the text, debating remedies, exemptions, and enforcement, and asking how a workable rule could be written.

Within that short period, the legislative process was already able to separate the bill from ESA’s framing. ESA told lawmakers that **AB 1921** rests on a “false premise”: that consumers “own” digital games with permanent access. Its floor alert framed the bill around ownership, impossible mandates, third-party licenses, copyright, higher costs, fewer games, and less innovation. But the Assembly Committee analysis did not accept that framing. It recorded ESA’s claim that the bill assumes an “unrestricted ownership interest,” then clarified that **AB 1921** “does not contain language” suggesting such an ownership interest in the underlying copyrighted work. Instead, the bill is scoped to “**ordinary use**.” The committee analysis described the practical problem in the same terms Assemblymember Chris Ward has raised: when a live-service game server stops being supported, the game can become inoperable for users who purchased a license with the expectation of continued access; the proposed remedy is notice, followed by either a **playable version or a refund** once the relevant services cease. (https://apcp.assembly.ca.gov/system/files/2026-04/ab-1921-irwin-apcp-analysis.pdf)

That is what a **serious process** looks like: the lobby made its argument, staff tested it against the text, and lawmakers moved to the real questions of **ordinary use**, notice, remedies, exemptions, and enforcement. California’s process communicates something simple: the issue is real enough to legislate, and the correct response is to work on a solution.

4. Europe

Europe has had far more time. We first met with the Commission before the signature collection had even finished. Since then, we have had **at least six further official meetings**. The actual demand has been explained repeatedly by the community, by lawyers, by developers, and by elected representatives. Ordinary use is not ownership of intellectual property; responsible end-of-life planning is not eternal server support; reasonable means for continued function is not a demand for source code; and expired commercial distribution rights are not the same thing as a right to remotely disable access for existing purchasers. The Commission has had more time than California staff, direct meetings with us, legal distinctions explained by lawyers we brought in, and repeated clarification that the lobby’s version of the proposal is not the proposal.

That is why the comparison is so serious. California can move from recognizing the problem to scrutinizing concrete legislative language within months, while in Europe, after months of direct engagement, parts of the Commission still appear to circle around whether the issue requires "**more clarification**." California lawmakers, Republicans and Democrats alike, are debating legal text in the way a democratic process should; in Europe, **elected representatives have had to correct the Commission**'s framing in public.

5. Parliament

MEP Markéta Gregorová of Greens/EFA and the Pirate Party put that concern directly to the Commission. In her words, Mr. Abbamonte, speaking on behalf of the Commission, had repeated "the arguments of a **handful of the largest publishers almost word for word**" at the last three public hearings — arguments that "**do not reflect how games actually work**" and "**do not reflect what these citizens are asking for**." Her conclusion captured the core issue: "The only thing standing between a paid-for game and its destruction is **not technology, it is a business decision**." (https://www.gamingamigos.com/post/stop-killing-games-european-parliament-plenary-session)

Tiemo Wölken, MEP for S&D, made the same failure concrete by pointing to the commercial incentive behind shutdowns. He noted that the practice is "especially widespread when a successor is ready to replace the game," called it "completely unfair," and told the Commission that recognizing the problem without offering a solution was not enough: "**You say you see the problem, but you do not offer any solution**." His diagnosis — that "we continue to treat games as digital services, rather than as products" — is exactly the legislative question California is already working through. Marion Walsmann of the EPP reached the same practical conclusion from the Commission President's own political family when she called for the Commission to move beyond **voluntary industry measures** and put forward a **legislative proposal**. (https://www.gamingamigos.com/post/stop-killing-games-european-parliament-plenary-session)

That is the actual contrast: in California, lobby claims are being tested against the bill and lawmakers are working through solutions; in Europe, the Commission has had more time, more meetings, and more direct explanations, yet Members of Parliament from different political groups are still having to say that the issue is real, that the lobby's framing does not match the demand, and that recognition without a proposal is not enough.

It is right that the Commission engages with stakeholders. It is necessary that it hears from everyone involved: players, developers, lawyers, consumer advocates, preservationists, and industry representatives. What is not acceptable is treating a handful of large companies and lobby organizations as if they are "the industry," while they use that position to defend the status quo and claim credit for driving the medium forward.

At some point, the discussion has to move from "**more clarification**" to the actual issue.

6. Digital Fairness Act

That is deeply disappointing in light of the upcoming response to the European Citizens' Initiative. We had hoped the Commission would be ready to start working on a solution, including one that could fit into the upcoming **Digital Fairness Act package**. That work is already moving elsewhere: Members of the European Parliament and governments represented in the Council are already engaging with us on proposals to address this issue through the **Digital Fairness Act**.

That makes the Commission's continued search for "**more clarification**" even harder to understand. The political question is already moving from whether the problem exists to how it should be solved.

It is time to work on solutions. Name the actual issues. Discuss the real technical and legal questions. **Stop accepting mischaracterization of the demand**.

7. Institutional Failure

The deeper problem is not simply that ESA or VGE argue aggressively. Aggressive lobbying is already a democratic problem when it misrepresents the public demand, but it is also how the system often works: lobby groups argue for their members.

The **institutional problem** begins when the **lobby's version of the issue** becomes the version repeated by the institution **responsible for answering the public**.

That is why Members of the European Parliament have had to intervene publicly.

The question is no longer simply whether VGE or ESA are misrepresenting the demand. They are. The question is why one democratic process filters that misrepresentation out for the most part, while another allows it to reach the point where elected representatives have to correct their own executive.

> **Why is the lobby's version being corrected in California, but echoed in Brussels?**
>
> **Why does a claim that can be identified as outside the bill in one legislature survive long enough in Europe that Parliament has to remind the Commission what the initiative actually asks for?**

That is the disappointment we are facing. It delays solutions that should already be discussed, and it makes the process more difficult than it needs to be, while risking further fragmentation of the rules.

8. Mandate

The oppositional views being pushed forth by the lobby not only do not unilaterally represent those of the industry, they may not even represent the majority views of their own members. **Tim Sweeney**, CEO of Epic Games Inc., stated "**Epic Games hasn't lobbied or opined on the law**" in response to Video Game Europe's public opposition to the initiative. (https://x.com/TimSweeneyEpic/status/1942295844285251587)

German publisher and developer **BeamNG**, a member of VGE, stated "**VGE didn't ask BeamNG** concerning their response [to the initiative]" and to the best of their knowledge, "**there wasn't a vote** on this too. **We do NOT agree with their statement**, this is not how a representative group should be behaving." (https://x.com/estama2/status/1942946168910086512)

9. Conclusion

When collectively **millions of consumers**, many publishers and developers, a **majority of EU Parliament**, and now the **state of California** all recognize this is a problem that needs solving, the sensible thing to do is work towards finding a solution.

The Stop Killing Games movement will have an additional statement and a video detailing its future plans closer to the EU Commission making its decision on how to proceed on **June 16th**.