

# K-Notes: Open Gaming License

from Wizards of the Coast

## Have excluded and included buckets

Instead of being binary, allow some content to be shared as open game content, while keeping Product Identity as excluded content.



**Bob Tarantino**

General Counsel,  
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"They've created this amazing worldwide community of people who create and share their content."

"It's very different from other types of open content licenses out there, because a lot of those licenses are binary."

"One important role that the open game license can play is to demonstrate that an open approach to community works. It's worked for 20 years."

## KEY TAKEAWAYS

- **Consider the benefits of community**

Anyone can use the open game license for their business, and monetize it. This encourages dissemination throughout a community, attracting customers and users.

- **Keep Open Content Open Always**

If someone uses open content to then create their own open content, you need to make sure that their content won't get shut down if the someone further upstream is found in violation of the license. Include language that allows sublicenses to survive termination of the license.

- **Make users attach a notice to all content**

This makes sure that anyone who uses open content and chooses to distribute it themselves stays within the bounds of the license. Namely, that it may only be used within the terms of the license. This allows content to spread further without losing its ties to the original source.

- **Consider allowing a broad scope**

While some things will be protected in the Product Identity bucket, consider allowing as much as possible to be used as open content. This will allow users creativity and disseminate content even further.