Legacy Game Availability Study - Volunteer Guide

The Entertainment Software Association (ESA) believes that all legacy/retro video games still hold commercial value, and that their clients, the video game companies like Nintendo and Sega, are doing their part to make all legacy video games commercially available as reissues to current and future consumers.

The purpose of this study is to determine the current <u>legal, commercial</u> availability of legacy video games. For each game listed in this study, we are trying to determine if it is **currently in distribution** in a legal capacity. Or for another way of looking at it: can you play this game with its original look and feel, legally, without access to a legacy console?

For a game to be considered "in distribution", it MUST meet the following criteria:
- Available for purchase, streamable, or for free on a platform that is <u>currently in production</u>
  - For example: available on Steam or other digital marketplace, available for purchase on a console that is currently in production
  - Things that do NOT count: a reproduction cartridge (licensed OR unlicensed) for the Game Boy, as the Game Boy itself is not currently in production
- Functionally the <u>same game</u> as the original
  - For example: a faithful port, a remaster
  - Things that do NOT count: a full remake of a game where game assets were remade, a port that is not functionally the same as the original (for example, the Game Boy port of Mortal Kombat is not the same game as arcade Mortal Kombat)

If a game does NOT meet the above criteria, it is not considered currently "in distribution." The following things **do NOT count** as "in distribution":
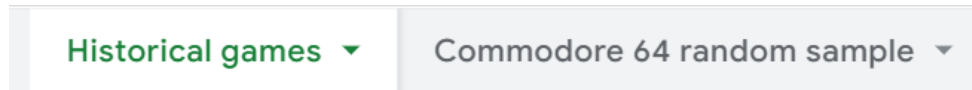- Readily available second-hand copies
- Readily available for a console that is NOT currently in production
  - For example: you can still buy copies of <u>[this Nintendo DS game](#)</u>, but the Nintendo DS console itself is not currently in production.
- Available from somewhere that is not authorized to legally distribute it (ROM sites, etc)
  - If you have any questions about whether or not a site can legally distribute ROMs, please reach out!

Other Notes:
- If a game is announced for re-release but not out yet - this counts as being in distribution!
- The Nintendo eShop for 3DS and Wii U is considered closed. If a game is available through that service and nowhere else, it is not currently in distribution
- **If you're unsure if something counts as currently in release, say "Yes"!** In this study we are giving the ESA and video game companies the benefit of the doubt, and assuming they are providing consumers with the legal and commercial means to gain access to and play legacy video games. We will manually check all Yes answers.
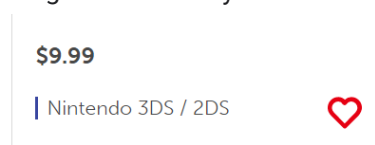
INSTRUCTIONS

1. First, we need to determine which specific version of each game we're looking at. Check the bottom of the sheet. If you are working from the "Historical Games" tab, read on. If you are working from any other tab, skip to instruction **#4**.

2. In the Historical Games tab, you will first need to **determine the platform of origin** for each game you look at. This is a random sampling of video games from 2010 and earlier, comprising games from many different consoles/platforms.

3. For the game you're working on, **click the Mobygames URL**. In this case, MySims: Racing was released on both Nintendo Wii and Nintendo DS. The link takes us to the Nintendo Wii version of the game, so **that version, and only that version, is what we will be researching**.

	A	B	C	D
1	MobyGames Game ID	Game Title	Mobygames UF	First release date
22	89443	MySims: Racing	http://www.mobygar	2009
23	34901	Insecticide: Part 1	http://www.mobygar	2008-07-01
24	74670	Mercenary Force	http://www.mobygar	1990-04-27
25	17927	Bubble Bath Babes	http://www.mobygar	1991
26	90954	Rocketmen: Axis of Evil	http://www.mobygar	2008-03-05
27	63726	Police 911	http://www.mobygar	2000
28	20166	Rebelstar: Tactical Command	http://www.mobygar	2005-09-06

4. Now it's time to determine if the game is still commercially available. Here are the places you must check before moving on to the next game:
   Note - many of these search functions allow you to use partial titles to search, and may not use the exact same game name as it appears in the sheet
   - GOOGLE - the first thing you should do is simply Google the game's title to see if there are any obvious results for playing the game legally. You may also try googling "[game title] + store"
   - Xbox store/Xbox GamePass
     - You can check both at the same time here
   - PlayStation
     - Subscriptions: PlayStation Plus, PlayStation Plus Premium, PlayStation Now – browse all at the same time
     - Store: search function is in the top right corner, easy to miss
   - Nintendo
     - eShop: WARNING - Nintendo still lists their 3DS eShop games even though the service will be shutting down very soon, and it is no longer possible to add funds. Do not mark anything available on the 3DS eShop as available. Look for the designation that says "Nintendo 3DS / 2DS" at the bottom of your search.

- Nintendo Switch Online: Currently only NES, Super Nintendo/Super Famicom, Sega Genesis, and Nintendo 64 games
    - [Steam](#)
    - [GOG](#)
    - [Evercade](#) - scroll down to where it says "full games list"
    - [DotEmu](#)
    - [AntStream](#) - you'll need to log in first. Use the following credentials: email: [volunteer@gamehistory.org](#) / password: BUBSY+vol20
    - [Piepacker/Jam.gg](#) - you'll need to log in first. Use the following credentials: email: [volunteer@gamehistory.org](#) / password: BUBSY+vol20
    - [Amazon Luna](#)

5. If a game **is found** through any of these channels, mark "Y" under the "Available?" column, and provide a link or a note in the column next to it "Source of availability". You can add any additional notes that may be useful. (Don't overthink it – one sentence is plenty)

Available?	Source of availabi	Availability notes	Date recorded
Y	https://www.gematsu.c	Reissue in "Bill & Ted's Excellent Retro Collection" forthcomin	
?			
?			

6. If a game **is not found** through any of these channels, mark "N" under the "Available?" column. Add any additional notes that may be useful, such as if it was previously available, or if a different version of the game is available.

Available?	Source of availabi	Availability notes	Date recorded
N		Previously available on Nintendo 3DS Virtual Console.	
?			
?			

7. Record the date and your name in the remaining columns.