

## **Through the Shanzhai Lens: Reframing the Transmedial Copying and Remaking of Games**

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### **Abstract**

*China is one of the fastest growing games markets, housing not only some of the world's largest video and computer games companies, but also millions of active gamers. From a Western perspective, engagement with China is considered essential to future growth for game developers and publishers, both in terms of inward investment from Chinese publishers and in growing sales with what will become one of the most important markets. However, Western perceptions of copyright, IP, and, copying of games in China can problematise game creators' and consumers' views of China. In this paper, we develop a framework for understanding the act of game copying in the West and in China that combines the Chinese concept of shanzhai with developing understandings of the concept "transmedia" and fan-created works. The aim of this framework is to introduce cultural and contextual awareness to our collective understanding of why game copies exist in the West and in China, and how they intersect with existing copyright and IP concerns. Through a case study of the 2018 game *Among Us*, we demonstrate that the reality of Western and Chinese game 'copies' is far more nuanced than is often depicted in Western media.*

**Keywords:** games, remakes, shanzhai, copies, transmedia, Intellectual Property, Chinese games, *Among Us*, *Werewolf*, westernisation

### **Introduction**

The Chinese games market is known as a global powerhouse generating billions of pounds of revenue and interacting with nearly 700 million gamers. In this context, it is no wonder that Western games companies are trying to break into the Chinese market. In this paper, 'the West' refers largely to countries located in Europe, North America and Australasia. Barriers to cooperation between China and the West arise, however, when considering the complex relationship between Intellectual Property (IP) rights, the Chinese tradition of *shanzhai* (山寨; often translated as a cloned or counterfeit product) and Westernization. We follow Bozkurt's definition of Westernization as the "process of social change where societies convert to customs and practices of Western civilization" and consider it to be closely linked with modern and historical colonialism (Bozkurt, 2012).

In the West, IP rights are used by the games industry to protect the copyright of games software, code, artwork, music, text, and gameplay, as well as the trademarks and design of characters. In doing so, businesses can bring legal action against those who use or illegally copy aspects of protected games without permission. Games-related IP rights in the West are complicated by both illegal distribution and consumption of games as well as 'grey areas' of fan interaction with protected IP, such as through fan art, fan fiction, streaming of game content, or even fan-made games. These grey area interactions are considered transmedial and

are an important part of any successful franchise. While ‘transmedia storytelling’ has been defined as “a process where integral elements of a fiction get dispersed systematically across multiple delivery channels” (Jenkins, 2007), fans today also expect to participate directly in media creation (Rose, 2012). To that end, games creators in the West tend to anticipate a degree of transmedial engagement with their IP, and this is generally regarded positively and as a reflection of an active player community and a successful brand rather than IP infringement.

In China, the lines between IP, transmedia, and commercially accepted copying are further blurred with the notion of shanzhai. While there is a plethora of scholarship on shanzhai, we find Lindtner’s and Lin’s definitions most helpful. Lindtner considers shanzhai to be “China’s partially illicit and experimental production culture” (Lindtner, 2020: 79). The author further explains that China has been perceived by the West as a “prototype nation” or, a “place to prototype alternatives to existing models of modern technological progress” (Lindtner, 2020: 6). As such, China’s culture of shanzhai has been conflated with the racially charged Western idea that China is neither innovative nor creative, relying on Western ideas and IP to generate commercial success in China. While the term shanzhai is often translated in the Western world negatively as cloning or copycat culture (Page, 2019), consideration of its cultural context and history can show that some shanzhai games are more akin to the Western idea of transmedia production than the industrial practice of copying or remaking games for commercial gain. Lin finds that “China’s contemporary counterfeit culture” can be understood as both “the desire to create a shared sense of cultural intimacy” as well as “a way for consumers to resist and reclaim control of meanings from a changing economic system” (Lin, 2011: 10, 7). Thus, shanzhai culture can be seen as a series of frictions between Western perceptions of Chinese production and ‘Chineseness’ in innovation. The friction between shanzhai products and IP stems from China’s complicated relationship with Westernisation, to be discussed below. Further friction is occasioned by a lack of localised content, which is in part due to a ringfenced market with a high degree of regulatory oversight. While there are many other forms of shanzhai products, the focus in this paper is on shanzhai games.

In this paper, we develop a framework for understanding Western and Chinese game copies that links shanzhai culture to the everchanging Western ideas of transmedia and commercialisation of game IP. This framework is applied through a case study of the 2018 game *Among Us* (InnerSloth, 2018), the Chinese game *Werewolf Among Us* (Shenzhen Youliang Technology, 2020), as well as several Western-produced fan and commercial copies. Through this case study, we posit that fan creation, game remakes, and other transmedial expressions can be seen differently through the lens of shanzhai, and vice versa. Shanzhai games thus reveal an unstable relationship between player, maker, IP, and user-generated content that extends beyond Western and Chinese gaming cultures. It also highlights the problematic Western view of Chinese game copies as existing in opposition to industrially copied or cloned games in the West. While there is arguably a Western bias against Chinese clones, we can observe that copycats, close copies, and reskinned games are popular across global markets. *Among Us* makes for a strong case study for several reasons: the original game IP is itself based on existing game concepts; it has what some consider a Chinese ‘copycat’ version; it has generated numerous Western clones and transmedia interactions, including a number on successful commercial platforms.

The focus of this paper is an understanding of shanzhai products that are of interest to the Western games industry, rather than shanzhai of any other kind, such as shanzhai versions of Chinese-developed cultural works or products. The article starts by discussing game production with respect to remakes and recycling game material, before discussing IP and copyright for games in the West and in China. The article then goes on to discuss fan

participation in the West, considering the transmedial notion of fan participation and production in a Western context, before introducing the Chinese cultural and historical properties of the tradition of shanzhai. Finally, we apply the above as a framework through which to consider shanzhai games, transmedia, and commercial copying through the *Among Us* case study. In sum, this paper aims to contribute to the understanding of cultural differences between Western transmedia and Chinese shanzhai games.

### The Copy in Western Commercial Game Production

To build an understanding of shanzhai and transmedia perspectives, the concept of a ‘copy’ in the context of Western games production (industry perspectives) and markets (consumer perspectives) requires further consideration. In this context we can identify that game copies, instead of being regarded derogatively as copycats or knockoffs, can in fact be seen as commercially, culturally, and legally ‘acceptable’ forms of imitation. Two such forms of accepted copy are the remake/remaster, and the neo-retro/nostalgia game (Garda, 2014; Sloan, 2016).

The remake or remaster is a literal reconstruction of an existing game, most often with the objective of updating the audio-visual fidelity (and occasionally also the gameplay) for a new generation of games hardware. Many notable games have been created with a view to extending the commercial lifespan of IP and exploiting the potential of well-known brands. Recently, *Grand Theft Auto: The Trilogy – The Definitive Edition* (2021) was rebuilt in a contemporary game engine, Unreal Engine 4, “to make these classics more vibrant and more immersive than ever, celebrating the legacy of the series that redefined interactive entertainment and helped propel video games to the center of culture” (Rockstar Games, 2021). These types of copy are not always produced by the original developer, but rather by a development team versed in the processes of re-production (an industrial approach to ‘copying’). Such copies are instigated by rights holders (establishing the legal acceptability) with a view to extending the commercial life of a game for fans and new audiences alike, thereby justifying the perceived acceptability of the ‘copy’ from a consumer perspective.

With neo-retro or nostalgia games, we can observe more nuanced acts of ‘acceptable’ copying in Western markets. Using the example of *Shovel Knight* (Yacht Club Games, 2014), we can see that Western developers engage with copying or remixing existing games media and games technologies on different levels (Schreier, 2017). This approach to game copying can be considered through the lens of applied media archaeology, where the constraints of selected media technologies are considered and adhered to in the creation of novel artistic or creative works (Parikka, 2012). This is evident in how *Shovel Knight* is presented, in terms of colour palette and resolution, which clearly seeks to ‘copy’ the look and sound of a specific games technology, in this case the Nintendo Entertainment System (NES). In short, *Shovel Knight* can be considered a copy of *all* NES games. We may also consider that these forms of copy can move beyond the surface visuals and audio presentation to become an imitation of the underlying processes and logic of digital media (see Wardrip-Fruin, 2011). In other words, such copies can include the game mechanics (playable actions), systems (interactions between mechanics and other variables), and rules. In the case of *Shovel Knight*, this includes copying – and playing with – the technical limitations of the NES as a computer system. As a form of nostalgia game, *Shovel Knight* is simultaneously regarded as an ‘original’ and as a broad pastiche of disparate cultural, design, and technical reference points that nevertheless remains commercially and legally acceptable.

The remake and the nostalgia game both offer invaluable insight into the complexity of Western framing of game copies. While game piracy, such as through homebrew approaches, is considered part of the discourse on game copies in the West, even in this context of seemingly illicit copying practices a justification of the practice can be argued from the perspective of legitimate creative expression (O'Donnell, 2013). As we will discuss later in our analysis, it is important to consider the ways in which Western perspectives can seek to 'justify' game copies as being acceptable by virtue of established production practices, market demands, and legal compliance.

### **Copies, copyright, and intellectual property**

This leads us to the issue of copyright and intellectual property, which is of relevance to Western views of the challenges of doing business within the Chinese market. In an analysis of official Western media discourse, Wirman discusses how Western news and media have represented games and gaming in China since 1999, noting a focus on the growth and scale of the Chinese market in terms of companies, developers, players, and investment (Wirman, 2016). This analysis points to a shift towards increasing similarities in terms of Western and Chinese industry and markets, but nonetheless highlights persistent issues around Western representations of China. Nakamura and Wirman label the time period in Chinese game development from the late 1990s to 2005 as the "chaotic" and/or "formation period" in which "major studios in PRC [were] being accused of infringing copyrights of other works" (Nakamura & Wirman, 2021: 289). The combination of the words "chaos" and "infringement" evokes a negative image of Chinese studios copying Japanese studios and thus feeds into negative stereotypes of Chinese copycat behaviour. With regards to how the games industry and developers are covered in Western media, Wirman concludes that designers and developers are often "characterized in terms of mischievous imitation and copycatting and simultaneously plagued by piracy and limitations such as console bans" (Wirman, 2016: 309). Here, then, we can identify a common Western assumption that there are little-to-no IP rights and regulations in China, an assumption that likely stems from Western media representations and the rapid growth of Chinese games production over the last 25 years.

In the UK and across the West, copyright is in most cases an automatic right, protecting literature, art, music, dramatic works, sound recordings, film, and broadcasts. Creators do not need to formally register their creative work for it to be protected (Fairhurst, 2020). This creates an emphasis on the protection of ideas before the protection of products. However, the practice of protecting IP requires proof of infringement as well as proof of a monetary loss because of said infringement. This once again places larger studios at an advantage as they are more likely to have the funds and employees to dedicate to identifying and combatting infringement. A notable example is the Nemesis System developed by Monolith Entertainment for *Middle-earth: Shadow of Mordor* (2014) which, as reported by Ryan (2021), was awarded a patent legally protecting the concept of a hierarchy of Non-Playable Characters (NPCs) that can store the memory of player encounters (see O'Donnell 2014).

Contrary to many Western reports, China does have regulations surrounding IP. Recently, the Chinese government has implemented stricter IP and copyright laws intended to protect companies against piracy, copycats, and other forms of infringement. Like in the West, the onus remains on the developer to protect their IP by developing a proactive strategy to secure rights both domestically and in foreign markets (Greenspan, Boyd and Purewal, 2014). Different aspects of game development are protected via different means. For example, as seen in Table 1, copyright law in China protects music, code, story, character, art, box design, and website design. When making a derivative work which incorporates an existing character or

story, appropriate licenses must be obtained from the copyright holders. Trademarks protect the name and logo of the game and/or company, thereby allowing these products to stand out from others.

Copyright	Trade Secret	Trademark	Patent
Music	Customer mailing lists	Company name	Hardware technical solutions
Code	Pricing information	Company logo	Inventive game play or game design elements
Story	Publisher contacts	Game title	Technical innovations such as software, networking or database design
Characters	Middleware contacts	Game subtitle	
Art	Developer contacts		
Box design	In-house development tools		
Website design	Deal terms		

Table 1 – *Reproduced from* Video Games and IP: A Global Perspective, Greenspan, Boyd and Purewal (2014)

One case where copyright and intellectual property rights were found to have been infringed was in Blizzard’s 2014 lawsuit against Unico Interactive over the game *Legend of Crouching Dragon* (2014), which Blizzard claimed was a ‘reskin’ or clone of their game *Hearthstone* (2014). The term ‘reskin’ was used to demonstrate that the *Hearthstone* rule system and “fast-paced card slinging” remained intact in *Legend of Crouching Dragon*, which was said to have simply “re-themed” the artwork on the cards around the theme of the Chinese Three Kingdoms (Jou, 2014; Katzenbach, Herweg, & van Roessel, 2016: 854). As they were able to prove in Chinese courts that the basic IP rights of the game mechanics and structure belonged to Blizzard and their Chinese partner NetEase, Unico Interactive were ordered to pay 10,000,000 RMB (\$1.6 million USD) to Blizzard and NetEase for copyright violations (Jou, 2014).

When it comes to IP protections in China, the written rules, laws, and regulations are clear: China has developed legal protections and actions set out in the Berne convention that are akin to those in the West. Much of the problem, then, lies in Western perceptions of Chinese law and shanzhai culture. Like the UK and the West generally, China recognises the protections

and is an assembly member of the Berne Convention. Western media, however, regularly portrays Chinese industry as intent on piracy, quick turnaround, and profit (Wirman, 2016).

### **Game fandom and transmedial works in the West**

Across the world, fans play an important role in the popularity, and even the generation, of cultural and media content such as videogames. The contradictory need of fans to consume, commodify and create transmedial content can and often does create a grey area in terms of IP protection.

The participatory relationship of fans with transmedial products has been studied since the 1990s. Jenkins finds that the combination of the “encyclopedic ambitions of transmedia texts” and their subsequent “gaps or excesses,” gives readers “a strong incentive to continue to elaborate on these story elements, working them over through their speculations, until they take a life of their own” (Jenkins, 2007). When content takes on a life of its own, fan creations and other forms of user-generated content often reside in limbo when it comes to IP. Jenkins explains that fan fiction, for example, “can be seen as an unauthorised expansion of these media franchises into new directions which reflect the reader’s desire to ‘fill in the gaps’ they have discovered in the commercially produced material” (Jenkins, 2007). While unauthorised, the participatory nature of fan creation is often integral to the successful development of franchises. Fans have also adopted what Ritzer and Jurgenson call “prosumption” or the conflation of production and consumption of products (Ritzer & Jurgenson, 2010: 14). This can be seen in fan-generated content. In his work on fan cultures, Hills identifies a “contradictory process” within fan cultures which includes both challenging and intensifying notions of commodification (Hills, 2002: 182). Thus, fan participation within transmedia fan culture tends to be made for consumption (Scott, 2017: 1047).

While fans are drawn to fill in the gaps of the media they engage with, they also expect to be able to participate in all kinds of media creation (Rose, 2012). This expectation can be positive for companies wanting to increase fan interaction and raise brand awareness. The content created by fans allows them to express themselves by copying or mimicking the characters, interactions, and stories within their choice of media and/or generating their own new content with existing IP. This helps fans feel closer to the media in question and allows them to be a part of the content they enjoy, often providing good publicity for companies at the same time. This production, then, spurs further fan consumption of commercially produced content. Thus, transmedial fan-produced works can be seen as copies or imitations. Stein and Busse also find that “limitations of culture and technology are at the heart of fan creativity” and that these restrictions have generated a wide spectrum of fan-produced transmedia that “publicly challeng[e] long-held cultural values of originality, creativity as newness, and ownership of ideas and style” (Stein & Busse, 2009: 192). Thus, fan creativity and their prosumptions can be seen as pushing back against the concept of an original as well as the notion that ideas can be owned, further creating a grey area within IP protection.

The concept of transmedia and transmedial cultural products can be seen as an active participation from fans where they both consume and produce their own ‘copies’ and ‘imitations’ of content with established IP protections. This prosumption is not seen as an IP infringement. Instead, it is highly encouraged by companies and is often seen as the sign of a thriving franchise. Fan studies scholars like Stein and Busse have also noted that fan-produced transmedia works push back against originality and ownership, precisely as we argue in the case of shanzhai products. In the following section, we compare Western transmedia production and Chinese shanzhai culture to show their overlaps.

## The Tradition of Shanzhai in China

As in the rest of the world, there has long been a tradition of imitation and reworking in China. However, many portrayals of Chinese copycat or shanzhai culture in the Western media have taken on overtly negative and racialized overtones; one report, for example, considers *Werewolf Among Us* to be a “rip-off version” of *Among Us* (S., 2020), while another article argues that Chinese game production began through “copying, imitation, and gradually moving to innovation” rather than recognising their labour as innovative (Nakamura & Wirman, 2021: 275). According to Fan, the Chinese word shanzhai went from meaning a “fenced mountain village located in remote areas and usually inhabited by ethnic minorities” to “cheap imitation or unauthorized reproduction; its extended meaning includes all activities involving a deliberate imitation” in the twenty-first century (Fan, 2016: 323). The modern interpretation of Chinese shanzhai has been translated into English as “imitation” (Chubb, 2015: 261; Page, 2019: 185; Chen, 2021: 265), “copycat” (Page, 2019: 185), “playful parody” (Chubb, 2015: 275) and/or “copy” (Hennessey, 2012: 609). While these terms do not necessarily hold negative connotations, other definitions, such as piracy (Hennessey, 2012: 609; Nakamura and Wirman, 2021: 280), “knock-off” (Fan, 2016: 324) and “counterfeit” (Jiang, 2014: 74), obviously do. These negative connotations evoke imagery of illegal goods and cheap imitations that are not nearly as good as the original product. Fan also notes that in the mid-twentieth century, it was common to refer to subcontracting and outsourcing as shanzhai (Fan, 2016: 328 note 2) underpinning perceptions of commercial plagiarism and a lack of creativity and innovation when it comes to Chinese creative production. These portrayals have a distinctly racist undertone and, as Chia discusses, “erase and denigrate the labour of marginalised people” (Chia, 2022: 24:19). In modern discussions of automation, outsourcing and subcontracting, racialised people are depicted as less creative and more robotic (Chia 2022; Amrute 2016; Irani 2018).

The original literal translation of shanzhai as a mountain fortress references remote mountain strongholds that Chinese warlords used to historically stockpile contraband and other stolen goods (Lin, 2011: 3). According to Lin (2011) and Chen (2021), the positive association with ‘mountain bandits’ lends itself better to the modern Chinese interpretation of the word (Chen, 2021: 265). The imagery of mountain bandits closely links the term, as well as shanzhai products themselves, to hacking culture. Unlike Westernised definitions of the term, hacking culture carries positive connotations. Specifically, this positive understanding of shanzhai refers to quick and efficient prototyping and localisation efforts performed by new businesses, blurring the boundaries between the original and the copy (Keane & Zhao, 2012). This blurring is part of Chinese culture. According to Han, in China and Chinese culture, the concept of an original is almost non-existent in that “the trace always lets the artwork *differ from itself*” (Han, 2017: 10). As such, works that imitate, copy, pastiche, or are inspired by another work are just as viable as the original because they are *part of* the original. As De Boever points out “Chinese thought breaks out of a *monological* notion of art” common in the west, so that “both individual and collective works are open to transformation” (De Boever, 2019: 44). As such, the culture surrounding an original is different in China, expanding the Western notion of a single original into the notion that copies are also part of the original work.

The expression of Chineseness and the use of local talent are important in shanzhai culture. The original imagery of the mountain bandits evokes similar implications as the Western legend of Robin Hood who redistributed wealth in a heroic manner. In China, shanzhai has gone from referring to illegal and poor-quality electronic goods from Shenzhen to suggesting a modern cultural movement that appropriates, combines, recreates, and parodies

consumerism and capitalism (Duval, 2015). The intention of many shanzhai products is to mimic the original while being distinctly Chinese. Chen refers to shanzhai as “the pop art of China” because it demonstrates China’s understanding of their transformation of Western sensibilities and capitalism, by “reversing the engineering of capitalism for [their] own benefit” (Chen, cited in Duval, 2015). Shanzhai also recognises Chinese labour and creativity that is often taken away in Western racialisation and outsourcing, as discussed by Chia previously. Lin also notes that shanzhai culture is closely related to protest and rebellion against corporate wrongdoing, and as such, is a grassroots form of self-expression that creates cultural intimacy (Lin, 2011: 58). In this way, shanzhai culture is akin to that of transmedial fan-produced work, which can be said to act as a self-expression of fandom within a fan culture.

When considering the Westernisation of China, and usurping Western ideas of clones and copies, the term shanzhai can be broadened from the Western notion of a copy to include localisation and subversion, in addition to illegal imitations and counterfeit products. Fans in East Asia often adapt, localise, and translate Western content into a more recognisable and relatable form “in a dynamic cultural adaptation process” (Chen, 2021: 273). With this in mind, we might consider copies and shanzhai versions of games to be akin to localisation and culturalisation efforts to understand and enjoy original source material that is potentially not available in an East Asian language or context. According to Kerr, culturalisation is a type of localisation in which culturally specific terms or ideas are replaced with culturally appropriate alternatives for target markets (Kerr, 2017: 126). As such, shanzhai games can be thought of as localised Western games. Chen finds that, “Shanzhai, when understood critically, is not mere copying. It is a mutual constructing process, a cultural ‘transmitter’ for the local Chinese culture to break with its past (the Chinese School) and incorporate the foreign, and vice versa” (Chen, 2021: 265). In this way, shanzhai products are iterative in that they are copying one way of thinking and translating it into a more understandable and/or palatable way for local audiences. Like the conflation of production and consumption in fandom, shanzhai products can be seen as the conflation of negative Western stereotypes about Chinese copies, as well as efforts to localise content and subvert Westernisation.

The significance of the term shanzhai has grown and changed over time, first referring to mountain fortresses and bandits, and now having associations with copies, knock-offs and specifically Chinese products. Culturally, the different definitions of shanzhai are weighted toward positive (Chinese) and negative (Western) connotations. Western notions of shanzhai are negative largely because of the conflation of negative reports of Chinese game remakes, ideas of Western exceptionalism and a racialisation of outsourcing with an assumption that China and other Eastern countries are neither creative nor innovative. In China, however, the term shanzhai has changed and evolved over time to increasingly imply a pushback against the basic tenets of Westernisation. We argue that a shanzhai game can simultaneously be a game copy, an effort towards localisation and culturalisation of content that is otherwise unavailable in China, *and* a subversive anti-colonial act of mimicry that identifies gaps between Western and East Asian tastes and markets.

### **Reframing Game Remakes**

From the above discussion, we have examined various perspectives on the practice and perception of copying in the West and in China. In Western games production and culture, we noted that copying has a place in commercial practice and in fan cultures, both of which are understood by clear processes with copyright and IP protection. In contrast, the Western perception of copying and protection in China is problematic and subject to simplification, with the reality being that copyright and IP protection in both China and the West are complex



issues. To expand on this, we have discussed how the Chinese tradition of shanzhai culture can help with understanding recent Chinese games that are considered copies. We argue that considering shanzhai alongside Western copying practices (i.e., from commercial to transmedia fan culture) can help develop a more nuanced understanding of Chinese and Western game remakes.

To explore our framework of shanzhai games in the context of Western ideas of transmedia and game copies, we selected the game *Among Us* (InnerSloth, 2018) as a case study. Inspired by the social deduction game “Mafia” (also known as “Werewolf” *Langren* 狼人), *Among Us* is an online multiplayer game for PC, console, and mobile that brings four to fifteen players together in one of four locations and tasks them with completing a series of minigames (see Figure 1). Up to three members of the crew are randomly assigned as impostors whose job it is to sabotage and eliminate crewmates. It is the job of crewmates to try to work out who the impostors are, while impostors work to avoid detection until all crewmates are eliminated.



Figure 1: Screenshot of *Among Us* start screen from the InnerSloth website, available at: <https://www.innersloth.com/press-kit/> (accessed 05.07.2022).

Though the game was released in 2018, it was in 2020 during the COVID-19 pandemic that a surge of interest in *Among Us* propelled it to being discussed as one of the prominent ‘lockdown’ games enjoyed by players around the world. *Among Us* makes for a particularly interesting case study, not only due to its global reach during lockdown but also because it inspired a series of copies and imitations, including fan imitations and homages, commercial imitations in the West, and a Chinese game with ludic similarities, *Werewolf Among Us* (*Langren zhi jian* 狼人之間; Shenzhen Youliang Technology, 2020).

When it comes to considerations of IP and copyright infringement, there are several stylistic and ludic similarities between *Among Us* and *Werewolf Among Us*. These include the simple character design and ability to customise characters, as well as borrowing gameplay mechanics from popular party games. This has led to several instances in which *Werewolf Among Us* has been considered a shanzhai game in a negative context, such as MintCat (*Bohe*

mao 薄荷貓) game's video playthrough of the game, which is titled “Among Us copy” (MintCat, 2020). We argue instead that the game can be considered a shanzhai game in a positive way. In the following case study, we examine the mechanics and transmedial productions surrounding *Among Us* in the west. We consider the Chinese game *Werewolf Among Us* to be an example of a game that localises and culturalises *Among Us*. Even though *Among Us* was one of the bestselling games in China, it was accessed illegally through the grey market. Because of this, the game *Werewolf Among Us* provided a kind of cultural awareness of the Chinese version of the party game *Werewolf* as well as an innovative business mindset by filling a gap in the legal Chinese games market.

### Copying *Among Us* in the West and in China

According to the developers, the game was inspired by the live party game “Mafia”, as demonstrated in the fact that the original ID for the App was “Space Mafia” (Carless, 2020). The party game “Mafia” was invented in 1986 by psychology students in Moscow State University (Demyanov et.al, 2015: 336). In it, players are secretly assigned the role of mafia (minority) or an innocent (majority). There are two stages of the game: night, where the mafia can covertly choose an innocent to ‘murder’, and day, where the surviving innocents can debate the identity of the mafia members and choose a player to eliminate. Play continues until all the mafia or the innocents have been eliminated.

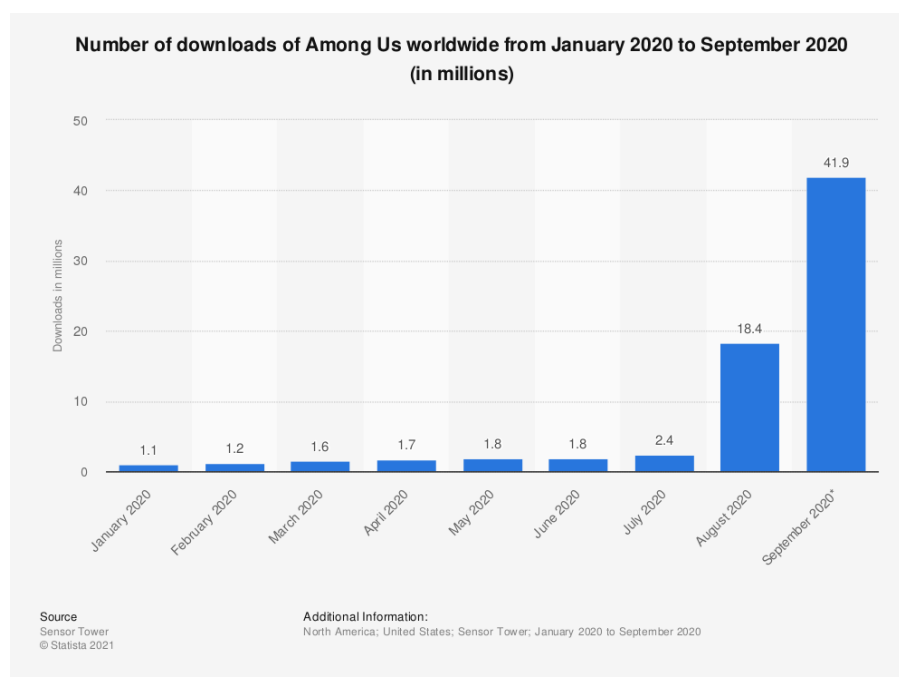


Figure 2. *Among Us* worldwide downloads from January 2020 to September 2020 (Clement, 2021).

Like “Mafia” before it, *Among Us* randomly splits players into crewmembers (majority) and impostors (minority) with the goal to either find the impostors or sabotage and kill the crewmembers. Because of the similar underlying processes and logic of the game as set out by Wardrip-Fruin (2011), the videogame *Among Us* could be considered a copy of party game “Mafia”. As a live party game, however, “Mafia” is not necessarily protected by IP or copyright. On top of that, *Among Us* is different enough from “Mafia” for several other reasons: it borrows science fiction elements from other sources such as the film *The Thing* (1982); it is played not as a traditional party game but as a videogame across various gaming platforms; it does not overlap in terms of its direct market. Thus, there are sufficient degrees of separation

between the source materials and games to avoid copyright infringement, and it has not been considered a copycat game.

Notably, fan interaction with source material has driven the success of *Among Us*, informing the marketing from Innersloth. Two years after launch, *Among Us* shot to international overnight success (see Figure 2) after well-known Twitch and YouTube streamers promoted the game on social media. This success included downloads of the game on the grey market in China. According to Innersloth artist and *Among Us* game designer Bromander, content creators in South Korea and Brazil kicked off the 2020 surge of popularity, leading it to become most popular game in Mexico, Brazil and South Korea at the time (Bromander, cited in Grayson, 2020).

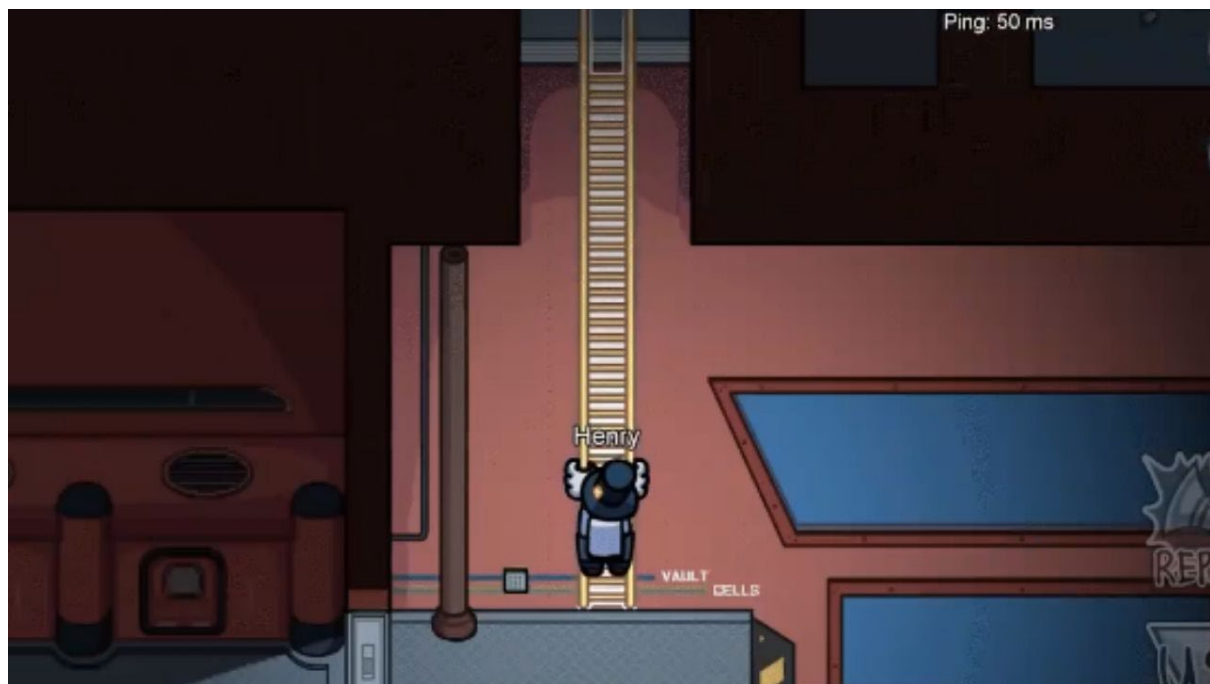


Figure 4: Screen shot of the newly released airship level of *Among Us*, depicting the new map and features used in the game, (Innersloth, 2020).

Innersloth recognise the importance of fan participation and user-generated content, but with certain limitations. They state on their DMCA and Fan Creation Policy for Innersloth Licensed IP page that while they welcome the excitement and drive to generate fan-made creations, they wanted people to be sure to purchase licensed merchandise. Their policies regarding “fanart, fan works, and other items created” based on their properties includes “if you create something based on our properties, please do not sell it yourself”, “please do not vectorize, trace, or otherwise reproduce our marketing, branding and other assets to use in your items”, do not use title or names in conjunction with the items you share and that they “reserve the right to reach out to you to ask you to remove infringing material [...] on a case-by-case basis” (Innersloth, 2021). Thus, they understand the fans’ needs for presumption (Ritzer & Jurgenson, 2010) of content as well as the “contradictory process” of challenging and intensifying commodification of their product and original IP (Hills, 2002: 182). Interestingly, Innersloth also call upon their fanbase to report any unlicensed or unofficial merchandise to developers, who will send the reports along to their brand protection team Morrison Rothman LLP (Innersloth, 2021). In doing so, the team utilise the fan passion for the game and recruit them into finding companies and/or other people attempting to profit from their original IP.

Many clear game remakes or imitations of *Among Us* were produced in the West and for Western consumption, where Roblox has become one of the most notable sources of the creation of *Among Us* copies (see Figure 5). Roblox remakes vary from close copies to creative adaptations and remixes with other media. These remakes, viewed through a transmedia lens, appear to be understood as ‘legitimate’ copies, transforming the original work into fan or hobbyist games shared on a platform that pushes user-generated content. Nevertheless, the copies of *Among Us* on Roblox, as shown in Figure 5, not only appear to contradict Innersloth’s Fan Creation Policy with respect to close tracing of marketing or branding, but also potentially commercialise and capitalise on *Among Us* IP. While Roblox games are free to play, transactions are possible with in-game content using the platform’s currency, Robux. The potential for monetisation and the commercial risk to Innersloth is arguably minimal, but nevertheless these Western copies of varying degrees of close similarity to *Among Us* are neither challenged nor generally seen in a negative light.

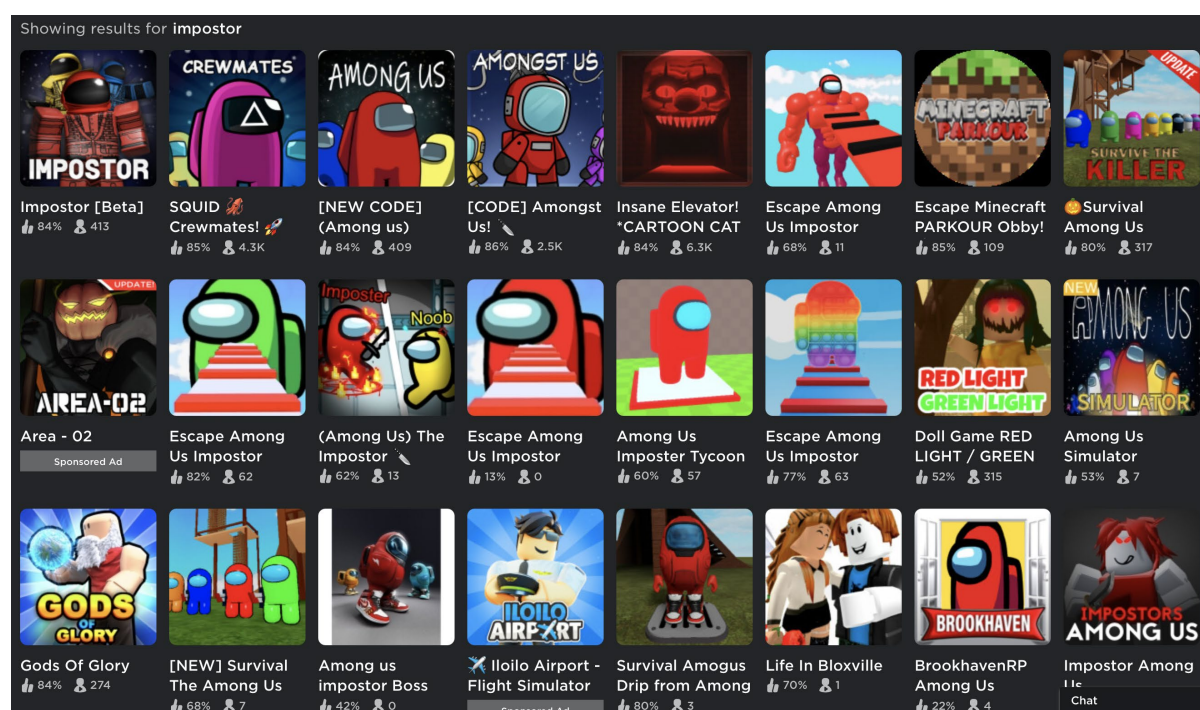


Figure 5: Examples of the diverse fan-made *Among Us* copies available to access on Roblox, screenshot taken by the authors of the above search for ‘Impostor’ via the Roblox storefront (<https://www.roblox.com/discover/?Keyword=imposter>), as returned in October 2021.

### Werewolf Among Us

During the height of the popularity of *Among Us* in 2020, and while fan engagement and imitation games were being produced in the West, the Chinese developer Shenzhen Youliang Technology released *Werewolf Among Us*, an online multiplayer social-reasoning game where villagers reinforce the defences of a mysterious castle to combat invading werewolves (see Figure 6). However, mixed-blood werewolves are in the castle amongst the villagers, who attempt to sabotage reinforcements and attack villagers. The game can be considered to be a shanzhai version of *Among Us* given how closely the game mechanics map onto each other. However, it could alternatively be considered a localised version of the game for several reasons.



Even with the availability of *Werewolf Among Us*, Chinese players have still downloaded *Among Us* from both the Apple App Store and Steam on the grey market. According to the *South China Morning Post*, *Among Us* was the 10<sup>th</sup> most downloaded game in China in November 2020 (Ye, 2020). Qimai Data found that in 3 months, over 885,000 Chinese players downloaded Innersloth's game (S., 2020). Prime among these reasons is that *Among Us*, despite being available in China via the grey market and being a popular download in the country, is not compliant with Chinese state regulations for games (see Pilarowski, Lu & Zhu, 2021) and therefore is not available as an officially approved game. Had *Among Us* been previously approved for license, it would risk being banned due to several issues inherent in the game that would raise flags for regulators, such as depictions of real death, gender ambiguity, and even some of the player-to-player communication functions. However, *Werewolf Among Us* can also be considered to have been localised due a number of cultural and language adaptations made to better suit the China market, such as the game title, payment model, and the reframing of the 'kill' mechanic.



Figure 6: Screenshot of *Werewolf Among Us* from Wong (2020) demonstrating the stylistic and ludic similarities to *Among Us*.

In China, the party game “Mafia” is called “Werewolf” (*Langren* 狼人). Using the word ‘werewolf’ in the title informs Chinese players of the base mechanics of the game. As such, the game acts as a localised version of *Among Us*. While the payment model of *Werewolf Among Us* is similar to that of *Among Us*, it conforms to the expectations that Chinese consumers have. While *Among Us* was free to download and play in its mobile version, there were charges for skins or for playing on different platforms. *Werewolf Among Us* is free to download in China with customisable 3D rather than 2D characters. *Werewolf Among Us* characters are also gendered, with a bow denoting a female character. There are also randomly assigned names given to players that they also have the option of changing. While skins and other customisable aspects of *Among Us* are available for purchase, *Werewolf Among Us* allows the unlocking of skins and pets within the game as gameplay continues. The first skin can be unlocked twenty-four hours after initial download. Changes to the ‘kill’ mechanic in *Werewolf*

*Among Us* allowed the game to pass Chinese games regulations. Rather than the violent and gory death scenes in *Among Us*, when a werewolf attacks a player in *Werewolf Among Us*, the character is simply knocked unconscious. Subsequently, players return as ghosts to finish their tasks in the hopes of winning the game as a villager.

Like *Among Us*, *Werewolf Among Us* was instantly popular. According to Forde (2021), it was the top free game downloaded from the App store in China upon its launch on 28<sup>th</sup> of October 2020. By November, *Werewolf Among Us* generated more than 100,000 installs in a 24-hour period, and by January 2021 the game had been downloaded an estimated 663,000 times. It is clear from the nearly one million downloads of the game made by Chinese players in the first three months of 2020 that Chinese audiences were aware of and interested in *Among Us*, but nevertheless were also interested in playing *Werewolf Among Us* as a China-developed game. Simultaneously, *Werewolf Among Us* not only demonstrates linguistic and cultural localisation, but also adheres to the strict regulatory requirements necessary for licensed sale in mainland China. In this sense, it is difficult to regard *Werewolf Among Us* as a market competitor to *Among Us* despite its close proximity: it is instead making possible a route to market, both culturally and legally, that *Among Us* was either not aiming or not able to achieve. This aligns with the earlier discussion of shanzhai as the reverse engineering of capitalism and Westernisation for Chinese benefit (Duval, 2015).

Even without Chinese localisation, players still had an appetite for *Among Us*. However, Shenzhen Youliang Technology took advantage of the lack of localisation as well as the delays that often accompany registering international games with Chinese publishers, a process which is known for being time consuming for Western companies (Borak, 2020). This kind of industrial ingenuity and business sense would likely be rewarded in the West. However, as it happens in China, and thanks to the negative press towards Chinese shanzhai, these shanzhai products are viewed negatively as “rip-offs” (S., 2020).

### ***Fortnite Impostors***

While attention shifted from seemingly innocuous Western-made fan copies of *Among Us* on platforms such as Roblox to the perceived ‘rip-off’ *Werewolf Among Us*, another copy of *Among Us* was on the way – one which was both Western-made and packaged as part of a commercial product by a major Western company. Launched in August 2021, *Fortnite Impostors* is a game mode for Epic Games’ *Fortnite* (2017). This game mode incorporates the conventions of ‘Mafia’ and ‘Werewolf’ social deduction games, just as *Among Us* did in 2018. As described by Epic Games, Inc., “Fortnite Impostors is a mode for a maximum of ten players: eight Agents maintaining The Bridge and two Impostors out to overtake it”, in which agents must “complete Assignments like calibrating chests and llamas, repairing the Battle Bus, and delivering Storm reports for analysis” and “work together to root out anyone masquerading as a fellow Agent” (Epic Games, Inc., 2021). Ultimately, *Fortnite Impostors* bears a striking resemblance to *Among Us* in both its ludic structures and presentation, from the use of the word impostor in the title through to the way agents (crewmates) vote for and eject potential impostors (see Figure 7).



Figure 7: screenshot of Youtuber Ali.A. playing *Fortnite Impostors* which has a similar elimination sequence to *Among Us* (Ali.A., 2021).

The release of *Fortnite Impostors* was almost immediately met with a swathe of gaming media articles drawing attention to the similarities with *Among Us* and questioning the actions of Epic Games. Some of the press coverage drew particular attention to the response of Innersloth, a notable example being Yin-Poole writing in *Eurogamer*. Drawing upon tweets from the Innersloth team, Yin-Poole summarised the sense of disappointment that members of the Innersloth team felt, concluding that it was a missed opportunity for collaboration between Innersloth and Epic Games and that limited effort had been put into differentiating *Fortnite Impostors* from *Among Us* (Yin-Poole, 2021). Interestingly, Yin-Poole highlighted commentary from Bromander on whether the mechanics of *Among Us* could have been copyrighted. Bromander is quoted having tweeted that “I don’t think that leads to a healthy game industry” but also that “If WB can patent a Nemesis System and Square can patent the ATB system we could patent the tasks system for example” (Bromander, cited in Yin-Poole, 2021). On the 12<sup>th</sup> of October 2021, Epic Games credited *Among Us* and Innersloth as inspirations for the Impostor mode in *Fortnite* via Twitter (Carpenter, 2021).

While *Fortnite Impostors* is a Mafia-style social deduction game like many other games before it, it is also clearly perceived as an imitation specifically of *Among Us*. While anxiety over game imitations exist within Western games markets, we argue that *Fortnite Impostors* is not a shanzhai game: it is not a culturally differentiated and localised imitation. Indeed, the discourse on this imitation is more one of corporate power. *Fortnite Impostors* is a game produced by a large and powerful corporation that imitates a commercially successful game created by a small independent studio. It does not infringe upon copyright, but nevertheless is so close an imitation as to be widely recognised as such. To that end, we can observe that the Western perception of shanzhai games as being imitations that remake or otherwise rip off game products produced outside China is problematic. Arguably, anxiety over the risk that original game ideas may be taken and repackaged within the Chinese market can be misplaced where we can observe similar activities occurring within the West, with public and media recognition of it happening, but framing it as an example of corporate power rather than cultural difference.

## From Western Transmedia to Chinese Shanzhai: Reframing the Remake

In this paper, we set out to examine how perceptions of game copies vary depending on the context in which the copy is produced, presented, and consumed, with a specific focus on the differences in Western and Chinese produced imitations of Western games. We identified that widely held Western perceptions of Chinese-produced imitations could paint a simplistic picture with respect to creativity, commercialisation, and copyright recognition, and proposed that a more complex set of legal and cultural factors impact how and why game copies exist.

Though seemingly straightforward, game copies and remakes, as well as their subsequent IP protections, are complex, commonplace, and often colonial. We proposed that the Chinese notion of shanzhai is closer to the Western practice of transmedia when considering the *intent* of imitation in a gaming context. When it comes to transmedia cultural production in the West, the line seems to be drawn at others using licensed IP to make money. Fan-produced games, art, costumes, and other products are encouraged and help propel the popularity of franchised content.

We also posited that Westernisation, negative media attention around China, and the Western racialisation of creativity have played into the Western negativity towards Chinese game remakes. This paper considers that a shanzhai game can be simultaneously a game copy, an effort towards localisation of content that is otherwise unavailable in China, *and* in some cases a subversive anti-Western act. Some shanzhai games can be thought of as transmedia that are both a production and consumption of Western products reframed for Chinese audiences. This means that such shanzhai games can be considered presumption in the same way as other forms of fan-generated content. In doing so, shanzhai games simultaneously challenge and intensify notions of commodification *and* capitalism. In contradictory fashion, they both work against Westernisation and reimplement it.

Our case study on the origins of *Among Us*, its rapid global popularity in 2020, and subsequent myriad of fan engagements, imitations, and remakes in both the West and in China, has shown that the act of copying games in China is far more nuanced than Western media often report. Interrogating *Among us* and the *Among Us*-likes from the perspectives of copyright/IP, transmedia, and shanzhai has revealed a need for greater cultural awareness for transnational game development and publishing. While games companies such as Innersloth increasingly engage with transmedia notions of fan engagement as a legitimate but measured interaction with IP, the concept of shanzhai offers an additional lens through which to understand and interpret game remakes and copying in different cultural contexts. To that end, we conclude that game makers and rights holders in the West would benefit from a greater understanding of shanzhai as a complementary mode of engagement to Western transmedia. In particular, as we have discussed in this paper, a more nuanced understanding of how shanzhai mediates Chinese cultural, production, and regulatory difference can inform how game developers and publishers in Western nations approach mutually beneficial collaborations with China-based developers in the future.

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