

# Character Assassination: Responding to Defamation in the Gaming World

Article

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Online gaming communities are incubators of defamation. Competitiveness combined with the ostensibly impenetrable shield of online pseudonyms and geographic distance from your opponent invites participants to defame without fear of repercussions. Gaming disagreements spill over onto social media platforms including Discord, Twitch, X (Twitter), Instagram, and Reddit where the cleverest insults and the deepest cuts quickly spread. Although online defamation is commonly accepted in the video game world by players, streamers, and viewers, it can cause severe damage to real-world reputations and careers.

Defamation is the line drawn that separates free from unlawful speech. A statement (made in-person, in a static online post, or streaming) is defamation only if:

- It is a false statement of fact about a specific person;
- Published to someone else or the internet/public generally;
- It damages that person's reputation.

A typical example of online defamation in the gaming world is when someone makes a fake profile of a popular streamer to call them a pedophile, a "pedo" or, believing themselves clever, "p3do." As long as the statement is false, calling someone a pedophile is defamatory because it falsely implies that they are inappropriately attracted to children and such an accusation damages one's reputation because, if it is believed, others will think less of that individual.

Fake profiles are easy to create and bad actors can use them to purposefully follow those within that community to spread their defamation to those that the victim cares about most. The defamed person may lose followers, views, and engagement. As a result, the defamed person may lose income and brand partnerships (including possibly their access to YouTube's Partner Program / monetization). But even for the non-professional gamer, damage to their reputation and the stress of dealing with online harassment can be overwhelming.

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If you believe you have been defamed online, there are several steps you should take to address the situation, build back your reputation and career, and hold the accusers accountable.

### **Preserve Evidence**

Before you do anything else, preserve evidence of the defamation. Take screenshots of the offending content and of the defamer's profile. Download all offending videos. If you receive any texts or messages about the offending content, save those as well. Preserve all comments – it is important to see how the public responded to the defamation (did people believe the lies to be true or did they not take it seriously / immediately jump to your defense).

### **Report to the Platform**

Posts that promote violence, divulge private information (doxing), or are otherwise considered harassing violate the terms of service of every social media platform. Reporting the offending content to the platform is the quickest way to get the content removed. A qualified internet defamation attorney may assist in reviewing the particular platform's terms of service, identifying which rule the defamer violated, and submitting a take-down request letter to the platform.

### **Talk to an Attorney**

Speaking with an attorney with experience in defamation law, specifically *online* defamation, will help you (1) determine if you were defamed; and (2) seek justice to protect and repair your damaged reputation.

If the posts are not removed or they keep creating new posts and accounts to further defame you, a demand letter to the defamer (coupled with a phone call) may be advisable. If the situation becomes untenable or if the damage done is too great, a lawsuit may be required. If the defamer created a fake account with a pseudonymous username, an attorney can file a lawsuit against that username, request the court's permission to subpoena the platform, and unmask that user.

While bad actors feel insulated hiding behind their fake profiles thousands of miles away from their victims, legal tools exist to drag them into the spot light to answer for what they have done.

An experienced attorney will help protect your reputation and hold the defamer (s) accountable for their actions. Your reputation, career, and well-being are worth protecting.

*\*This article was written with assistance from intern Ava Rosenberg, who provided research and help drafting the article.*

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