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John Kenneth Dowling
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1 April 2023

Dear Mr Dowling

Barry Trotter Videogames: Cease and Desist

As solicitors representing one of the most famous authors in Britain, OMG legal Services is writing to you, as the Chairman and CEO of UK Videots Ltd., to demand that you cease and desist the production, sale, distribution, promotion and marketing of a series of videogames based on characters created by our client, Ms J.K. Rowling.

As you are no doubt aware, it is illegal to produce, sell or profit from “derivative works” based on a living author’s copyrighted material without the necessary “adaptation right” specifically authorizing a third party to do so. In your case, the main characters in the ‘Barry Trotter’ series of videogames bear a “substantial similarity” to what are now household names from Ms Rowling’s novels, viz. Barry Trotter, the teenage wizard, his friends Tom Ferretti and Felicity Frogmore, and his arch-enemy Diego Malafede, all of whom reside at a boarding school for magicians called “Dogwarts”.

In legal terms, there has been (i) a clear infringement of copyright; (ii) a denigration of Ms Rowling’s original work, which suppresses the demand for it; and (iii) a substantial degree of injury to our client’s artistic reputation, as many unwitting consumers are under the impression that the name J.K. Dowling, prominently displayed on the packaging, is merely a misprint.

On behalf of my client, I hereby demand that UK Videots cease and desist the production, sale, distribution, promotion and marketing of the following products: ‘Barry Trotter and the Loch Ness Monster’, ‘Barry Trotter Climbs Mount Everest’, ‘Barry Trotter Meets Dr Death’, ‘Barry Trotter in Bangkok’, ‘Barry Trotter for President’, ‘Barry Trotter and the LGBTQIA Crusade’, ‘Barry Trotter’s Indian Ocean Adventure’ and ‘Barry Trotter’s Unspeakable Revenge’.

Since all your products are designed and manufactured in Britain, the ban will also cover your Chinese, Japanese, German, Spanish and French DVD’s, CD-ROM’s and all software for online games and mobile devices. We are issuing this cease and desist letter now, in April, to prevent any plans you may have for a promotional campaign to take advantage of Black Friday or the Christmas rush. Failure to comply will result in immediate legal action and a demand for substantial damages.

In the meantime, if you have any queries, I am available at the above address and phone number.

Yours sincerely

Olive Ogmores (Solicitor)