

DECISION

FIRST INSTANCE JURY

4 Complaints by	Consumers
EASA Cross Border Complaints System	Forwarded to CARO by the UK Advertising Standards Authority (ASA, www.asa.org.uk) EASA CBC Cases 6174, 6176, 6177
Advertiser	Wargaming
Decision finalised	15 January 2021

Issue / Complaints

Complaint to CARO

"The santa crates give the standard ships first and it is not truly random.

<https://www.youtube.com/playlist?list=PLW9RpPaFFdQ3rInkE8Z2-XjNslCZLgUUS>

Details of droprates not given and ships are not random given.

<https://www.youtube.com/playlist?list=PLW9RpPaFFdQ3rInkE8Z2-XjNslCZLgUUS>

Wargaming does not state, that there is a separate list for the ships to drop, this fact is left out.

<https://www.youtube.com/playlist?list=PLW9RpPaFFdQ3rInkE8Z2-XjNslCZLgUUS>

Contacted their customer support, they offered a refund, but not confirmed or denied the hidden list. "

CBC 6174, on Wargaming own site

"the advert claims it is possible to win 1 of 107 ships, but it has been demonstrated that it is only possible to win one of 3 specific (or one of 4 specific ships depending on which container is purchased) unless the person opening the loot crates already owns those 3/4 ships already".

CBC 6176, on Wargaming own site

"I collected a the evidence that, A Wargaming with their Santa crates is gambling.

The given streamers also have certain ways to be contacted.

<https://www.youtube.com/playlist?list=PLW9RpPaFFdQ3rInkE8Z2-XjNslCZLgUUS>

https://www.reddit.com/r/WorldOfWarships/comments/k6ivy5/how_wg_chooses_your_santa_gift_ship_and_why_you/

In the subreddit there is tons of evidence too.

The official game website is: <https://worldofwarships.eu/en/news/sales-and-events/a-time-of-gifts/>



According to them you can get 1 out of 107 ships on the published list. BUT there is another list, a shortend list. You either get Makarov, Yahagi or Ark Royal as ships. My video playlist I created explains it further as well.

Please take action against that."

CBC 6177, on Wargaming own site

"The company Wargaming builds computer games and their very successful titles nets them hundreds of million dollars annually. This year they are marketing their loot boxes (Santa containers) saying: "You can find one of the following rewards in a Santa's Big Gift container: A random Premium ship, including rare ones..."; And they show a list of 107 different ships.

The problem is that the ships are not random at all, in fact collected data shows that the system that they have put in place is using a shortlist of ships and unless you have at least one of the ships on the shortlist you have 0 chance of getting any of the ships advertised.

Wargaming have been made aware of the fact that the advertising is misleading and it has upset the community so much even the Content creators and Community contributors for World of Warships have called them out on this and one of the most popular ones have taken a break as he doesn't want to have his name connected with the fraudulent advertising and business practices.

Wargaming's response has been to keep the advertising as it is and not admit any wrongdoing. I've included the initial post on Reddit which broke the news on the situation:

https://www.reddit.com/r/WorldOfWarships/comments/k6ivy5/how_wg_chooses_your_santa_gift_ship_and_why_you/?ref=share&ref_source=embed&utm_content=body&utm_medium=post_embed&utm_name=612eaaaa0e0c4002b4c12caa3f82a791&utm_source=embedly&utm_term=k6ivy5

Flambass is one of the Community contributors for Warships and he is warning people about it here:

<https://www.youtube.com/watch?v=v3Q6PZf3hfo>

Flamu is the biggest community contributor and testing the theory here: <https://www.youtube.com/watch?v=hyuejlhsts&t=6s>

To state that you can get a random ship when this clearly is not the case cannot be anything but misleading and how they can decide not to change the text after admitting so themselves is incredible. This is the Wargaming official response: <https://forum.worldofwarships.eu/topic/144375-psa-santa-containers/> "

Advertiser's Response:

«The complaints from the users relate to Santa's Gift Containers ("Gift Containers") which are offered every year in WoWS within a short period of time. This year Gift Containers are sold in the game from December 4th, 2020 until January 21st, 2021. The sales of Gift Containers are dedicated to Christmas and New Year holidays and can be compared, as a rough guide, with Secret Santa tradition.

Gift Containers are types of loot boxes which, in their turn, are traditional monetization mechanics in Free-to-Play (“F2P”) massively multiplayer online (“MMO”) games like WoWS. By purchasing a Gift Container, a player receives randomized set of items inside: coal, doubloons, signals, or even one of 107 premium ships, if the player is lucky enough.

The description of the campaign clearly states that any player has a chance to receive one of 107 premium ships listed in the advertising of the campaign. This is entirely accurate. The player will be able to receive a ship out of 107 premium ships list in the Gift Container (or a Supercontainer, which is a part of a Gift Container as described below). No ship other than 107 premium ships, listed in the description, can drop out from such containers. The list of 107 premium ships contains all the ships, including those, named in consumer complaints.

When a player buys or wins a Gift Container, there is an algorithm which randomly determines which content will drop out of the container based on the drop rates attributed to various items. Depending on the result of the roll and taking into account which ships the player already has on his/her account, the player might receive a Gift Container or a Supercontainer, in which any of 107 premium ships can drop. The Supercontainer, being a part of a Gift Container, will appear if a player receives in a Gift Container a premium ship which the player already has on his/her account. This mechanism ensures that players, if they are lucky to get a ship, will keep getting different ships from the Gift Containers (Supercontainers), until they have all of them.

The algorithm works impartially and in the same manner for any player. Neither the money spent by a player, nor the time spent in the game, nor any other factor influences the chance to receive a ship, and each time a player draws a ship he/she already owns, it is replaced (via the Supercontainer) with a different ship.

Speaking of ships, different ships have specific drop rates. The fact that drop rates for different ships vary is stated in the item description. Logically, the most rare/expensive ships have less chance to drop, and more common ships have higher chance to drop. This is a common knowledge, both among our audience and in the whole industry, that loot boxes normally have items with different drop rates, depending on their rarity. Our data confirms that among all the drops from the acquired loot boxes, all the listed items are present, as it should be – so even the rarest items in the list are being dropped from time to time. What is even more important, is that Gift Containers always drop the items of equal or bigger value. Thus, there is no winner/loser in this campaign; each buyer receives some equal or better value of items from the Gift Containers, and there is no competition in this case.

Talking about players perception, most of our players have always treated the Santa Event as a huge Christmas season sale, and effectively, it is: the players traditionally purchased containers (and got some for free, as we give them away, too), boasted their drops to each other and gifted the boxed to their friends. It has always been a good way to get value for money and boost one’s game experience. Wargaming, in turn, have been providing this event for many years without any community unrest.

However, this time we have received some complaints from the players who were not happy with their Santa Gift Container purchases. Even though Wargaming believes that our players are well-informed, experienced enough, and there was no misleading information in the current campaign, we decided to prove how much we value our players, and offered unprecedented move in the industry – the ability to refund the Gift Containers, even if they were already opened, which lasted for a week. We communicated this to our players officially, and

later, as a gesture of goodwill, especially to those players who failed to ask for a refund, we extended the refund period. As of now, the refunds are still available, as we want to make sure that no one will be upset during the holidays. Last but not least, on the top of refund option, we promised to the players that we will take their concerns and feedback into account when we work on the next Santa event.».

Jury Assessment:

1. The jury carefully considered all the information presented to them. The Jury took special note and commends Wargaming for offering refunds to affected players, and for aiming to ensure that no one will be upset during the holidays.
2. The jury takes no issue with the randomised offering of the Gift Containers, the fact that different drop rates are attributed to various items, the fact that drop rates for different ships vary and that the most rare/expensive ships have less chance to drop. Wargaming mentions that "this is a common knowledge, both among our audience and in the whole industry, that loot boxes normally have items with different drop rates, depending on their rarity". The Jury considers that this is also shared understanding in general.
3. However, the jury believes that the pre-condition of ownership of one of four specific ships before the gamer may potentially benefit from the opportunity to receive one of 107 premium ships, is in a different league to the randomised workings of the algorithm. Even though all players will first receive a container with one of four ships (provided, there is a ship in the container at all), the players who already own 1 of the 4 ships will get a substitute with one of the 103 ships, whereas the players who do not own 1 of the 4 ships are restricted to those 4. In that sense, it is not correct to claim that "The algorithm works impartially and in the same manner for any player."
4. The Jury also disagrees with the opinion expressed in the discussion that this knowledge would not affect the economic behaviour of the players. In the opinion of the jury, there is a distinct possibility that it would. For example, knowing the pre-condition (of owning one of the 4 ships) might make a player NOT buy a gift container (since at that stage they are trying to win 1 of 4 specific ships and not 1 of 107).
5. Wargaming, as indeed any advertiser, has every right to make personalised and tailored offers to segments of their customer base. However, the terms of the offer as communicated to the gamers, should depict that reality.
6. Given the above, the Jury find that the Santa gifts campaign as is, is in breach of articles 3b and 5a of the Cyprus Advertising Code and needs to be amended. It should be amended within 5 working days from the dispatch of this decision. Please note that, for the purpose of assessing the deadline, count begins the working day following the dispatch of this decision.