

## **DECISION**

### **FIRST INSTANCE JURY**

Complaint by	Consumer
Advertiser	Wargaming
Decision issued	<b>Friday 10 September 2021</b>

#### **Issue / Complaints**

Consumer complaint regarding a Wargaming promotional offer for early access to the Johan de Witt Tier 9 ship, by buying anything from 1 to 72 early access boxes.

What the complainant considers dishonest and untruthful is the fact that, in their opinion, the odds of winning the Johan de Witt ship are skewed/"fixed" in such a way, that unless one wins early on (e.g. by the 20<sup>th</sup> box), then the chances of him/her winning is significantly removed until he/she has almost exhausted the bundles. According to an online poll, 58% of the ships were given with the purchase of boxes 62-72, percentage which indicates a draw that is not random, according to the complainant.

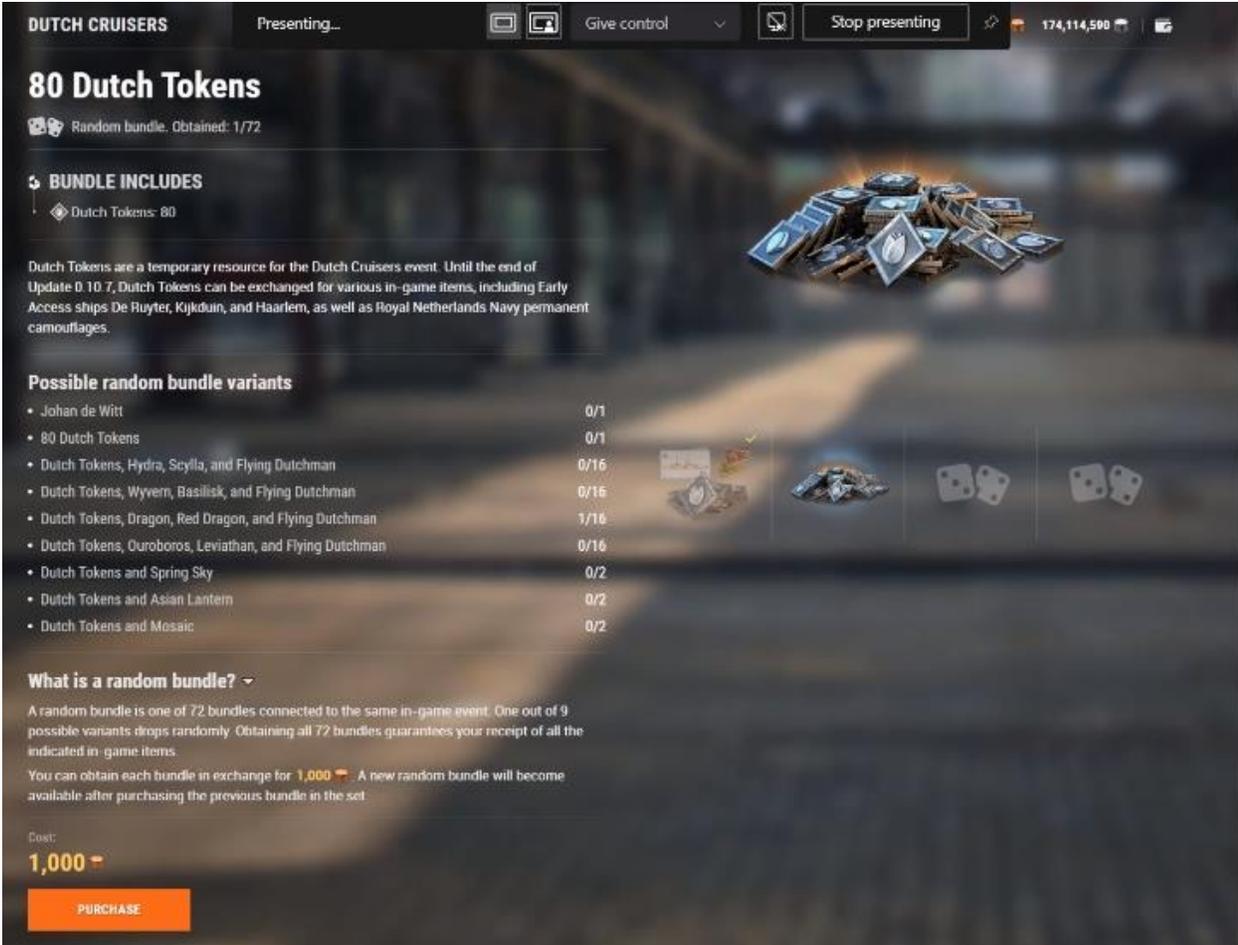
#### **Advertiser's Response:**

«The user's complaint relates to 'Dutch Cruisers: Part 1' campaign which is a temporary in-game event that started on July 14, 2021.

#### **'Random Bundles' mechanics**

The mechanism in question is 'Random Bundles' offered for in-game currency. It works as follows: when a user clicks on a bundle, he/she is offered to buy one of the 72 items of 9 different types 'pulled' from a set pool of offers. If the user accepts the offer and buys the item, this item is removed from the pool, and another offer is drawn.

Which of the bundle items will be offered to the user is determined by a randomized mechanism, as mentioned in the bundles description: "One of the 9 possible variants drops randomly".



**DUTCH CRUISERS** Presenting... Give control Stop presenting 174,114,500

## 80 Dutch Tokens

Random bundle. Obtained: 1/72

### BUNDLE INCLUDES

- Dutch Tokens: 80

Dutch Tokens are a temporary resource for the Dutch Cruisers event. Until the end of Update 0.10.7, Dutch Tokens can be exchanged for various in-game items, including Early Access ships De Ruyter, Kijkduin, and Haarlem, as well as Royal Netherlands Navy permanent camouflages.

### Possible random bundle variants

Johan de Witt	0/1
80 Dutch Tokens	0/1
Dutch Tokens, Hydra, Scylla, and Flying Dutchman	0/16
Dutch Tokens, Wyvern, Basilisk, and Flying Dutchman	0/16
Dutch Tokens, Dragon, Red Dragon, and Flying Dutchman	1/16
Dutch Tokens, Ouroboros, Leviathan, and Flying Dutchman	0/16
Dutch Tokens and Spring Sky	0/2
Dutch Tokens and Asian Lantern	0/2
Dutch Tokens and Mosaic	0/2

### What is a random bundle?

A random bundle is one of 72 bundles connected to the same in-game event. One out of 9 possible variants drops randomly. Obtaining all 72 bundles guarantees your receipt of all the indicated in-game items.

You can obtain each bundle in exchange for 1,000. A new random bundle will become available after purchasing the previous bundle in the set.

Cost: **1,000**

**PURCHASE**

Contrary to what the user is claiming, the offer probabilities are not 'skewed' so that the chance to be offered the ship would be higher for the first and last openings of the bundles and lower in the middle. The probabilities are not dynamically adjusted depending on the number of offers bought, except for the obvious change due to the decreasing number of items remaining in the bundles pool. In a nutshell, when an item is 'removed' from the pool, its drop probability is divided among the remaining items. For this reason, the probability to be offered a rare item like Johan de Witt ship is higher after a significant number of offers have been bought.

Despite randomized nature of the offered bundles, we have implemented several tools to increase transparency and predictability of the mechanics for the customer:

#### 1) Same price for different bundles + 'see-through'

The user always sees the price and the specific item offered before the purchase. This is possible thanks to the mechanics which is sometimes referred to as 'see-through bundles': the user first 'pulls' the offer from the bundle for free, and only then decides on whether to buy the bundle. So, if he/she does not want to spend in-game currency on the particular offer shown, he/she is free not to make the purchase.

**2) Limited content composition of the bundles**

The list of all items that can be drawn from the bundles is provided in their description. The player knows what can and what cannot be received. The player also understands that his/her desired item is one of many offers present in the pool.

**3) Limited number of items in all bundles**

The overall number of items is disclosed (72), so the player always knows exactly how many items he/she has to buy (in other words, how much in-game currency to spend) in order to obtain every item in the bundle, including the most valuable of them.

**4) Limited number of individual items**

There are additional limits on the number of specific items that might be 'pulled' from the bundle pool: e.g. 'Dutch Tokens + Spring Sky camouflage' can only be obtained twice. So, if the player is after this particular camouflage and has already obtained two of them, the player knows that he/she should not spend any more currency.

To summarize, the user's claim that the probabilities to receive specific content are 'skewed' is meritless and unsubstantiated.

We would also like to stress that we see no increase in the number of complaints during this event compared to other similar game events which demonstrates that the way this bundle functions meets the players' expectations and provides a sufficiently clear explanation of its mechanics.».

**Jury Assessment:**

1. The jury had a lengthy discussion with Wargaming representatives, requesting and receiving additional information provided in a confidential manner regarding the mechanics of the Dutch Cruisers promotion.
2. The jury notes the transparency parameters of the promotion, the fact that the Johan de Witt ship is currently not available for sale and may only be obtained via the bundles, and the fact that this promotion has more bundles than previous ones - information known and/or readily available in advance to players.
3. The jury has not seen any evidence that the promotion is skewed or fixed so as to award the ship in the latest bundles. Therefore, no violation of the code has been found. Having said that, it is clear to the jury - and also clear to at least some of the players from their comments on various fora- that this activity has many similarities to gambling. It is, in our opinion, up to the players to scrutinize the promotion, take into account the offerings other than the ship, the potential cost of getting drawn in it and spending a significant amount of money to acquire the ship, and decide if it is worth getting involved and to what extent/spend.