

Destiny 2 cheat creators come to a \$13.5 million settlement with Bungie

In a rather spectacular conclusion to a lawsuit filed by Bungie in August of last year, the owners of the *Destiny 2* cheat domains, Veterancheats, LaviCheats, and Elite Boss Tech, will have to pay a settlement totaling roughly \$13.5 million in damages. The math of this settlement comes from a fine of \$2,000 per violation of the Digital Millennium Copyright Act's anti-circumvention provisions – 17 US Code Section 1201 a and b – multiplied by the roughly 6,765 unique downloads of the program in question.

According to a report by Andy Maxwell on *TorrentFreak*, Bungie accused the defendants of breaching copyright law in addition to racketeering, fraud, money laundering, and violations of the Computer Fraud and Abuse Act.

Cheating in games like *Destiny 2* has caused developers to employ increasingly stringent methods to combat the prevalence of these programs. These countermeasures can be very difficult and costly to employ, especially in the case of live service games like *Destiny 2* that have an ecosystem that is regularly changing.

Bungie stated in earlier court filings that, in addition to compromising the gameplay experience of *Destiny 2*, the availability of these cheats means its "anti-cheating vigil can never cease," while instituting countermeasures is "exorbitantly expensive."

The case initially seemed to be headed to trial, but now, a

consensus has been reached with the defendants, Robert James Duthie Nelson, Elite Boss Tech, and 11020781 Canada. This agreement has the defendants accepting liability for the creation and distribution of these cheats, that the infringement was willful, and that their software was designed to circumvent technological measures employed by Bungie to control access to its software.

This settlement lines up with other similar suits filed by Bungie over the past year in cooperation with Ubisoft and another with Riot Games that both took aim at cheat manufacturers producing illicit programs for *Tom Clancy's Rainbow Six Siege* and *Valorant*, in addition to *Destiny 2*. The case brought up with Riot Games yielded \$2 million in damages to the developers, while the joint case with Ubisoft is still pending litigation.

Cases like these have become increasingly common and aren't without precedent. Back in January, Activision sued *Call of Duty* cheat maker Engine0wning citing similar charges and is currently seeking damages in the hundreds of millions.

<https://www.theverge.com/2022/6/17/23172558/destiny-2-bungie-cheat-settlement>