

The Game Was Still There

The fight over The Crew is not only about one dead game. It asks what digital ownership means when a company can sell access to a world and later make that world stop working.

2026.04.20 14:24 DENNIS HEDEGREEN ANALYSE OPEN-NOTE

[HTTPS://HEDEGREENRESEARCH.COM/ARTICLES/THE-GAME-WAS-STILL-THERE/](https://hedegreenresearch.com/articles/the-game-was-still-there/)

I once made small Flash games.

Not important games. Not famous games. Small things.

The kind of thing you could make, show someone, maybe sell for almost nothing, and still feel that it had become real because someone else could run it.

Most of that is probably gone now. The computer is gone. Flash is gone. The runtime world is gone.

Maybe a file exists somewhere, but a file is not enough.

A game does not only need to be stored. It needs a world where it can still run.

That is one kind of software death.

It is sad, but it is not always a scandal.

Formats die. Machines disappear. Operating systems move on. Plugins get killed. Old work falls out of the world because the world around it changed.

But that is not the same as what happened with The Crew.

The Crew did not just become old.

It was sold.

It was delisted.

Then the infrastructure it needed was shut down.

The game was still there in the weak sense. A receipt could still exist. A disc could still exist. Files could still exist.

But the world the game needed was gone.

That difference matters.

One kind of death is decay.

The other is control.

The Concrete Case

Ubisoft announced on 14 December 2023 that *The Crew 1*, all editions, and virtual currency packs would be removed from online stores. It said the game would remain playable until 31 March 2024. After that, the servers would shut down and the game would no longer be accessible on PC, Xbox 360, Xbox One, PlayStation 4, Amazon Luna, and Ubisoft+.

Ubisoft gave reasons that are not fake reasons: server infrastructure and licensing constraints.

That matters.

This is not a clean story where one side says "we love culture" and the other side says "we hate old games."

Online games cost money to maintain. Licenses expire. Infrastructure changes. Security risks remain. Communities can create moderation and liability problems. Some games are built so deeply around online infrastructure that an offline version is not just a switch hidden in a menu.

The serious version of this argument has to admit that.

But admitting those constraints does not answer the consumer question.

What did people buy?

Not emotionally.

Not culturally.

Functionally.

If a company can sell a game, require remote infrastructure for the game to work, shut that infrastructure down, and leave the buyer with no working product, then the word "purchase" becomes unstable.

That is why the French consumer organisation UFC-Que Choisir matters more here than the European Parliament hearing.

On 31 March 2026, UFC-Que Choisir announced that it was taking Ubisoft to court before the Tribunal Judiciaire de Créteil over the shutdown of *The Crew*.

Its public framing is sharp because it does not simply ask whether players are sad. It asks whether the purchase of a physical or dematerialised game gives the buyer at least a right of use independent of the publisher's sole will and authorisation.

That is the article.

Not "gamers want everything forever."

Not "the EU might regulate games."

The real question is whether a sold product can later depend entirely on permission that the seller can withdraw.

The Market Answer Is Not Enough

My first instinct is not to ask the state to save every product.

I believe in markets more than a lot of people probably expect.

If a company keeps building disposable products around beloved worlds, consumers should punish that company. Do not buy the next one. Do not reward the pattern. Do not act surprised forever when the same structure produces the same result.

A market is not supposed to be a babysitter.

Consumers are not only victims. They are also participants. If they keep buying the same architecture, companies will keep selling it.

But the free-market answer only works when the product is legible.

The consumer has to know what kind of thing is being bought.

If something is sold like a durable game but behaves like temporary access to a remote service, the market signal is distorted before the consumer can make a real choice.

"You only bought a license" may be technically true in many cases.

But if that is the real product, then the product should be sold in that language.

Not as a game you own.

Not as a permanent place in your library.

Not as a world you can return to later.

As temporary access to a service that may stop functioning when the publisher decides the economics no longer work.

That would be ugly.

It would also be clearer.

And clarity is the minimum condition for a market answer.

The Product Was Not Only Code

Part of the confusion comes from treating a game as if it were only software.

It is not.

A game is code, art, design, input, state, interface, expectation, license, platform, authentication, community, and sometimes a server. For an online-dependent game, the executable is not the whole product.

The files may remain. The icon may remain. The legal record of purchase may remain. But the functioning object is gone.

That is what consumer law has to deal with, because consumers do not buy abstract components.

They buy a working thing.

Or at least they think they do.

The People Pushing Back

This is where Stop Killing Games and the European Citizens' Initiative Stop Destroying Videogames become interesting.

The campaign did not invent the underlying problem. It made the problem legible.

Players had been angry about shutdowns before. Preservationists had been warning about server dependence before. People had complained for years that "ownership" in digital storefronts was becoming a theatre word. But most of that anger stayed soft. It stayed as forum posts, videos, comments, and resignation.

The campaign turned it into a question institutions could not ignore as easily:

When a publisher sells or licenses a videogame to consumers, should it be allowed to remotely disable that game without leaving a functional path behind?

The European Citizens' Initiative reached the Commission after 1,294,188 verified statements of support and after passing the required threshold in 24 Member States.

It was submitted to the Commission on 26 January 2026.

Three European Parliament committees held a public hearing on 16 April 2026.

The Commission has until 27 July 2026 to respond.

That is a real political path. But the EU is not the hero of the story.

The pressure chain is the story.

Players noticed the loss. Organisers made the loss legible. A French consumer organisation turned the issue into litigation. A U.S. proposed class action also put the ownership problem into court language. The European process turned it into a policy question.

That is how a vague digital frustration becomes a public issue.

Not all at once.

By pressure.

The U.S. Case Shows The Same Instability

The French case is not the only legal pressure point.

In the United States, *Cassell et al v. Ubisoft Entertainment S.A. et al* was filed in the Eastern District of California on 4 November 2024.

The docket lists Matthew Cassell and Alan Liu as plaintiffs, Ubisoft, Inc. and Ubisoft Entertainment S.A. as defendants, and the nature of suit as fraud.

That does not mean the plaintiffs are right. It does not mean Ubisoft has lost. It does not mean every claim will survive.

But it matters that the fight is not only European.

The ownership language is unstable in more than one legal environment.

The ordinary buyer looks at a store page, a receipt, a library entry, or a disc and thinks:

I bought this.

The legal and technical stack may say something else:

You bought access under conditions that can change.

That gap is the whole problem.

The law will decide narrow questions. The market has to answer a broader one.

How much ambiguity can a product carry before the sale itself becomes misleading?

The Industry Argument

The strongest industry response is not stupid.

Video Games Europe, through a statement published by Video Games Federation Belgium, argues that discontinuing online services is multi-faceted, never taken lightly, and must remain an option when an online experience is no longer commercially viable.

It also argues that private servers are not always viable.

The reasons listed include data, illegal content, unsafe community content, rights-holder liability, and games designed as online-only experiences from the ground up.

Those are real problems.

Private servers are not magic. Releasing server binaries is not always simple. An offline mode may not exist. A live game may contain licensed material, user-generated content, anti-cheat dependencies, backend economies, account systems, or security assumptions that do not survive a clean handover.

Some demands from preservation campaigns can sound easy because they are stated from the outside.

The inside of a product is often uglier.

But architecture being complex does not make architecture neutral.

Someone chose the dependency.

Someone chose the store language.

Someone chose whether the product could degrade into an offline state.

Someone chose whether the shutdown path was designed at the beginning or improvised at the end.

That is where the industry argument loses some of its force.

It is true that not every game can be kept alive in the same way.

It does not follow that consumers should accept total functional disappearance as normal.

The answer does not have to be "keep the official servers alive forever."

The answer could be disclosure, an offline mode, a LAN mode, a limited private-server path, source escrow, an end-of-life build, or a rule that a product sold as a purchase must either remain basically functional or be sold in brutally honest service language from the start.

Different games need different answers.

But "this is hard" is not the same as "nothing is owed."

IP Makes Exit Weaker

There is another reason the pure market answer becomes weak.

Intellectual property changes the shape of consumer choice.

In theory, the answer is simple:

Buy something else.

In practice, culture is not perfectly substitutable.

You can choose another racing game.

You cannot choose another exact world, community, save history, physics model, soundtrack, car list, event memory, and decade of attachment.

Competition can replace a genre faster than it can replace a withdrawn world.

That does not mean the state should preserve every world.

It does not mean rights-holders have no rights.

IP ownership is legitimate.

But concentrated IP gives companies cultural leverage that ordinary commodity markets do not have.

If one cafe closes, you can buy coffee elsewhere.

If one fictional world, game world, rules ecosystem, or digital place is withdrawn, there is no perfect substitute.

This is why the issue keeps touching other fights even when the legal mechanism is different. People reacted strongly to the Dungeons & Dragons Open Game License crisis because they felt the floor move under a creative ecosystem. That was not server shutdown, but it pointed at the same structural anxiety:

What happens when culture is built on a layer someone else controls?

The more of culture that lives inside owned platforms, licensed worlds, and remote services, the more "just leave" becomes an incomplete answer.

Exit still matters.

Boycott still matters.

Consumer discipline still matters.

But exit is less powerful when the thing being exited is not a generic product, but a specific world controlled by a rights-holder.

What A Serious Demand Looks Like

The strongest version of the demand is modest.

That is why it is dangerous.

It is not:

Keep every server alive forever.

Make every online game immortal.

Force companies to maintain abandoned products at infinite cost.

It is:

If a game is sold in a way that creates the normal expectation of future use, the publisher should not be able to make all use impossible without clear disclosure, a reasonable end-of-life path, or some residual functional version of the product.

That is a different claim.

It leaves room for real constraints.

It leaves room for games that are honestly sold as temporary services.

It leaves room for online worlds that cannot realistically survive in full form.

But it also refuses the trick where a product is marketed with the emotional weight of ownership and defended with the legal language of revocable access.

That trick is the thing people are starting to notice.

The Real Question

This is not really about nostalgia.

Nostalgia is present, because games are memory machines.

But nostalgia is not the argument.

The argument is product identity.

That is why The Crew matters. Not because it is the greatest game ever made, but because it is clean. A sold game became unplayable after the servers were shut down. A consumer organisation is challenging the structure. A campaign pushed the issue into the EU system. The industry is answering with real technical and commercial constraints.

That conflict reveals what the product really was.

If the answer is "you bought a revocable service", then say that clearly before the purchase. Say it in the store. Say it on the box. Say it in the library. Say that this product may become fully unusable when the service ends.

Do not sell the feeling of a game and reveal the structure of a rental only after the world is gone.

If the answer is "you bought a game", then a dead icon and a receipt should not be treated as normal.

What is being sold?

What has to remain?

What must be disclosed?

What is the difference between a dead format and a remotely disabled purchase?

Where does market responsibility end and consumer protection begin?

Those questions matter beyond games because software is eating the distinction between ownership and permission everywhere.

Cars. Books. Music. Tools. Appliances. Operating systems. Professional software.

The same pattern keeps appearing:

The object feels bought.

The function behaves licensed.

The dependency lives somewhere else.

The company calls the switch infrastructure.

The consumer calls it the thing they paid for.

Games make the conflict visible because games are emotionally dense, technically dependent, and culturally specific.

But the structure is broader.

The files are not the game.

The license is not the game.

The server is not the game.

The world that runs between them is the game.

If that world can be switched off after sale, then the fight is not about keeping every old thing alive.

It is about whether digital culture is allowed to keep calling temporary access ownership.

- Dennis Hedegreen, trying to see the structure

Sources

- Ubisoft: An Update on The Crew (<https://www.ubisoft.com/en-us/game/the-crew/the-crew-2/news-updates/3u0la29yUBGBzYlwKp5QMZ>).
- UFC-Que Choisir: action against Ubisoft over The Crew (<https://www.quechoisir.org/action-ufc-que-choisir-jeux-video-l-ufc-que-choisir-assigne-ubisoft-en-justice-suite-a-la-fermeture-du-jeu-the-crew-n175318/>).
- Justia docket: Cassell et al v. Ubisoft Entertainment S.A. et al (<https://dockets.justia.com/docket/california/caedce/2%3A2024cv03058/455496>).
- European Citizens' Initiative: Stop Destroying Videogames (https://citizens-initiative.europa.eu/stop-destroying-videogames_en).
- European Commission: Parliament hearing page, 16 April 2026 (https://commission.europa.eu/european-citizens-initiative/hearing-european-parliament-stop-destroying-videogames-european-citizens-initiative-2026-04-16_en).
- Video Games Federation Belgium / Video Games Europe statement (<https://vgfb.be/statement-stop-killing-games/>).

RELATION MEMORY

NEARBY [People Will Grow Up With Songs They Can Never Find Again](#) · Games and generated songs can both become meaningful culture while remaining fragile under platform-controlled access.

NEARBY [When a Platform Leaves the Market](#) · Both articles ask what remains when a platform controls access to a thing people still value.

CANONICAL URL: [HTTPS://HEDEGREENRESEARCH.COM/ARTICLES/THE-GAME-WAS-STILL-THERE/](https://hedegreenresearch.com/articles/the-game-was-still-there/)

PDF VIEW GENERATED: 2026-07-11T15:35:46.008Z