

## **Cool Business: Etoy's toy wars**

**by Birgit Richard**

The immaterial Cyberspace, the net, is by no means an empty space. In the net a topography of a new kind has been developed, in which the former pioneers, eg artists and activists, have been declared outlaws by the law offices of the big companies. The economic structures claim control over the word, the name and its phonetic and etymological elements. In the virtual space of names typing mistakes provide an increase in turnover. To submit to this structural force means that the less experienced user can vanish from of the virtual community without a trace. Virtual power is and makes any virtual live invisible. It aims at destroying any communication, the total isolation from media: name and image are to be deleted. For those groups of artists and activists operating within the net co-operating closely with other media, eg print media, is imperative.

The US-company Networksolution is operating like the residents' registration office, it can reject immigrants and kick out inconvenient tenants. The loss of an arduously established domain is like a small extravagant boutique being hurled out of a capital's main street into the side-street of a village.

The software of the order of culture is the precondition of the invisible execution of a structural force that transfers abstract routines eg juridical ones from reality into the World Wide Web in order to develop new economically motivated mechanisms of discrimination. Those mechanisms are founded on the same principles as described by Foucault (Foucault: Discipline and Punishment, 1977 (engl. Version 1978 - Anm. der Übersetzerin) The Order of Discourse 1974). In the internet the grammar of culture becomes evident: who is speaking, who is allowed to speak (Blissett/Brünzels 1998, 25f) and in which context is it allowed to speak? Another crucial factor is: what is the name of the person, the entity, that leaves a html signature in the net while speaking? Derrida (2000, 10) puts this phenomenon as following: "Who signs with which allegedly own signature?".

The grammar of culture remains as invisible in the virtual world as in the real one. It implements routines with the intention to let them grow natural. Here, an abstract immaterial form of cutting back the discourse comes to fruition (Foucault 1974), which concerns specially the text-based structures of the internet, in which controlling name, address, URL and its neighbourhood is a crucial means of exercising power.

The precedent in connection with the war declared by the artists' corporation etoy to defend their domain name against the toy retailer eToys illustrates the strategies of economy and the counter-strategy of visualising and materialising. Because of the invisibility of violence the imaginary has to be called into action: etoy use the symbols of the image-based power of the business world and the war metaphors with the greatest of ease. They illustrate their toy war against a toy company in order to show the abstract means of violence, which are difficult to make out for outsiders.

etoy vs. Etoys: The violent economic occupation of the Cyberspace

The centre of attention is the "violent" clash over the domain name of etoy. the US-toy company eToys founded 1997 <http://www.eToys.com/> (with a "s") took legal proceedings against the net artist group etoy at the 8th of November 1999 in Californien. etoy is officially and legally using their own name as com.domain and registered with the international register on the 13rd Okt. 1995. The opponent is the online retailer eToys, a virtual start-up company founded late in 1996 and present in the net since the end of 1997. In 1999 the firm had its IPO at the NASDAQ with approximately 80 million \$ starting capital; with this sum it wants to become market leader. Its rigorousness bases on its virtual existence, which is threatened by fluctuating share prices. Since 1998 eToy tries to purchase the domain (name) etoy.com from etoy. eToys' aim was to ban the artist corporation from the top domain level, to deprive it of its global and international status and to relegate it to the Swiss domain ch.

The attack is going to become a signal for the fight for a global art and international projects in the dot.com system. The "toy retailer" blames etoy for squatting the domain name and tries to eliminate the artists with the help of their legal staff by criminalizing them and pushing the costs of litigation. etoy's reputation became that of insanes - according to Foucault's analysis - insanes within a diffuse crowd, that is living up to the rules of economy, insames who are threatening law and order (Fink-Eitel 1989, 26); and there is an attempt to legally incapacitate the deviant.

At first, etoy gave themselves optimistically: "for etoy: your action entertainment agents always online - sometimes lost", because some details give reason to believe, that they might win the suit: the small difference, the missing "s", and the fact of having been registered much earlier than eToys gives hope. Then on the 29th November the domain etoy.com is suspended by a temporary injunction under penalty of a fine of 10000 \$ per day.

Here, the restrictions of unregulated net use become manifest. The confusion caused by an art project, that is leaving the art gettho in order to act in the net as a public space, is not tolerated any longer by the business world. etoy fakes business values in such a convincing way, that the difference between parody and exaggeration cannot be told apart.

The shares etoy are selling not only in a symbolical sense are visualising speculative business transactions and increase in value. They show the irrational mechanisms of the market, that became a virtual one long before the new markets e-commerce and NASDAQ did (see Baudrillard 1983). On this virtual terrain, myths, utopies, stories and rumour are the deciding factors for loss or win of trillions of dollars.

etoy moved onto the bare IP address <http://146.228.204.72:8080>. In addition they established the site [www.toywar.com](http://www.toywar.com) to offer a platform to net activists like [www.rtmart.com](http://www.rtmart.com) who are supporting etoy's opposition against eToy. Then, after first boycott activities submitting to economic pressure Network Solutions eliminates etoys DNS-entry, though that was not part of the court judgement. etoy is cut off from its webcommunity.

This precedence indicates that the balance of powers within the internet has changed and that commerce and non-profit interests within the world wide web are drifting apart. From now, in accordance with the New World Order, the internet only provides specifically defined space to artists, which ties the art system to limited play areas, as it happens in the real world. The case of etoy shows that all social systems are no longer allowed to co-exist or develop equally concerning the purchase of domain names.

Activists condense their resistance potentials to politically efficient forms that come down to creating a network between web, print media, tv and everyday routines. Some of the campaigns go beyond the boundaries of the internet, they address the shareholders and the staff of the company. These activities are initiated and organized by rtmark corporation and announced as a entertaining multi-player online game: Help destroy eToys.com! December 12, 1999 new INTERNET "GAME" DESIGNED TO DESTROY ETOYS.COM.

The intention of the projects in the etoy Fund is to lower the eToys stock price to \$ 0,00. The projects also integrate DoS Attack FloodNet Applications, which are to obstruct the company servers massively during the christmas business (<http://rtmark.com/sitin.html>). Another important means of agitation is to publicize and distribute information about the company.

The server is attacked for short spans of time only, for 15-minute periods on the Christmas shopping days. All software operations performed by the protesting netcommunity shall overload the eToys server and force it to keep busy running an innumerable number of routine tasks. Seven, eight rotating mirrorsites on which five different script are running performed a number of activities. Beside the FloodNet attacks there is the tactical approach to make the counter for the financial evaluation inefficient, that means to corrupt the company's webstatistics. Therefore the non-linear skript "killertoy.html" mounts continuously goods in cookie-based shopping carts, without actually buying anything of course. That way, the server has to generate the whole list with every mock purchase. The mirrorsites produce more than hundred thousand of requests and the time needed to calculate the list is getting longer and longer. Because of this "super plus version" script the platform the thing was shut down by the Backbone provider Verio. Beside the scripts there are tools which the individual user can install on his home computer and single email activities like "mailbombs", that the eToys service department and management has to deal with, working on them step by step and without having program routines at their disposal. This attack is meant to be symbolical, protest on a broad basis, not a hacker's activity.

Affected by the marked dynamics, which means by the system's internal proceedings of NASDAQ, the company's stock price lowers by 50% in the course of this activity. The online toy retailer has to compete with traditional trading firms like toys`R us, that also want to conquer the electronic marked. The fall of the eToys share is programmed. After the turnover that was expected from the christmas business in November has been brought in, the stock price is already falling. Bad news in dealing with the artists, the influence by the webcommunity on the investor forums and the bad press come just in time to speed up and consolidate the downward trend of the price. As a typical occurrence, there follows a substancial decline in stock prices after the IPO at the stock exchange, if the issued share isn't backed up by a promising story. This does actually not depend of the actual turnover. The activities of the artists uncover the mechanisms and monstrosity of the Neuer Markt (which is Germany's equivalent of the US technology index NASQDAQ - Anm. der Übersetzerin) and phenomena like start-up.

Toywar Victory: the user is the judge © etoy kisses from your etoy.Agents  
(SOFTWARE&HUMAN BOTS)

The world-wide support for the etoy corporation is enormous. The Toywar game goes on as following: a virtual battle field is opened, 700 agents represent the first elite troop.

After the victory the parade begins with the solicitor's stretch sedan, followed by the truck transporting the etoy tank, a number of generals and military heroes, special vehicles for rtmark or the thing net (a helicopter), and at last a troop transportation vehicle with fotmen. Using the military metaphor a hierarchy is implied, which is clearly visualized here.

The fotmen's fighting could consist of eg the writing of emails. 80% of the game's participants don't understand the rules of the game at the first go and cannot manage to get registered: As a result, the sreen showes a cemetery filled with coffins in the Indian Ocean.

The underlying participation concept is a hierarchic one: Only those could rise to be general, who were able to write scripts or knew the right places and people. The toywar is successful: At the beginning of 2000 the company eToys drops the lawsuit against etoy and pays \$ 40 000 reimbursement of expenses, as a countermove etoy drops their claims. Knowing eToys' vulnerability was the deciding factor, namely that the only evidence for the company's existance is the website. As an abstract virtual company without face, the retailer is initiating abstract legal proceedings. It depends on abstract stock market prices having no direct link to the real material world.

From the "entry to the data highway" to "Thank you for flying etoy"

(Street Style and Business to Business)

"offensive, depraved, insane, obscene, prurient, perverse, destructive, anarchistic, rebellious and anti-social in nature" (from the statement of claim against etoy)

The Surface Visuals and the Corporate Identity etoy as artist and stock corporation have their effect in different ways: in a material way by the personal appearance of the etoy agents and to the virtual appearance of the website in the course of the company's history.

etoy expropriate visible business concepts and e-commerce and give an estetic form to it.

Users may become a part of the etoy art and business system by purchasing shares or performing special tasks during toywar. In a new stock market style, the shares' motifs adapt the ups and downs of the company's history. The motifs provide the visuals for their selfmade history of accumulation of cultural values. etoy shares represent the subcultural and creative resources, which the user can participate in and whose increase in value is a precondition for further projects. The increase in the resources of art and subculture increase even the value on the market.

etoy take the standard modules of Business-Visuals as a basis for layout and editorial and transform them. In the modular structure of the etoy corporation, specific elements are varied and presented in an abstract way in the web as well as in reality.. This is specially the concept of the tank as TCP/IP Data Package, a Business and Creative Think Tank and a mobile etoy Headquater, consisting of an orange container with the etoy name on it and, connected to it, communicating labyrinth pipe systems, which are the grid for the web appearance and lead in the form of floating hotspots to the next level.

etoy quote different reference systems and blow up their trivial stereotypes: Those start their career as agents, some in security business, some as figures inspired by James Bond. At Ars Electronica 2000, the agents for the first time appear with two stewardesses. Their exaggerating poses are imitations from those known by civil aeronautics or the airline companies. According to their slogan "Thank you for flying etoy ...".

All items (suitcase, radio set, the agent's batons in Digital Hijack) are labeled with the name etoy. The etoy name is spelled with small letters as a sign of globality.

Even for an event as Toywar the agents clothing style is fitted and carried out in compliance with the etoy style. Appropriate to the threatening situation the agent wears an orange bullet-proof vest underneath his Business outfit consisting of a jacket with the sponsor's name sewed on it (which rather seems to be taken from motor sports). Also in this case the original (protecting) function is annulled by removing the protecting plate from the vest and by its striking colour. Having finished the toywar successfully, the agents wear general insignia made of lego. Etoy turn from outlaw online-muggers into businessmen being sponsored.

Radical and digital conservative = subversive = etoy

etoy know the rules of the game of the immaterial business and developed a sound Corporate Identity based on an artificial language. While nothing can bring their opponent, the e-commerce company eToys, out of its purely virtual existence, the make-up of the personality of the etoy corporation is embedded in reality. If their slogan "... we left reality behind ... long time ago..." etoy generating cultural value & global impact ... since 1994" would be true, they never had won the lawsuit. The etoy corporation's work consists of a skillful and esthetic meshing of media world and real world, which for a long time has been controlled by abstract and legal facts. The effectiveness of the net activities as described above consists in commuting from art to life and from life to art.

The combination of designed and well timed web strategies, toywar web support, and first of all the connections of the individuals to real life eg to print media, lawyers, activists and theorists have made the artists win this only time.

The example toywar demonstrates potential interfaces for future art and business strategies: via platforms within the web and between the web and reality. Only those who possess suitable interfaces to both levels can win the battle.

On the one hand the Lego-playmobil-styled etoy soldiers are a purely virtual product. But they have a connotation relation to reality. This is the reason why a material counterpart needn't but could exist. Their probability or potential truthfulness, that consists in a total phantom life, is the crucial point. All visual presentations could be real, that's the way the etoy concept is working.

Just the anonymous agents' physical presence, their particular style, the tank systems make etoy so attractive and efficient. Voluntarily, they bring their activity into the context of art. They represent an interface concept that is controlled by the artists. There are precise regulatives from the artists side, which never leaves anything to chance in their CI. Rather than developing and testing a new participation concept, they transfer the acquisition and merger business to art network and there it into new aesthetic dimensions.

No rebell-type artist, no avantgarde-like denial-of-art-attitude as it has been taken up by activists like rtmark. Here, anti-individualistic smart well-styled people appear, who on the first sight look all the same. The transfer of surfaces

from the business world into art also is an escape from the uniform art system as the apparent adaptation to the business world doesn't comply with the understanding of the artist's role. The apparent de-individualization and voluntary uniforming increase the efficiency of the collective approach as individual competences are concentrated on a platform.

etoy represents the "next generation" in artistic business: smart and web-based, elitist and creative. Net art, activism, traditional art and marketing strategies as well as youth culture subversion meet in the etoy corporation concept. etoy appropriate not art, but business visuals. In addition they make use of the anarchic impudence of the youth culture. What Felix Stalder in his Telepolis article called bad boy attitude is the typical dandy attitude of the aesthetically acting individual (vgl. Mattenklott 1987). Etoy bring the artist's bohème attitude and youth's provocation power together again.

This kind of net art crosses political and economic space. It doesn't stay within the provided space. etoy offend against the unwritten rule of the art system not to interfere in other systems. The company eToys wants to hurl etoy out of real life back into the field of art, because as pioneers for business visuals in art and as visual virus they occupied commercial territory when it still was officially available. This kind of art is not modestly confined to those niches, which has been left to them, but it has conquered and filled a globally accessible place a long time before. It is unbearable for the commercially ruled world that artist corporations dominate the strategies of a corporate identity in different media, that means that they expropriate their practices. The brand etoy makes art competing against the business on a visual and structural level. etoy's visual doubling of the representation of business creates a second business world, which on the surface hardly differs from the original.

Etoy possess the content-lacking verbal elegance of the advertising branch and of the public surfaces which are influenced by the business world. etoy continue the business art that Jeff Koons created in the 80ies. He referred to himself as a "radical conservative". To transfer this attribute means that there are new subversive strategies in art that impact on many levels and can change from one system to another depending on the situation. "Radical conservative" makes etoy an up-to-date representation of a subversion concept, that is the only possible contemporary one. Revolutionary gestures and rebellion are expected and have no effect within the art system. Other phenomena of our time are "radical conservative" as well, eg the pop quintet or the latest styles of the club culture. Those phenomena are not recognized as new important deviation because of its apparent conformism, its superficiality, its orientation towards business, consume and luxury.

The domination of business images over public space is overcome by exaggeration and by indicating their artificial and constructed character. Like Koons, they are not afraid of legal and financial battles, because this are the conditions artists are grown up with. etoy create a collective body on the basis of a comprehensive aesthetic concept, their CI. The virtual body is able to resist temporarily economic and legal pressure. Net art invisibly uses individual or collective bodies to create an anonymous collective body, which protects the individuals by integrating them completely. Their new forms of organization are related to the forms of the business world. This makes them an expression of the super-modernity (Augé 1992). On the other hand there are the collective forms of computer games, that set up virtual bodies following a pre-modern clan or tribe principle (Maffesoli 1996).

The net collective is a selected joint de-localized accumulation, which once will disperse again. Etoy's collective is temporarily open to activities as toywar, otherwise the CI -structure is not accessible. Joint activities of art collectives and activists are accompanied by a Hydra phenomenon: where the head of an individual is chopped off a new collective body is growing and new members of the net community are following. The selected merger is a new non-committal but identity establishing form of community. Net art prefers the initially invisible principle of collective disturbance and of forming swarms. In this connection, the net activists make use of the uniform images of the global trade and on this basis they develop the efficient collective strategy of uniform subversion.

[Birgit Richard: "Am Anfang war das Wort: Domain wars!"

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