

# Research on the Appraisal and Legal Norm of Network Virtual Property in China

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## Abstract

Article 127 of the latest General Principles of Civil Law states: "The law provides for the protection of data and network virtual property, and in accordance with its provisions." This means that the network of virtual property in our country law has a clear position. And, with the development of the network, the game market is growing, games has gradually become an important way of entertainment, while the network of virtual property disputes and crime more and more. Therefore, we need for some practical network of virtual property valuation methods, and some legal norms on the network of virtual property protection and restrictions. This paper mainly adopts the research methods of document retrieval. First, I introduce the basic concept of network virtual property, the specific classification and the characteristics of network virtual property. Then, I analyze the current use of the valuation method, and from the legislation, the judiciary, law enforcement analysis of the network virtual property valuation status quo. Under the premise of analyzing the present situation, I put forward the principle of network virtual property valuation: the principle of legitimacy, the principle of objectivity, the principle of valuation date and the principle of separation of account items. On the basis of the principle, I put forward three methods to determine the value of virtual property according to the price of the operator to determine the value of the virtual property, determine the value of the virtual property according to the market transaction price and determine the virtual property value according to the necessary labor time, and elaborate the three How to use the different methods of virtual property valuation in different categories. Finally, I analyze the legal norms of cyber virtual property from the perspective of legislation, law enforcement, judicial and legal education

## Keywords

network virtual property; appraisal; legal regulations.

## 1. Introduction

With the development of our society, the market scale of online games is expanding, which is expected to reach 300 billion yuan in 2019. In addition, the e-sports industry related to online games is also booming, and people's prejudice against online games is gradually decreasing. At the same time, due to the development and upgrading of smart phones, more and more video games appear on mobile phones, and more and more minors start to take video games as a form of entertainment, which also attracts many middle-aged and elderly people. In order to better regulate online virtual property, the ministry of culture has issued a number of regulations, and the latest The general civil law has also clarified the status of online virtual property.

The appraisal of network virtual property is an important link in the protection of network virtual property. Whether it is accurate and objective or not directly relates to whether the legitimate rights and interests of the parties can be guaranteed. But our country's network

virtual property appraisal system is not like the United States, South Korea and other countries so perfect, the standards and methods used by each other are very different. At present, the more popular methods include: will be subject to social necessary labor time to calculate the value of virtual property, by Internet users, according to its investment cost calculation of the specific value of network virtual property, the transaction price according to the market to determine the specific value of virtual property, by the network operator to pricing, the value of network virtual property of social institutions to set up the evaluation of network virtual property value, to determine the value of network virtual property, common accounting department to determine the value of network virtual property. In practice, most of the network virtual property appraisal also adopts these methods. However, in the actual appraisal process, many methods are not practical, time-consuming and labor consuming, leading to the deviation of appraisal. Therefore, based on the reality, this paper puts forward several practical valuation methods of network virtual property, and discusses how to use them in different kinds of network virtual property.

The general civil law defines the legal status of online virtual property, but there are no corresponding laws and regulations to regulate online virtual property in more detail. Therefore, this paper discusses the legal norms of online virtual property from the perspectives of legislation, law enforcement, justice and legal education.

## **2. The Connotation and Characteristics of Network Virtual Property**

### **2.1. The Connotation Of Network Virtual Property**

#### **(1) Definition of network virtual property**

Network virtual property, also known as virtual property, is the manifestation of property in network virtual space.[1]

In the broad sense, the network virtual property refers to the network virtual property that can be owned and controlled by people, including E-mail, network accounts, etc., and has property value[2], that is, the network virtual property that can be owned and controlled by people and has certain value and other property rights can be regarded as the virtual property in the broad sense. In a narrow sense, the network virtual property mainly refers to the existing property in online games, including game accounts, virtual currency, equipment, etc.[3]

The network virtual property in this paper is mainly explained from a narrow perspective.

#### **(2) Classification of network virtual property**

With the development of network technology and the change of people's consumption demand, the network has been deeply into people's lives, and online games have become a wide range of entertainment. Therefore, the network virtual property can be classified as follows:

First is account, common such as QQ number, Facebook account. Account is the premise of the existence of other network virtual property, it is equivalent to an "id", contains all the virtual data information.

Second is virtual currency, such as game gold, Blizzard game points. Money, as the general equivalent of the online world, is the most commonly used transaction tool, and it also accounts for a large proportion of transactions in which virtual property is exchanged for real property, but the currency of different games cannot be used universally in most cases.

Third is equipment of game, for example, Dragon in World of Warcraft. This kind of equipment is not only limited to the traditional sense, but also includes pets, babies and decorated skins with enhanced account attributes in the game. These virtual properties have a common role in strengthening or weakening game characters and are the main objects of players' transactions.

Fourth is decoration, like skin in League of Legends. This category mainly refers to the virtual goods that are only for decoration and beauty, such as the skin and gunfight characters in MOBA

games. Generally, the price of decoration virtual property is relatively high, and there is an obvious scarcity.

Fifths is materials. This category mainly refers to various materials in online games, whose main purpose is to complete tasks in the game or to synthesize equipment and decorations, etc. In general, the price of materials fluctuates greatly, which is often related to specific versions of the game and needs of players.

Final is other which is not belonging to up categories.

## 2.2. Characteristics of Network Virtual Property

### (1) Virtual

The virtuality of network virtual property means that virtual property exists in the network and other virtual space and cannot be directly contacted. Reality user just in online games or other form of a small number of storage space on the server ownership or right of use, and the space form of the data recorded only play the role of the carrier, in the virtual world architecture environment, establishing virtual task and equipment, currency, pets, such as form, and the virtual property is obviously couldn't see or touch.[4]

However, if the network virtual property only happens in the virtual space, it cannot become the network virtual property in the legal sense, and can only be defined as the legal network virtual property after some relationship with the real society.[5]

### (2) Realistic Value

Virtual property can meet the spiritual needs of players and has use value, which reflects that virtual property can meet the needs of players' identity and development. [6]Virtual property can be traded between players and operators as well as between players, which indicates that virtual property has exchange value and can meet the needs of different players through in-game transactions. [7]

For online games, at present, the main operation mode is divided into two, one is the buyout system, that is, after players pay to get the game account, most of the props and other free; the other is the prop fee system, in which players get a free game account, but some other props are charged.[8] However, no matter which mode, players have to pay the corresponding time and money, otherwise they cannot get virtual property, and the network virtual property will bring recognition and pleasure to players, therefore, the network virtual property has value, value is its essential characteristics.

In online games, the higher the value of game equipment, the greater the demand, but because the total number of such equipment is deliberately limited by operators, the only way to obtain equipment from other players to buy, in this situation, promote the development of in-game trading market, virtual property exchange value can be highlighted.[9]

### (3)Legal

The legitimacy of online game virtual property refers to the legitimate source of virtual property, that is, only the virtual property acquired by players through normal games and transactions is recognized as virtual property.

Online game virtual property is protected by law, and there are generally two ways to obtain it: one is to rely on their own labor, by spending time to fight monsters to upgrade the corresponding game equipment and game virtual currency, or through money to buy game point CARDS to get more virtual property; The other is to obtain the corresponding game virtual property through different trading channels. The online game virtual property acquired in this legal way is bound to be respected and protected by law.[10]

### (4)Time Restricted

Network virtual property is meaningful only in the case of game operation. With the closure of the game or the bankruptcy of the operator, on the one hand, the ontology data of network virtual property gradually disappears; On the other hand, due to the disappearance of the game, the players' sense of pleasure and sense of achievement will also disappear, losing its essential characteristic value. Therefore, deadline is a very important feature.

When operators feel that the benefits cannot support their continued operation of the game, it will lose the significance of continuing to operate the game. It can be seen that online games themselves have an operating period, the attractiveness of the game to players and the income status of operators all determine the existence period of virtual property.[11]

#### (5) Disposable

Players can choose to use, sell and give up online virtual property, or to give others ownership similar to their real property. However, there is one exception. Some virtual property is "account bound", that is, the player can only use within the scope of his own account, and only transfer the game account together, and that is to say, the player can only indirectly control this part of virtual property.

Network virtual property as a kind of property, in its existence period should be able to control, control, or it will lose its existence value.[12] Network virtual property is usually stored in the server set up by the operator, these virtual property can be said to be directly owned by the operator, when the network users through the time, energy or money to obtain these virtual property, they also become the owner of these virtual property; When they transfer, trade or give up these virtual property according to their own wishes, network operators, as direct possessors, only need to follow their instructions and make corresponding behaviors, which reflects the disposable nature of network virtual property to some extent.[13]

### **3. The Network Virtual Property Appraisal Present Situation**

#### **3.1. The Appraisal Status Quo in China**

##### (1) Provisions of laws and regulations

Article 127 of The general civil law adopted in March 2017 stipulates: "where laws have provisions on the protection of data and online virtual property, such provisions shall prevail. "This explains our country law already had definite affirmation to network fictitious property. But there is no follow-up legal interpretation and provisions, and we expect that the future legal interpretation and provisions can supplement the valuation of virtual property in China.[14]

In addition, in the interim measures for the management of online games released in 2010, chapter 4 has specific provisions on virtual currency in virtual property, but there are no specific provisions on the valuation method, and there are no provisions on the valuation of virtual property in other laws and regulations.

##### (2) Valuation in judicial practice

In judicial practice, there has never been a clear standard for the valuation of virtual property. The common way is to consult the game company about the relevant price or provide the relevant price information by players themselves, so as to estimate the value of virtual property. In addition, in actual cases, judicial organs tend to try their best to avoid the act of valuation, but choose to let both parties mediate and return the relevant items.

At present, due to the lack of clear provisions in laws and regulations, there are various ways to deal with disputes over online virtual property in China, which often result in different judgments of the same case. In this context, the valuation of virtual property is meaningless.

#### **3.2. The Appraisal Problems in China**

##### (1) Legislative issues

As for the appraisal of virtual property, although the legal status of online virtual property has been recognized in the general provisions of civil law adopted in March 2017, there are no relevant laws and regulations on the appraisal, and even few red tape documents. In terms of the valuation of virtual property, although the two commonly adopted methods are pricing by operators or providing relevant materials by players themselves to conduct the valuation, this is only a habitual behavior, which does not rise to the height of legal norms. In this regard, the lack of legislation on the valuation of the relevant provisions.

#### (2) Judicial issues

At present, the general valuation method is to conduct the valuation by consulting with the operator, which is obviously biased towards the game company, which is unfavorable to the player in the dispute between the player and the game company. However, with the development of the trading market, the value of many network virtual property also rises and falls, which is defective in the estimation of the real value of network virtual property.

#### (3) Problems in law enforcement

Since there is no clear regulation on the valuation of network virtual property, there is only habitual practice, and the network virtual property is a relatively new concept, in the process of law enforcement teams do not understand it enough, will appear in the specific implementation of deviation. In addition, for the criminal case of network virtual property, when the victim reports the case, because the appraisal method has not been clearly defined, the amount of the subject matter is often too small and cannot be put on record.

#### (4) The problems brought about by the protection of network virtual property

Due to the existing network virtual property valuation is biased towards the game company, often players will appear "difficult to say", the actual valuation and their own expectations and even the real market price is quite different. At the same time, as the game company occupies the majority of the say, the rights and interests of players' virtual property are violated. Therefore, players will often feel dissatisfied and then give up this part of the property, or even resort to external and other illegal means to vent their dissatisfaction, but also affect the identity of other players to the law and game industry, which is not conducive to the network virtual tea picking your protection and the development of related industries.

## 4. The Appraisal of Network Virtual Property

### 4.1. The Valuation Principle Of Network Virtual Property

#### (1) Principle of legality

The principle of legality refers to the evaluation of the value of the network virtual property, which must be established under the premise that the network virtual property is legal.

The legality of network virtual property mainly refers to its legal source. Illegal ways mainly refers to the use, the "plugins" by "private", illegal copying and illegally invade the network operator service program and then modify the machine parameters and obtain, in reality, by adopting the method obtained from the victim of violence, threat the network virtual property passwords and other relevant information to obtain, in reality the fraud means to defraud and etc.[15]

For this part of illegal virtual property, although it has certain value to certain players, it does not conform to the principle of legality. Therefore, this part of virtual goods shall not be appraised. However, when the party whose interests are lost makes a request for compensation or return, the value of this part of network virtual property should be evaluated at this time, so as to determine the specific amount of compensation.

#### (2) Principle of objectivity

The principle of objectivity means that in the process of appraising the virtual property of the network, it should be fair and objective to estimate the value of the real and objective virtual property of the network.

In the process of appraisal, the violation of this principle often occurs in subjective violation and objective violation. Among them, the subjective violation refers to the incorrect assessment of the value of the network virtual property due to the incomprehension of the assessors in the assessment process. Objective violation refers to the incorrect assessment of the value of network virtual property due to the difference of the latter data due to the method adopted in the valuation, which often occurs in the conflict between operators and players.

Therefore, in the network virtual property appraisal, on the one hand, it is necessary to strengthen the appraisal personnel's quality, to prevent the occurrence of subjective violation; On the other hand, the evaluation should be "multi-pronged", not limited to one method, should do more analysis, so as to prevent the occurrence of objective violations.

### (3) Valuation date principle

The valuation date principle means that the network virtual property must assume that the market situation stops at a certain point in the valuation operation, and all the analysis and application of the appraisal data should be based on that point. [16]

The principle of valuation date is mainly reflected in the network virtual property without official pricing and price fluctuation is relatively large, the most typical is the material type of network virtual property. The price of virtual property in the market will fluctuate with the passage of time, so only a certain time point can be accurately assessed.

In practice, for theft, fraud and other criminal cases, it is best to set the benchmark time from the time point of filing, so as to facilitate the collection of data and assessment, at the same time can be as close as possible to the value of network virtual property at any time. For ordinary civil disputes, it is better to take the time point when the rights and interests of the parties are infringed or the time point agreed by both parties as the reference point.

### (4) Principle of account and item separation

Network virtual property is different from other properties in that it must be based on an account. Without this account, other related virtual goods will have no meaning, and for an account, players will also invest in it, which also has high value.

Therefore, in the network of virtual property valuation, the account and the items should be calculated separately, especially for the account itself is not free, this separation is very important. If not separated at this time, the assessed value will often be less than the actual value, which will damage the rights and interests of the parties.

In addition, for the account free game, also need to separate the account and items. Although the account is provided for free at the beginning, as players invest in the game, the level, qualification and other attributes of the account will increase. Therefore, the account should also have its own value, so the account value should be calculated separately.

## 4.2. Network Virtual Property Appraisal Methods

### (1) Set the price according to the operator to determine the value of virtual property

Some virtual properties, like commodities, will be sold at a fixed price after the completion of research and development, or a specific price will be given after a period of time for recycling. Generally speaking, the virtual products directly priced by operators mainly include game account, decoration, some equipment and virtual currency. Therefore, the discussion is divided into two cases.

The value of virtual property is determined according to the price at the time of sale

Most of the single game and some online games profit mainly through this way, that is, "buy out game". However, in the field of online games, most of China's domestic games are free accounts but other projects charge, under this model, the revenue source of operators is the profits brought by the direct sale of virtual property.

Therefore, the pricing given by operators also largely represents the value of network virtual property, such as 1 qb equals 1 yuan. In this case, the operator's pricing can be used as the evaluation price of the virtual property, and at the same time, it is the least controversial among various groups.

However, the value of some virtual property will change with time, so it is not recommended to use this method in this case. For example, the equipment of "Spring Festival limited title" in online game Dungeon and Fighter will rise. At this time, it is obviously unreasonable to use the pricing at that time as its value evaluation.

According to the operator specified recycling price as network virtual property value

This means that within a certain period of time, the operator specifies a price to recover the network virtual property that has been issued for a certain need. At present, this method has been rarely used by companies, because to some extent, it is contrary to the company's goal of profit maximization, so this pricing method operators will inevitably compress the value of network virtual property, and the prices proposed by operators will often be lower than their actual value. Because of this, it is unreasonable to use the recycling price as the value of virtual property, and this method should not be adopted.

(2) The market transaction price is used to determine the value of virtual property

The market transaction price of online virtual property refers to the average sale or purchase price in the virtual property transaction market. Generally, players can trade through official online channels, third-party online channels and players' private transactions. For this purpose, the discussion is divided into three situations.

According to the official online trading channels to determine the value of network virtual property

Many games have a variety of ways for players to trade in the game, and some can directly convert the virtual property of the network into real property, such as the "sutra depositing pavilion" system of fantasy westward journey owned by netease company. Some can only be exchanged for virtual currency or in-game tokens, such as the "gold auction" in tencent's dungeons and warriors.

For the first case, that is, if there is an obvious conversion relationship with the real property, their conversion price can be directly regarded as the value of the virtual property. Since the authorities only provide a trading platform where players trade with each other at a price similar to free bidding in the capital market, this method can well obtain the real value of virtual property.

For the second case, that is, converted into tokens, there is usually a clear correspondence between tokens and other virtual currencies. For example, in the online game dungeon and warrior, the value of 100 tokens and 1Q COINS is the same. Therefore, in this case, network virtual property can first be converted into virtual property of scrip type, and the exchange price of scrip and real currency can be used as the value of virtual property.

Determine the value of virtual property based on third-party channels

Third-party channel transactions actually appear earlier than the official trading channels of the game, and usually occur before the game's internal testing or even the internal testing starts, while the official trading channels are not generated or immature at this time. In addition, some of the virtual properties traded through third-party channels cannot be traded through official

channels. The most typical one is the game account. In principle, game account, activation code and some account binding equipment cannot be traded.

Therefore, for the online virtual property that cannot be traded through official channels, the transaction price of players in the third-party channels is the best value reference, because the amount of transactions in the third-party channels is huge and the transparency is relatively high, and its average price can well represent the actual value of online virtual property.

However, trading of network virtual property in the official channels, when selecting a third party trading channels, often appear in third-party channel price lower than the official channel for sale price, this is because of official channels, the third party channel trading becomes more complicated and not safe, at this point to offset these factors, both parties have to lower the price.

Determine the value of virtual property based on player's private transactions

Players' private trading mainly refers to the way of trading through face-to-face contact or other contact methods (including QQ, Facebook, etc.).

Although there are third-party channels and official channels, players will choose this way to trade in order to facilitate the transaction and bargain with each other. Players can negotiate with each other at a psychologically satisfying price, but this approach is risky, as there is no guarantee that civil disputes or even criminal cases will occur.

Although this approach can well meet the psychological expectations of both parties, the actual transaction price is often lower than the price in other channels, and the risk is very high, prone to disputes. Therefore, this approach is generally not adopted.

(3)The value of virtual property is determined according to the social necessary labor time invested

Network users for network virtual property is the need of time, emotion, experience, money, these are the factors to consider social necessary labor time is calculated, and the specific operation, first of all, through a fair method to determine the necessary to achieve a virtual items of social necessary labor time, and then through the proof and find out the player must pay a minimum fee per unit time, calculate the specific value of the equipment.

For calculation to obtain a virtual property of social necessary labor time, can draw lessons from South Korea's "virtual environment managers forced to help real order management system", the first requirement game network managers, namely the game server management operators and the program design, must be in conjunction with the price assessment department, pick up enough from the game together multiple medium level of the game, to make their own games and calculate the game equipment consumed time data, calculate the average time value, in the game website devoted to reveal and submitted to the commodity price departments for the record, Then, in the form of judicial interpretation, it confirms that the time is the necessary labor time to obtain the game equipment, and then calculates the cost that must be paid according to the unit price of the minimum online fee and game fee, and identifies the cost as the value of the game equipment. [16]

This calculation mode must be assisted by relevant government departments, and ensure that game operators maintain the stability of game-related policies, because the value of virtual property is determined by social necessary labor time, and may change with the change of operators' policies in specific transactions. In addition, when data collection is difficult, players can use their own data or third-party data for evaluation.

Or, can be appraised by the price department of network virtual property managers and relevant third parties, jointly choose enough multiple medium level of the user, calculate you to their respective time data by the network virtual property, and the price appraisal department to calculate the average time value, promulgated by the departments according to the area

average salary per hour (the sum of time average wage/legal working hours) conversion out the corresponding price, and be submitted to the commodity price departments for the record. [17]

### 4.3. The Concrete Application of Network Virtual Property Appraisal Method

#### (1) Account type virtual property valuation

According to the separation principle of account items in the network virtual property valuation principle, we mainly discuss how to evaluate the value of the account without other virtual property.

##### An account with official pricing

The game accounts are officially priced, such as OverWatch, a popular game, at 198 yuan. In this case, the official price can be used as the value of the account.

However, when the characteristics of the game account require a lot of input from players and have strong significance, typically the account character level, the official price cannot be adopted, and it is better to use the transaction price of the third party channel to determine the value of virtual property. For example, in the popular game diablo iii, the official price is defined, but the different levels and properties of the game account will lead to multiple levels of increase in the value of the whole account.

##### No official price account

Most game accounts are free to enter, but the level, qualification and other features of these accounts require players to invest a lot of time, energy and financial resources and have a high value, so it is necessary to adopt some methods to estimate the value of these accounts. The typical method is to value the virtual property of the network according to the transaction price of the third party or the socially necessary labor time input.

In addition, these accounts are often not sold independently in third-party markets, and are usually sold together with virtual properties like equipment and decorations. However, the price of costumes and equipment is often well established, so the value of these accounts takes time.

#### (2) Virtual currency virtual property valuation

For virtual currency network virtual property, if there is an official conversion price, the official price can well represent its value; do not need to think too much, such as the typical example of netease network. In the virtual currency category of network virtual property, the main valuation problem lies in the virtual currency without official pricing, which is typically the game currency of all major games.

For the virtual currency without official pricing, the price difference between different transaction channels is significant. However, due to the large number of transactions in official channels, the price is close to the actual value. Therefore, it is better to take the average transaction price in official channels as the estimated value of this kind of virtual property.

For virtual currency, the method of investing socially necessary labor time is often not applicable, because in the virtual world, the source of money is so broad that it is difficult to measure the socially necessary labor time it needs.

#### (3) Equipment category and dress up category virtual property appraisal

The virtual property of equipment class and the virtual property of dressing up class have very similar attributes, therefore, we discuss together.

##### There are official prices for equipment and accessories

This part of the network virtual property is often tied to the account, and the value is relatively fixed, so it is completely reasonable to use the official price to represent its value. However, with the extension of time, many of these online virtual properties will increase in value due to

their scarcity. At this time, official prices cannot be generalized. Data should be retrieved from other places, such as transaction prices of third-party channels, to determine the valuation of virtual online virtual properties.

In addition, the official lottery to get virtual assets, should also belong to this part. Since 2016, the ministry of culture issued a "ministry of culture of normative network game operation notice things afterwards supervision work in the clear" a random sample may not directly into the legal currency or virtual currency, should the public extraction or synthetic probability ", therefore, for the lucky draw for virtual property, and can completely according to the probability and released by the players needed to estimate a price. For example, in overwatch game, one epic skin will be given out for every 5.5 lottery boxes, and each lottery box will cost 1 yuan, which means that each epic skin will cost 5.5 yuan.

② There are not official prices for equipment and accessories

The best valuation method of this part of network virtual property should be estimated through the social necessary labor time, but at present, China's relevant system has not been established, in many cases only through the players themselves provide data or game company data to determine, the actual operation is difficult.

In this case, the best way is to determine the value of virtual property through the market transaction price. For example, in the online game fantasy westward journey, we can estimate the value through the average transaction price in the "treasure house" through the official transaction channel.

(4) Material virtual property appraisal

Material type network virtual property is usually worth less than other, and statistics are complex, so in the current network virtual property valuation is often ignored. Therefore, for the virtual property of material class, it can be converted into virtual currency first and then evaluated through the valuation of virtual currency. However, for some expensive virtual property, the best way is to use the average price of official channels or third-party channels as its valuation.

The best way to convert virtual property into virtual currency is to sell it directly to NPCs in the game, but if the selling price is different from other transaction prices, the market transaction price is still chosen to determine.

(5) Other categories of virtual property appraisal

For other network virtual property, can take such a kind of method to estimate: official pricing directly to take official pricing, there is no official pricing, use market transaction prices especially official channels of market price, market price is difficult to determine, social necessary labor time is obtained by using the relevant evidence or to estimate.

In particular, we estimate the value of time limit CARDS (also known as "TIME CARDS") in time-limit games mainly by looking at the amount of remaining time in the account, so as to convert this time into the real property value according to the official time limit card value.

## 5. Discussion on Legal Norms of Chinese Nirtual Property

According to article 127 of the general provisions of civil law adopted in March 2017, "where laws have provisions on the protection of data and online virtual property, such provisions shall apply. "This shows that China has clearly recognized the property attributes of network virtual property at the legal level. Therefore, the relevant norms of property are also applicable to network virtual property. However, due to the virtual nature of network virtual property, there are some differences.[17]

### 5.1. Legislative Norm

Although the status of online virtual property is clearly defined in the latest general provisions of civil law, more specific regulations are needed in the legislation to better protect online virtual property.

The virtual property of the network is virtual, which is stored in the server of the network operator. Therefore, there is a certain dispute over the ownership of the virtual property of the network, especially the game account[18]. One kind of view thinks, the player has access only, network operator can take back to the network fictitious property, disposition; Another view is that players enjoy not only the right to use virtual property, but also other rights such as the right to dispose of it.[19] There should be laws and regulations on this issue.

In addition, it needs to be clarified in the law on how to divide the responsibilities and obligations of relevant subjects of virtual property in the network virtual property, what kind of legal responsibilities should be borne by network platforms and network service providers in the case of virtual property disputes and disputes, especially the distribution of burden of proof. A surviving spouse, for example, only know that the other party in a network game platform have a registered account, cost and once inside, the specific account login name and password but know nothing, in the case of one party's death, the other party how to implement the virtual property inheritance, how to retrieve accounts, is clearly not a legal protection of virtual property can achieve, also must have the corresponding regulations to implement.

In addition, relevant state organs need to formulate some administrative regulations and departmental rules to clarify the valuation method of virtual property and other relevant details

### 5.2. Law Enforcement Norms

Due to the virtual nature of network virtual property, law enforcement often needs to cooperate with operators in order to better law enforcement. Therefore, first of all, the relevant national authorities should establish a relevant cooperation system with operators to facilitate law enforcement. In addition, with the rise of third-party trading channels of online virtual property, third-party trading channels will also be involved in the actual law enforcement process. Therefore, third-party trading channels should be considered as the most important link in the establishment of relevant cooperation system.

In addition, you can accesses the safety of the network game operators set up full-time positions, by the public security departments to give a unified training, responsible for network security problems and case investigation, as a fixed contacts, work for the public security department of the public information network security services, improve the efficiency of cooperation, to ensure the security and privacy of the public security work. [20]

At the same time, also should strengthen the law enforcement personnel's knowledge supplement, because the network virtual property market continues to expand, more and more varieties will appear, which has a high demand on the law enforcement team, only continue to enrich the team's own knowledge, can square root of law enforcement.

### 5.3. Judicial Norms

Although in the latest "general provisions of civil law" refers to the network virtual property, but the relevant supporting laws and regulations have not appeared, and the current judicial judgment of the legal basis is mainly the previous cases and related theories at home and abroad. But, the recognition network game virtual property belongs to the citizen's legitimate property, so the theft of virtual property, tampering is a kind of illegal behavior, can be used from the perspective of criminal law to punish this kind of criminal behavior, effective protection of virtual property.

In the field of criminal law, the protection of network virtual property can be applied to the crime of property infringement. Therefore, it is necessary to make some explanations to the current laws and regulations or make some separate legislation.

In the field of civil affairs, the biggest problem of network virtual property in the field of justice is the appraisal and evidence collection. Therefore, it is necessary to establish and perfect the appraisal mechanism of network virtual property and speed up the collection of network virtual property evidence. Construction of standardization of notarial procedure.

In addition, in the actual judicial operation, network virtual property can be taken as the object. On the one hand, in some crimes, online virtual property is used as a medium to transfer stolen goods. Therefore, in case investigation, evidence collection and other aspects need to pay attention to the suspect's online virtual account. In the process of confiscating property, network virtual property should also be taken as the object of execution. On the other hand, due to the property properties of network virtual property, the debtor's virtual property can be used to repay debts, and it can also be used as the assets of companies other than network game operators; However, due to the virtual nature of network virtual property, network virtual property cannot be used as the object of mortgage and pledge.

## 6. Conclusion

This paper expounds the concept of virtual property -- online game property, as well as the six categories of virtual property, and from a professional point of view elaborated the network virtual property six characteristics. Then this paper analyzes the status quo of virtual property appraisal, and analyzes the status quo of virtual property appraisal from two aspects of laws and regulations and judicial practice. Then, from the perspective of legislation, judicature and law enforcement, combined with the current situation, this paper analyzes the problems existing in the evaluation of virtual property, and thus obtains the problems brought by the current evaluation on the protection of virtual property.

This paper discusses the principles of value evaluation of network virtual property: legality principle, objectivity principle, valuation date principle and separation principle of account and goods. At the same time, three kinds of evaluation methods of virtual property are introduced, and the evaluation methods of each type are elaborated from the perspective of six categories of virtual property. And this paper discusses the legal norms of network virtual property from the perspectives of legislation, judicature and law enforcement.

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