

## **VGBA Summit 2018**

### **Day 1: May 14**

- 8:00-9:00AM – Registration and Breakfast (sponsored)
- 9:00-9:15AM – Opening Remarks
- 9:15-10:15AM – **Intellectual Property**  
Intellectual property is a cornerstone of the video game industry. The industry requires constant guidance in how best to not only protect their own work, but also avoid infringing on the work of others. This panel will discuss intellectual property issues within the games industry and provide insight to how best to handle these issues when they arise.
- Moderator:**  
Ross Dannenberg | Attorney at Banner & Witcoff, Ltd.
- Panelists:**
- Marc Mayer | Partner at Mitchell Silberberg & Knupp
  - Joe Taylor | Partner at Frankfurt Kurnit Klein & Selz
- 10:15-10:30AM – Coffee and Networking (sponsored)
- 10:30-11:30AM – **Business Update**  
As the dynamic game industry continues to grow and business models expand to match new platforms and new devices, the video game practitioner benefits from understanding which technology trends will become revenue streams, partnership deals, and licensing agreements. This section will cover what's been happening in the games industry and where the industry might be heading.
- Moderators & Panelists:**
- Dean Takahashi | Lead Writer at Games Beat
  - Michael Pachter | Managing Director, Equity Research at Wedbush Securities
- 11:30-12:30AM – **Litigation Update**  
Litigation is a keystone for precedents in the games business, and in this lively session, expert industry litigators review recent actions, with discussion of the ramifications and outcomes that every game lawyer should take into consideration.
- Moderators & Panelists:**
- Jennifer Kelly | Partner at Fenwick & West LLP
  - Steve Smith | Partner at Law Offices of Stephen S. Smith
- 12:30-1:30PM – Lunch Sponsored by Perkins Coie -
- 1:30-2:30PM – **Loot Crates & Practices**

Determining how loot boxes should be regulated within the video game industry can be challenging. Despite the introduction of legislation to regulate the sale of loot boxes, the policy on how to best handle loot boxes remains unclear. We address why understanding loot box mechanisms may be important for any of your clients looking to implement a similar structure in their games, and how to ensure that they implement in a way that protects their business. Along the way, we'll take a chance at working through gambling laws and unpacking required disclosures to help you uncover the suitability of loot box regulation

**Moderators & Panelists:**

- Sean Kane | Partner at Frankfurt Kurnit Klein & Selz
- Paul Gardner | Partner at Wiggin LLP
- Adam Sullivan | Legal Counsel at Square Enix

2:30-2:45PM

- Coffee and Networking (sponsored)

2:45-3:45PM

**- Privacy Update**

As connected games and mobile experiences collect increasing amounts of user data, and personally identifiable information, the more liable game developers and publishers become in terms of safe-guarding that information. Compliance with US and international government privacy requirements also becomes a crucial matter for the continued survival of the game industry. This session looks at where data comes from, defense, legal countermeasures, and response to data breaches, cross-border privacy, and children-specific privacy regulations and best practices.

**Moderator:**

Courtney Barton | Global Chief Privacy Officer at Willis Towers Watson

**Panelists:**

- Felix Hilgert | Rechtsanwalt / Senior Associate at Osborne Clarke
- Joe Newman | Senior Legal Counsel at Ubisoft, Inc.
- Nick Mitchell | Managing Attorney at Wizards of the Coast (Hasbro)

3:45-4:45PM

**- Ethics- "Better Call Saul!"**

Don't Try This at Home: The Questionable Ethics of Better Call Saul

As lawyers, we can learn a lot from the antics of criminal lawyer Saul Goodman – the popular character from the hit television shows *Breaking Bad* and *Better Call Saul*.\* This 1 [or 1.5] credit ethics CLE program uses humorous clips from Better Call Saul as a launching pad to discuss a wide range of ethics issues. Topics include:

- Ethics in Negotiations
- Litigation ethics
- The duty of candor to the court
- Attorney advertising
- Legal fees and retainers

Be entertained and learn about ethics at the same time!

\* No prior knowledge of *Breaking Bad* or *Better Call Saul* is required.

**Panelist:**

Nicole Hyland | Partner in the Litigation Group and Professional Responsibility Group at Frankfurt Kurnit Klein & Selz

4:45-5:45PM

**- International Roundup -**

As the game industry continues worldwide growth, publishers and developers seek to sell games—and operate—throughout the world. This panel will provide an overview of licensing issues present throughout the industry, the variety of ways in which these can be expressed, and best practices for securing legal clearances, including 30 minute segments on the EU & Asia.

**Moderators & Panelists:**

- Greg Pillarowski | Founder of Pillar Legal
- Konstantin Ewald | Partner & Head of Digital Business at Osborne Clarke

5:45-7:00PM

- Wine Reception Sponsored by Fenwick & West LLP -

7:30-10:00PM

- Dinner Sponsored by Frankfurt Kurnit Klein & Selz at STK -

## **VGBA Summit 2018 Day 2: May 15**

8:00-9:00AM - Breakfast (sponsored)

9:00-10:00AM - **E-Sports** -

As e-sports continue grabbing headlines, the experienced attorney must stay informed of the legal issues that can arise in competitive gaming. From the licensing and legal status of players on collegiate teams, to contracts within the leagues, to possible legal repercussions of the public actions of these athletes, the legal issues in the space are new and growing along with the e-sports industry.

### **Moderator:**

Robert Forbes | Attorney at Activision

### **Panelists:**

- Chrissie Scelsi | U.S. General Counsel at Wargaming
- Bryce Blum | Executive Vice President, Catalyst Sports & Media
- Greg Deutsch | General Counsel, AdColony

10:00-11:00AM

- **Influencers & the FTC Guidelines**

The explosion in popularity of video content to reach gaming audiences has made using popular influencers a great way for game companies and brands to engage and recruit players. However, as the Machinima and CSGO Lotto enforcements have shown, it can also be a risky area to navigate. The Federal Trade Commission is paying increased attention to influencers and brands using them for marketing on social media and video platforms to ensure that they are following the FTC Endorsement Guides, with 2017 marking the first time that the FTC sent warning letters to individual influencers. This panel will discuss best practices for working with influencers and influencer agencies to ensure compliance with the Guides and staying out of #trouble.

### **Moderator:**

Chrissie Scelsi | U.S. General Counsel at Wargaming

### **Panelists:**

- Will Bucher | Associate at Debevoise & Plimpton
- Omeed Dariani | CEO at Online Performers Group
- James Stevenson | Community Director at Insomniac Games

11:00-11:30AM - Break

11:30-12:30PM - **Game Finance / Mergers & Acquisitions**

This section will review and discuss business and legal trends in the financing of games, including crowdfunding. Additionally, panelists

will discuss developments in recent M&A activity involving game companies and related industries.

**Moderators & Panelists:**

- Ryan Black | Partner and Co-Chair, Information Technology at McMillan LLP
- Mark Phillips | Attorney at Harbottle & Lewis

12:30-1:45PM

- Lunch Sponsored by Perkins Coie -

1:30-2:30PM

**Blockchain Technology and Cryptocurrencies**

From the sound of GDC this year, the industry seems to be abuzz about blockchain technology and cryptocurrencies. While exciting, these opportunities also present a host of legal issues, as well as potential regulatory challenges on the IRS and SEC fronts. This panel will examine these issues, and how best to advise clients on how to navigate them and try to avoid the potential pitfalls.

**Moderator:**

Richard Levin | Partner at Bryan Cave LLP

**Panelist:**

James Gatto | Partner at Sheppard Mullin

2:30-3:30PM

- **A.R. / V.R.** -

The augmented and virtual reality industry is continuing to grow and mature. The well prepared interactive entertainment attorney is versed in not only the potential legal issues of these technologies but also the ever-expanding market potential. This panel will explore the legal issues facing AR/VR industry including privacy and data security, product liability, health and safety, intellectual property and will explore new or growing application for AR/VR, investment, industry regulation and trends in the market.

**Moderator:**

Kirk Soderquist | Partner at Perkins Coie

**Panelists:**

- Debbie Rosenbaum | Lead Counsel at Oculus VR
- John A. Polito | Partner at Morgan Lewis
- James Hairston | Head of Public Policy at Oculus VR

3:30-3:45PM

- Break

3:45-5:15PM

**Ask an Agent: Current Issues, Best Practices & the Future**

This panel will feature the top agents in the games business for a frank exchange about their perspectives on the major issues facing developers and publishers as well the general state of the industry. Topics will include deal and market trends for development studios, new funding options, the future of game deals

and how agents and attorneys can work optimally in their normal course of business.

The focus of this panel will be on the transactional relationships of the industry, but will also cover the prevailing business issue and future trends directly from the unique points of view of these top business facilitators.

**Moderator:**

Patrick Sweeney | Partner & Founder of Interactive Entertainment Law Group

**Panelists:**

- Derek Douglas | Head of Video Game Department at Creative Artists Agency
- Gina Ramirez | Agent at APA Agency
- Jordan Limor | Business Development Manager, DDM
- Rob Edgar | CEO, Studio Capital Management

5:15-5:30PM

- Closing Remarks