

ABA Forum on the
Entertainment &
Sports Industries
AMERICAN BAR ASSOCIATION



**VIDEO GAMES AND
DIGITAL MEDIA
CONFERENCE**

Monday, June 10, 2013

The Biltmore Hotel

Los Angeles, California

PROGRAM AGENDA

Monday, June 10, 2013

8:00 AM - 7:00 PM

The Biltmore Hotel Los Angeles

8:00 am - 5:30 pm	Registration
8:00 am - 8:45 am	Continental Breakfast– Sponsored by Greenberg Traurig, LLP
8:45 am - 9:00 am	Introductory Remarks/Chair Introductions
9:00 am - 10:00 am	Traditional Gaming Meets the New Frontier
10:-00 am - 11:00 am	Videogame Copyrights - Everything Old is New Again
11:00 am - 11:15 am	Networking Break– Sponsored by Greenberg Traurig, LLP
11:15 am - 12:15 pm	Cross Media Exploitation of Game Properties
12:15 pm - 1:15 pm	Lunch
1:15 pm - 2:15 pm	Litigation Update (Part I) - Rights of Publicity and Privacy; Top 10 Case Summary
2:15 pm - 3:15 pm	Litigation Update (Part II) - Patent Update
3:15 pm - 3:30 pm	Networking Break, Sponsored by Greenberg Traurig, LLP
3:30 pm - 4:30 pm	Data Privacy, PII and Online TOU/ Privacy Policies
4:30 pm - 5:30 pm	Gamblification! Interaction between Social Games and Online Gambling
5:30 pm - 7:00 pm	Closing Remarks Followed by Networking Reception

**The Forum thanks and acknowledges our
Sponsor: Greenberg Traurig, LLP
Supporters: Beverly Hills Bar Association &
Video Game Bar Association.**

Conference Schedule

9:00 am - 10:00 am

Legal Landmines and Business Opportunities when Traditional Gaming Meets the New Frontier

Leading business executives, general counsels and senior attorneys will examine how console manufacturers and leading independent game publishers are addressing the popularity of mobile games and social games, and related legal issues, in their business plans. The panel will also look at how social and mobile game publishers are protecting their turf and intellectual property from encroachment by traditional game publishers. Discussion is expected to address emerging markets for consoles, including Latin America, and expectations for China.

Moderator:

Seth J. Steinberg, Principal, Digital Arts Law

Panelists:

Andy Babb, President, Brandissimo

Drew Boortz, General Counsel, Nexon

Christi Davisson, Attorney – Interactive Entertainment Business, Microsoft Corporation

Steve Ross, General Counsel, Square-Enix, Inc.

David Stelzer, Head of Video Games Department, Creative Artists Agency

Jason Willig, VP, COO Maxis Label, Electronic Arts

10:00 am – 11:00 am

Videogame Copyrights - Everything Old is New Again.

A discussion of copyrights in apps and independent games, including the recent cases of *Tetris v. Xio* and *Spry Fox v. Lolapps*.

Moderator:

J. Michael Monahan, Pattishall, McAuliffe, Newbury, Hilliard & Geraldson LLP, and adjunct professor at ITT-Kent School of Law

11:00 am -- 11:15 am

Networking Break

Sponsored by: Greenberg Traurig, LLP

11:15 am – 12:15 pm

Cross Media Exploitation of Game Properties.

Video game content is leveraged across other entertainment and media platforms, and vice-versa, with greater frequency today than in the past. This panel, consisting of legal and business affairs executives who are thought leaders at their respective companies, will discuss the material business and legal issues and challenges that arise when exploiting content across multiple entertainment and media platforms. The discussion will include recent trans media efforts by NBCUniversal, Microsoft, Lucasfilm and the NBA.

Moderator:

Russell Weiss, Morrison & Foerster LLP

Panelists:

Matthew McCloskey, Director of Franchise Business Management, Microsoft Corporation

Pamela Ostroff, Senior Counsel, Electronic Arts

Beth Roberts, Senior Vice President, NBCUniversal

12:15 pm - 1:15 pm

Lunch

1:15 pm – 2:15 pm

Litigation Update (Part I) - Rights of Publicity and Privacy; Top-10 Case Summary.

An examination of cases impacting the interactive industry from the past year. Discussion will include analysis of certain of the rights of publicity and privacy-related cases that have impacted the industry.

William Sloan Coats, Greenberg Traurig

Kelli L. Sager, Davis Wright Tremaine

Jeff McFarland, Quinn Emanuel Urquhart & Sullivan, LLP

Mary Tuck, Senior Director, Litigation and Intellectual Property, Activision-Blizzard, Inc.

2:15 pm—3:15 pm

Litigation Update Continues (Part II)- Patent Update.

The update continues with a discussion of recent developments in patent law, including discussions about newly enacted and newly proposed legislation as well as trends in patent litigation. Case discussion will include infringement suits filed against Nintendo and Sony Computer Entertainment America, among others. The update will also include a look at the state of software patents, discussion of recent developments in ITC-based litigation and some tales of the tape from a few patent heavyweights.

Bill Chang, Riot Games

Neel Chatterjee, Orrick, Herrington & Sutcliffe LLP

Ben Hur, Kecker & Van Nest

Jas Purewal, European Lawyer, Osborne Clarke

3:15 pm – 3:30 pm

Networking Break—

Sponsored by Greenberg Traurig, LLP

3:30 pm—4:30 pm

Data Privacy, PII and Online TOU/ Privacy Policies.

As regulatory oversight becomes more aggressive, content creators, developers and publishers continue to wonder what they have to do to be in compliance, and at the same time, be able to provide compelling products to consumers. The panel will examine current issues in these complex areas, including from an international perspective, addressing the EU Data Protection Directives, and stateside, including revised COPPA regulations and recent high profile actions of the California Attorney General's Office.

Moderator:

Cydney A. Tune, Pillsbury

Panelists:

Vincent Scheurer, Sarassin, LLP

Andrew B. Serwin, Morrison & Forester

Andy Zaffron, Executive Vice President and General Counsel, Sony Online Entertainment

4:30 pm—5:30 pm

Gamblification! Interaction between Social Games and Online Gambling.

Gamblification relates to the intersection of social media and gambling. It is a play on the concepts of gamification and gambling. While gamification relates to using game mechanics for non-game purposes, gamblification refers to the use of gambling mechanics for non-gambling purposes (ideally!). Examples are Zynga poker and other social games and apps that include a “gambling-like” element but do not involve real money gambling. Given the complexity of the legal issues around these concepts, it is not always easy to ensure that one does not unintentionally cross the line into illegal or regulated gambling. The issues can be particularly confusing for some when virtual goods and/or virtual currency are used. These issues are critical to understand because many businesses are ramping up investment in this area and regulators are increasing regulatory scrutiny.

Moderator:

Jim Gatto, Pillsbury

Panelists:

Keith McCurdy, Executive, Board Director, and CEO Adviser at *Interactive Entertainment Companies*

Melissa Riahei, Executive Vice President and General Counsel, *US Digital Gaming*

Darrell Rodriguez, Chief Creative Officer, IGT

Markus Weichselbaum, CEO at *TheBroth, Inc.*

5:30 pm—7:00 pm

Closing Remarks Followed by Networking Reception

Video Games and Digital Media Conference

Monday, June 10, 2013

8:00 AM - 7:00 PM

The Biltmore Hotel, 506 Grand Avenue, Los Angeles, California

- **Traditional Gaming Meets the New Frontier**
- **Videogame Copyrights**
- **Cross Media Exploitation of Game Properties**
- **Litigation Update– Rights of Publicity and Privacy and Patent Update**
- **Data Privacy**
- **Interaction between Social Games and Online Gambling**

Registrants are invited to the networking reception from 5:30 PM - 7:00 PM

For additional Conference information, visit

http://www.americanbar.org/groups/entertainment_sports/events_cle.html

CLE CREDIT: ABA programs ordinarily receive CLE credit in AK, AL, AR, AZ, CA, CO, DE, FL, GA, GU, HI, IA, ID, IL, IN, KS, KY, LA, ME, MN, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, RI, SC, TN, TX, UT, VT, VA, VI, WA, WI, WV, and WY. These states sometimes do not approve a program for credit before the program occurs. This transitional program is approved for both newly admitted and experienced attorneys in NY. Please contact your state accreditation agency for more information about CLE accreditation in your state.

FINANCIAL AID POLICY: The Forum offers a limited number of scholarships (registration fee waiver), to attend this program to be held June 10, 2013. To apply for a scholarship, please send an email to Teresa Ucok, Forum Manager, explaining your interest in entertainment and sports law and your interest in attending the program. Teresa's email is Teresa.ucok@americanbar.org. **The deadline to request a scholarship is May 20, 2013.**

ABA FORUM MEMBERSHIP: To encourage registrant to join the ABA Forum on the Entertainment and Sports Industries, the reduced member's tuition rate is being extended to registrants who join the Forum when they register for the conference. Forum membership dues are \$50 for lawyers and associates and \$20 for law students. Membership in the ABA and in one of its many sections or divisions is a prerequisite to Forum membership.

CANCELLATION POLICY: Registrants who are unable to attend the program will receive a refund of registration fee less a \$50 administrative fee if written cancellation is received by May 21, 2013. Cancellation must be faxed to the attention of Anna Borowiec to 312-988-5677. **No refunds will be granted after May 21, 2013.** We will allow substitutions in lieu of a refund. The ABA reserves the right to cancel or alter any programs and assumes no responsibility for personal expenses.

QUESTIONS: If you have any questions or require additional conference information, please call Anna Borowiec at 312.988.5580 or email Anna.Borowiec@americanbar.org.



VIDEO GAMES AND DIGITAL MEDIA CONFERENCE
Monday, June 10, 2013
The Biltmore Hotel, 506 Grand Avenue, Los Angeles, California

REGISTRATION FORM

THREE ways to register:

By Fax: to 312-988-5677. Our fax is open 24 hrs.	By Internet: Register online at http://www.americanbar.org/groups/entertainment_sports/events_cle.html Questions: Call 312.988.5658	By Mail: Mail registration form to ABA Forum on ES MS 18.2, 321 N. Clark St. Chicago, IL 60654
--------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------

Name _____ Email Address *(please provide for updated Conference information)* _____

Firm _____

Address _____

City _____ State _____ Zip: _____

Telephone _____ Fax _____

Are you licensed to practice in New York? (For CLE certification) _____ Yes _____ No

Registration Fees	Quantity	Total
\$200 If registrant joins the ABA Forum	_____	\$ _____
\$300 Forum, BHBA, & VGBA Member	_____	\$ _____
\$495 Non-ABA Forum member	_____	\$ _____
\$395 Non Attorney Industry Prof	_____	\$ _____
\$100 Law Students	_____	\$ _____
\$0 Conference Speaker	_____	\$ _____
TOTAL CONFERENCE FEE:	_____	\$ _____
 \$50 Membership Fee* (\$20 for Law Students) (If not already a member of the Forum)	_____	\$ _____
GRAND TOTAL PAYMENT:	_____	\$ _____

*Please enroll me as a member of the Forum on the Entertainment and Sports Industries.
I understand I must be a member of the ABA and at least one Section of the American Bar Association.
I belong to the following Section (s): _____

Method of Payment:
 Check enclosed (payable to the American Bar Association)
 Credit Card VISA MasterCard American Express

Expiration Date: _____ Card No. _____

Name on Card (Printed): _____

Signature: _____