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- Take-Two Interactive Software, Inc.
- uCool, Inc.
- Warner Bros. Home Entertainment Group

A Comprehensive Two-Day Conference on

The Law of Digital Games

New technologies, opportunities, regulations,
and business models

November 5 & 6, 2012

Boston, Massachusetts

Seaport Boston Hotel World Trade Center

CLE Credits: CT 12.5 | NC 12.5 | NH 12.5 | NY 15 (non-transitional only) | RI 15 | VT 12.5

Quick when/where: 8:30 a.m., 200 Seaport Boulevard

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The Law of Digital Games Conference
November 5 & 6, 2012 | Boston, Massachusetts
Seaport Boston Hotel World Trade Center

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8:00 Registration Opens

8:30 Introduction and Overview

Michael J. Cavaretta, Esq., Program Co-Chair
Morse, Barnes-Brown & Pendleton, PC ~ Waltham, MA

Frederick U. Fierst, Esq., Program Co-Chair
Fierst, Kane & Bloomberg LLP ~ Northampton, MA

8:45 The Changing Face of the Industry

Evolving technology; trends in business models; challenges for lawyers in the coming years

Debra Baker, Esq., SVP, Global Business Development
Warner Bros. Home Entertainment Group ~ Burbank, CA

Seth D. Krauss, Esq., EVP and GC
Take-Two Interactive Software, Inc. ~ New York, NY

Walter Somol, Director, Tech Community Outreach
Microsoft New England Research & Development Center
Cambridge, MA

10:15 Break

10:30 Massively Multiplayer and Social Games: Explosion of the "Fremium" Revenue Model

Subscriptions vs. Free to Play: Update on the business models and their pros and cons; handling payments for free-to-play (if you buy) and other formats involving virtual currencies; implications on liability, finance and operations

Marco F. Mereu, Esq., VP, Business Development and GC
uCool, Inc. ~ Boston, MA

Opportunity meets regulation: Legal implications of virtual goods and worlds including regulations governing receipt of payments; stored value/unclaimed property laws, gift card laws, money transmittal licensures, and PATRIOT Act and Bank Secrecy Act

Sean F. Kane, Esq.
Pillsbury Winthrop Shaw Pittman LLP ~ New York, NY

11:30 Trans-Media Plays

Viewing the digital game as one of the central hubs in a multimedia exploitation of intellectual property; business and legal issues of expanding from digital games into other media

Frederick U. Fierst, Esq., Program Co-Chair

Pamela Ostroff, Esq., Senior Counsel
Electronic Arts Inc. ~ Redwood City, CA

12:30 Lunch (on your own)

1:45 Technology Licensing Update

Tips on the contracts involved in the licensing of technology for use in digital games; evolving legal and business strategies; dealing with enhancements to licensed technologies; lessons from recent key cases involving technology licensing

Jonathan Lourie, Esq.
Edwards Wildman Palmer LLP ~ Boston, MA

Mark Rein, VP and Co-Founder
Epic Games, Inc. ~ Cary, NC

Peter Welch, Esq., Associate GC
Take-Two Interactive Software, Inc. ~ New York, NY

3:15 Break

3:30 Practical Tips for Protecting Your Own Intellectual Property

Trademark filing strategies; addressing copyright issues over technology and graphics; dealing with Clones & Mods; "Guerilla enforcement" (non-litigation strategies for enforcing IP rights)

Hun Ohm, Esq., Moderator
Fierst, Kane & Bloomberg LLP ~ Northampton, MA

Ross A. Dannenberg, Esq.
Banner & Witcoff, Ltd. ~ Washington, DC

Irwin B. Schwartz, Esq., Principal
BLA Schwartz, PC ~ Boston, MA

4:45 International Digital Games Law Issues Arising from the Inherently International Character of Gaming

Key differences between EU and US laws

Konstantin Ewald, Esq.
Osborne Clarke ~ Cologne, Germany

5:30 Continue the Exchange of Ideas: Reception for Faculty and Attendees

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About the Conference

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This conference will feature international leading attorneys and business leaders who work in the digital games space and who will offer their insights about what senior executives and attorneys working in that field need to know about the new trends and cutting-edge business and legal issues which dominate the field.

Whether you are an attorney representing digital games clients or a member of the industry itself, you will not want to miss this important conference, which has received high ratings when offered in the past in Los Angeles and Seattle, and which is now being offered for the first time on the East Coast.

~ Program Co-Chairs: Michael J. Cavaretta, Esq. of Morse, Barnes-Brown & Pendleton, PC and Frederick U. Fierst, Esq. of Fierst, Kane & Bloomberg LLP



8:30 The Money Game Part One: Financing

Crowdfunding and other new opportunities under the JOBS Act; impacts on early-stage private financing; JOBS Act provision affecting later stage financing, including its potential impact on the market for IPO's

Joseph R. Martinez, Esq.
Morse, Barnes-Brown & Pendleton, PC ~ Waltham, MA

9:15 The Money Game Part Two: Exit Strategy

Update on the current M & A market: An analysis of deals done YTD in 2012, as well as emerging trends

Roxanne E. Christ, Esq.
Latham & Watkins LLP ~ Los Angeles, CA

Assisting clients with arriving at an appropriate valuation of the company to be sold; legal issues in selling a digital game company; including the Asset Purchase Agreement, restrictive covenants and key employment agreements

Frederick U. Fierst, Esq., Program Co-Chair

10:15 Break

10:30 Employment Issues

Meeting the business need to use independent contractors and interns without violating employment laws: Federal provisions and trends in state laws, including non-competition and non-solicitation covenants

Stephen Riden, Esq.
Beck Reed Riden LLP ~ Boston, MA

11:15 The Changing Face of Deal-Making: The Expanding Role of Agents and Brokers in the Digital Games World

Contract issues involved in hiring agents to represent studios, talent or intellectual properties; regulation of broker/dealers and agents in connection with financing arrangements; the development or placing of games with media companies

Joe Minton, President
DDM, LLC ~ Northampton, MA

David Stelzer, Esq., Head of Video Games Department
Creative Artists Agency ~ Los Angeles, CA

12:15 Lunch (on your own)

1:30 The Evolution of Digital Distribution

Legal issues in how the development and distribution of games and apps via the Internet differs from historical models, including sales of boxed games, digital downloading and cloud-streaming; working with traditional publishers and new content providers

James Alan Cook, Esq.
GC and EVP, Business and Legal Affairs
Gaikai Inc. ~ Aliso Viejo, CA

2:00 Break

2:15 New Age Publishers

The changing role of publishers in digital games distribution and how this affects negotiating "new age" publishing agreements

Michael J. Cavaretta, Esq., Program Co-Chair

2:45 Privacy, Data and Consumer Protection: Issues Arising from Collection of User Usage Data

Update on the FTC's Final Privacy Report; the White House's Consumer Privacy Bill of Rights; proposed changes to the Children's Online Privacy Protection Act; calls for comprehensive legislation; recent enforcement actions

Katrina A. Blodgett, Esq.
Staff Attorney, Division of Privacy and Identity Protection
Federal Trade Commission ~ Washington, DC

Christian Genetski, Esq.
Senior Vice President and General Counsel
Entertainment Software Association ~ Washington, DC

3:45 Evaluations and Adjourn

Upcoming Seminars:

Energy in the Northeast September 10 & 11, 2012 Boston, MA

Mobile Payments Law September 15 & 16, 2012 San Francisco, CA

See more at www.lawseminars.com



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Tuition: Regular tuition for this program is \$1245 with a group rate of \$935 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$830. For students and people in their job for less than a year, our rate is \$622.50. All rates include admission to all seminar sessions, food and beverages at breaks, and all course materials. Make checks payable to Law Seminars International.

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that time, we will credit your tuition toward attendance at another program or the purchase of a Homestudy. There is a \$25 cancellation fee for Course Materials orders and \$50 for Homestudy orders.

Seminar Location: The conference will be held at the Seaport Boston Hotel World Trade Center at 200 Seaport Boulevard in Boston, MA 02210. Call the hotel directly at (800) 440-3318 for reservations at the special negotiated rate of \$249 and mention that you are attending a Law Seminars International conference. Rooms are on a first come, first served basis.

Continuing Education Credits:

Live credits: This program qualifies for CT 12.5 CLE | NC 12.5 CLE | NH 12.5 CLE | NY 15 CLE (non-transitional only) | RI 15 CLE | VT 12.5 CLE credits. Upon request, we will apply for, or help you apply for, CLE credits in other states and other types of credits.

If You Cannot Attend: Our complete Homestudy Course, consisting of a DVD recording and the course materials (either a binder or searchable CD), is available for \$1255. The course materials alone are available for \$100. We will ship your Homestudy order via UPS ground within two weeks after the seminar or from the date we receive payment.

Faculty: The Law of Digital Games Conference

Michael J. Cavaretta, *Program Co-Chair*, member at Morse, Barnes-Brown & Pendleton, PC, represents information and technology businesses, including Internet, video game and other interactive media companies, software companies, and entertainment and publishing companies.

Frederick U. Fierst, *Program Co-Chair*, founder and partner at Fierst, Kane & Bloomberg LLP, represents clients in the entertainment and licensing industries within which he has developed an international reputation and clientele in connection with digital games, feature films, licensing and merchandising, and television.

Debra Baker, Senior VP, Global Business Development, leads their team for Warner Bros. Home Entertainment Group, focusing on driving new business partnerships, models, channels and products across Warner Home Video, Warner Bros. Digital Distribution and Warner Bros. Interactive Entertainment.

Katrina A. Blodgett, Staff Attorney, Division of Privacy and Identity Protection, at the Federal Trade Commission, investigates and prosecutes violations of U.S. federal laws governing the privacy and security of consumer information, and violations of the Fair Credit Reporting Act.

Roxanne E. Christ, partner in the Corporate Department of Latham & Watkins LLP, focuses on intellectual property, technology and media transactions. She represents companies in video game development and publishing, social networking sites, music, print publishing and software.

James Alan Cook, GC and EVP of Business and Legal Affairs at Gaikai Inc., manages the legal issues relating to existing and planned business activities, including the licensing of its cloud-based gaming services, and the protection and commercialization of its proprietary technologies and related intellectual property rights.

Ross A. Dannenberg, Banner & Witcoff, Ltd., focuses on Internet, e-commerce, telecommunications and computer software issues, and prepares and prosecutes patent applications in technical fields, including mobile and traditional telecommunications, computer software, video games, and Internet and business method inventions.

Konstantin Ewald, partner at Osborne Clarke, advises businesses

on IT law and technology-related transactions. He drafts and negotiates complex IT project contracts and Application Service Providing (ASP) schemes as well as software licensing and distribution contracts, specializing in the legal handling of IT system implementation.

Christian Genetski, Senior Vice President and General Counsel for the Entertainment Software Association (ESA), provides legal counsel to ESA and member companies on copyright, privacy, content regulation, piracy, e-commerce and virtual worlds.

Sean F. Kane, member of the Intellectual Property practice and Social Media, Entertainment & Technology teams at Pillsbury Winthrop Shaw Pittman LLP, represents clients on transactional matters in entertainment, communications and consumer products business segments, such as video games and virtual world.

Seth D. Krauss, Executive VP and GC at Take-Two Interactive Software, Inc., is a developer and publisher of interactive entertainment software. He supervises a team responsible for legal and business affairs, risk management and internal audit.

Jonathan Lourie, partner at Edwards Wildman Palmer LLP assists technology, science based and other companies in achieving commercial success. He represents clients in joint ventures, technology transfer, mergers and acquisitions, venture capital, international and securities law.

Joseph R. Martinez, member at Morse, Barnes-Brown & Pendleton, PC, focuses on general corporate and securities law. He represents clients in company formations, venture capital and other private equity transactions, mergers and acquisitions, and the formation of private equity funds.

Marco F. Mereu is VP of Business Development and GC for uCool, Inc., an independent developer and publisher of social browser based games including their debut title Tynon.

Joe Minton, President at DDM, LLC, has overseen its growth from a single-agent business into an international company in the video game industry. He has expanded DDM from a console-focused agency into one working on every modern gaming platform and business model.

Hun Ohm, partner at Fierst, Kane & Bloomberg LLP in the Entertainment/Intellectual Property practice, represents film, video game and television entertainment companies in television, feature film, merchandising, development, publishing, financing and distribution deals.

Pamela Ostroff is Senior Counsel at Electronic Arts Inc., a premier publisher of interactive software entertainment products. She is business counsel for the Maxis Label, BioWare Label MMO Group, BioWare Austin and BioWare Mythic studios, and counsels the entertainment and marketing groups on licensing and other transactional issues.

Mark Rein, VP and Co-Founder of Epic Games, Inc., has spearheaded licensing and publishing deals, business development, public relations, academic relations, marketing and business operations. Epic is responsible for Unreal Engine technology and the Gears of War and Infinity Blade series of games.

Stephen Riden, partner at Beck Reed Riden LLP, represents corporate and individual clients in commercial disputes across the country. He is experienced in litigating business disputes involving breach of contract, fraud, unfair competition, trade secrets and noncompete agreements.

Irwin B. Schwartz, Principal at BLA Schwartz, PC, focuses on technology and corporate litigation and arbitration.

Walter Somol, Director of Tech Community Outreach at Microsoft's New England Research and Development Center (NERD), helps foster the tech community working with startups, accelerators, VCs, angels, students, universities and tech organizations. He is experienced in the video game business, managing one of Microsoft's Interactive Entertainment Business Development and Publishing teams.

David Stelzer, Head of the Video Games department at Creative Artists Agency (CAA), represents game creators and development studios, including Respawn Entertainment, Will Wright, iNiS, and Insomniac Games.

Peter Welch is Associate GC of Take-Two Interactive Software, Inc., which publishes and develops interactive entertainment software through Rockstar Games, 2K Games, 2K Sports, 2K Play, Irrational Games and Firaxis Games.

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Who Should Attend:

Attorneys and business executives involved in the interactive digital entertainment industry

You Will Learn About:

- *The changing face of the industry*
- *Massively multiplayer and social games: Explosion of the "freemium" revenue model*
- *Trans-media plays*
- *Technology licensing update*
- *Trademark, copyright and right of publicity*
- *Privacy, data and consumer protection*
- *The money game: Financing and exit strategy*
- *Digital distribution and new age publishers*
- *The changing face of deal-making: The expanding role of agents and brokers*
- *Employment issues*

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