



## **CHICAGO VIDEO GAME LAW SUMMIT 2017 AGENDA**

CVGLS is Chicago's premiere video game law related event. It is a day of academic panels devoted to the nuanced way video games require unique legal protections from a myriad of diverse legal disciplines. Game developers, industry representatives, and legal experts will explore, explain, and debate the latest issues in video game law.

### **CVGLS Panel Times**

08:30 - 09:00 Check-In

09:00 - 09:20 Keynote Address with Adam Boyes

09:30 - 10:30 Game Finance Models: Pros & Cons of Different Prevailing Structures

10:40 - 11:40 Top Mistakes Developers Make BEFORE Entering into a Publishing Agreement

11:50 - 12:50 Real, Virtual, and by Design: An Exploration of Patents and Video Games

12:50 - 02:00 Lunch

02:00 - 03:00 eSports: Business Nuances and Legal Challenges

03:10 - 04:10 Legal Basics for Independent Game Developers

04:20 - 05:20 Tattoos, Athletes, and Video Games: Copyright and Other Problems

### **Keynote Address with Adam Boyes**

As Chief Executive Officer of Iron Galaxy Studios, Adam Boyes is responsible for the Company's finances, strategic development, partnerships and alliances. Most recently, Boyes was Vice President of Third Party Relations & Developer Technology Group at Sony Interactive Entertainment America where he oversaw Publisher & Developer Relations, Portfolio Strategy, Financial Strategy, Partner Alliance, Technical Account Management, Developer Technology Group and the 3rd Party Production team - driving them to record revenue and profitability numbers consistently year over year. Previously, Boyes was Executive Producer and Director of Product Development at Midway Games and Capcom respectively.

### **Game Finance Models: Pros & Cons of Different Prevailing Structures**

In today's dynamic market, there are multiple ways to finance the production of a game. Determining the right structure that is (a) available to you and (b) tailored to your business objectives requires understanding the pros and cons of the different ways games are financed. The panelists have been involved with the production and financing of nearly 1,000 games in their careers. They will discuss the "traditional" publisher-centric advance/recoup model, its risks and flaws, and the new models that evolved from it, including "break-even" structures, studio burn-rate deals, Angel, Series A investment, Crowdfunding, as well as creative hybrids of all structures.

- **Adam Boyes**, Iron Galaxy Studios
- **Patrick Sweeney**, Interactive Entertainment Law Group

### **Top Mistakes Developers Make BEFORE Entering into a Publishing Agreement**

As developers focus on bringing their visions to life, they often overlook key aspects of their burgeoning business for the sake of the production. The panelists come from the largest game-specific legal practice in North America and will share their perspectives on common mistakes developers make when (a) setting up their company and (b) negotiating their publisher agreements. The speakers will share their experiences from

the 700+ publishing agreements they have negotiated to provide sample contract provisions that can easily be modified to avoid pitfalls prior to the start of your publishing partnerships.

- **Suzanne Jackiw**, Interactive Entertainment Law Group
- **Patrick Sweeney**, Interactive Entertainment Law Group

### **Real, Virtual, and by Design: An Exploration of Patents and Video Games**

This panel will explore the real and virtual worlds of patents and discuss the role of patents in video games. After an introduction of patent basics and current industry nuances, the panelists will discuss how video games are affected by real life patents, and vice versa. Additionally, the panel will address the particulars of design patents, how they apply to video games, and how they could be used by or against game developers.

- **Scott Kelly**, Banner & Witcoff
- **Mark Raskin**, Mishcon de Reya New York LLP
- **Marc Whipple**, Crawford Intellectual Property Law LLC

### **eSports: Business Nuances and Legal Challenges**

This panel will explore the current state of eSports and discuss a variety of topics that will determine its future. After contrasting stances of business and legal perspectives, the panel will analyze the role of paid promoters, endorsement deals, licensing contracts, and the inherent difficulties in the digital distribution of copyrighted content.

- **Jason Greenglass**, Morrison/Lee
- **Ross A. Hersemann**, Loading Law
- **William Ward Bucher IV**, Debevoise & Plimpton

### **Legal Basics for Independent Game Developers**

This panel will provide a well-rounded introduction of common legal issues faced by independent game developers. The panelists will share their experiences in working with local game makers and discuss frequent items of interest including: business incorporation, trademarks, copyrights, privacy protections, regulatory compliance, and general contracts.

- **Ross A. Hersemann**, Loading Law
- **Suzanne Jackiw**, Interactive Entertainment Law Group
- **Sam Castree III**, Crawford Intellectual Property Group LLC

### **Tattoos, Athletes, and Video Games: Copyright and Other Problems**

Recent litigation illustrates a new concern for video game developers who make games depicting real people, particularly sports games. Many athletes have prominent tattoos, but the copyright in a particular tattoo is likely owned by a third party, not by the athlete. A license to include an athlete in a video game is not a license to reproduce the tattoo. So how does one accurately portray the athlete in the game? Is a license with the copyright owner necessary? One tattoo, multiple legal concerns. This panel will cover recent developments involving all three topics, copyright, the right of publicity, and false endorsement.

- **William K. Ford**, The John Marshall Law School
- **Edward Grochowiak**, GoEmpire Group
- **William T. McGrath**, Davis McGrath LLC