HIGHLIGHTS

Leveling Up Gaming Companies—Visit egg.wsgr.com

Wilson Sonsini is the trusted legal counsel to hundreds of developers, entrepreneurs, investors, and publishers who are building and launching market-leading gaming experiences around the world. Visit our new gaming hub to apply for our exclusive gaming start-up program and download the latest edition of The Scramble.

OVERVIEW

Wilson Sonsini Goodrich & Rosati, as the premier provider of legal services to technology companies, provides a full range of services to gaming clients. With more than 900 attorneys, we deliver comprehensive, integrated business and litigation services that companies in the gaming industry need. Whether the firm is assisting clients with their corporate financing needs, negotiating complex commercial transactions on their behalf, navigating antitrust and competition laws, or litigating novel intellectual property issues, our attorneys are well-equipped to advise gaming clients on a broad range of areas affecting their businesses, including:

Technology Transactions

- Licensing key technologies and third-party IP
  - Graphics and sound engines
  - Artificial intelligence (AI) engines
  - Modeling and auto-terrain generating software
  - Augmented reality (AR) hardware and software
  - Virtual reality (VR) hardware and software
  - Voice and facial recognition
  - Cloud-gaming services
  - Wearable peripherals

- Game development, music, and publishing deals
- Strategic partnerships, joint ventures, and development agreements
- In-licensing of music and other third-party IP

Intellectual Property Strategy
• Protecting key technologies and new inventions and innovations
• Registering trademarks, copyrights, and patents
• Digital Millennium Copyright Act (DMCA) and Communications Decency Act (CDA)
• Copyright strategy and fair-use analysis of user-generated or user-provided content
• Invention assignment agreements
• Open-source strategy and compliance

Privacy, Cybersecurity, and Data Protection

• Privacy and information security policies and compliance
• Children’s Online Privacy Protection Act (COPPA) compliance
• Domestic U.S. state privacy law compliance, including:
  - California Online Privacy Protection Act and California Privacy Rights Act (CCPA and CPRA)
  - Virginia Consumer Data Protection Act (VCDPA)
  - Colorado Privacy Act (ColoPA)
  - Utah Consumer Privacy Act (UCPA)
  - Connecticut’s Act Concerning Personal Data Privacy and Online Monitoring (CPOMA)
• EU General Data Protection Regulation (GDPR) compliance
• Federal and state investigations into privacy and data security

Litigation

• Patent, copyright, and trademark infringement
• Trade secret misappropriation
• Labor and employment disputes
• Consumer class action lawsuits
• False advertising and unfair competition claims
• Computer Fraud and Abuse Act (CFAA) litigation
• Corporate governance and securities litigation
• Commercial contract litigation
• Arbitration

Game Monetization and Advertising Strategies

• Payments, money, and virtual currency transmission
• Loot boxes, in-game credits, and other consumable virtual items
• Sweepstakes, contests, and gambling
• Blockchain technology and cryptocurrencies
• Compliance with federal and state advertising laws

Corporate Fundamentals, Raising Capital, and Exiting

• Corporate formation and governance
• Founder stock, employee benefits, and compensation
• Private and public equity and debt financing deals
• Mergers, acquisitions, and asset purchases and sales

Antitrust and Competition

• Criminal and civil investigations by government agencies, including the DOJ, FTC, European Commission, and Competition and Markets Authority
• Merger control filings and clearance
• Consumer protection
• Antitrust litigation
• Business strategy
  - Pricing and distribution
  - IP licensing
  - Standard setting and patent pooling
  - Pre-merger and merger integration counseling

Through the critical matters affecting their businesses, Wilson Sonsini’s attorneys are well positioned to assist e-gaming clients at every stage of their development. From early-stage start-ups to publicly traded companies, the firm represents a range of participants in the gaming industry, including developers and publishers of video games and mobile games; AR and VR designers and device manufacturers; creators of software development engines and other gaming middleware; eSports companies, leagues, teams, and gamers; online-streaming platforms, content creators, and streamers; and venture capital funds, other private funds, and other investors in the industry.
REPRESENTATIVE EXPERIENCE

Representative Financings

- Roblox $150 million Series G and $350 million tender offer
- IVP $245 million Series C in Niantic
- Caffeine $100 million Series C

Representative Transactions

- Roblox acquisition of PacketZoom
- Beam acquired by Microsoft
- FanDuel acquired by Paddy Power Betfair
- Logitech acquisition of Astro Gaming
- TinyCo acquisition by Jam City (FKA SGN)
- Underwriter Counsel on King IPO

Representative IP Counseling and Litigation

- Represent Bungie in intellectual property and advertising matters, including brand clearance, trademark prosecution, and management of trademark filings around the world, as well as intellectual property enforcement and dispute matters.
- Represent Roblox across multiple corporate, regulatory and litigation matters, including guidance on brand and content protection, enforcement of intellectual property rights, promotions and contests, and licensing.
- Represent Playtech in patent litigation and IP counseling matters.
- Represent FlowPlay in trademark and advertising matters.
- Represent ReKTGlobal, a global esports organization that includes the Rogue and London Royal Ravens professional esports teams, in strategic trademark matters, brand clearance, trademark prosecution, and management of trademark filings around the world.
- Represented the outside directors of Zynga in connection with derivative litigation in the Delaware Court of Chancery

PODCAST

Wilson Sonsini’s Electronic Gaming Podcast is a firsthand look at how gaming companies can solve business and legal problems. Experts from Wilson Sonsini Goodrich & Rosati and the industry discuss their experiences and thoughts on crucial topics every game company should be aware of.

Our first series is focused on early-stage issues, taking a closer look into the world of gaming company startups. What do company founders care about? What should they care about? What are the common pitfalls and traps to avoid? Wilson Sonsini experts discuss key legal issues that fledging game companies must know about to succeed.
NEST/ROADMAP

NEST is an exclusive program that offers select early-stage companies the opportunity to accelerate their business with discounted legal services and other essential non-legal resources, such as investment readiness services. By the end of the program, NEST founders will have the tools to pitch their games and their companies to investors.* Learn more.

ROADMAP

Roadmap - receive a complimentary customized roadmap to the legal services you may need for your early-stage gaming startup by answering a series of simple questions. Learn more.

*Investment not guaranteed.

GAMING YEAR IN REVIEW

The Scramble: 2022 Gaming Legal Year in Review

In this inaugural issue of The Scramble, our Electronic Gaming Group (EGG) compiled legal news from the front lines of gaming. Find out the sectors being funded, the state of intellectual property in gaming, statistics on past trends, and what our gaming lawyers are looking forward to in 2023. The Scramble also features a collection of EGG's industry-leading publications from the last year.

Download The Scramble here.