

Gaming

From vast brick-and-mortar casino chain operators to trailblazing sports betting and e-game entrepreneurs, the gaming industry is home to some of the most diverse, dynamic, and exciting businesses in the United States. As the market continues to expand and embrace new gaming products and services, new payment mechanisms and online platforms, and as new jurisdictions authorize gaming activities across the country, opportunities and challenges will proliferate for both traditional gambling companies and new market entrants.

Cozen O'Connor's experience in the gaming industry is broad and deep. Our relationships and knowledge stretch back over decades of advising traditional gaming companies including hotels and casinos, sports betting companies, executives, gaming equipment manufacturers and distributors, lotteries, and racetracks on all aspects of their business operations, including:

- Advising lenders, investors, and developers of gambling operations on a wide range of business-critical issues from structuring to real estate to taxation, including tribal gaming-related considerations;
- Advising on partnerships between professional sports teams and leagues and gaming operators and suppliers;
- Representing individuals or entities facing criminal investigation or prosecution for gaming-related allegations;
- Advising on state and federal legislative and regulatory issues and counselling clients to assist them in understanding and complying with existing and new regulations and laws as they are introduced;
- Building on-going and positive relationships and promoting clients' interests with federal and state regulatory bodies, State Attorneys General, and other decision-makers in the gaming eco-system; and
- Advising and working with trade associations, gambling commissions and gaming control boards, and other key influencer groups within the industry.

Building on this seasoned experience and deeply rooted relationships within the gaming eco-system, Cozen O'Connor attorneys are working at the cutting edge of the industry as new technologies and online platforms multiply. Our work includes:

- Representing U.S. and foreign entities to help them establish successful online gaming operations and/or defend against erosion of traditional market share;
- Advising on corporate law, taxation, labor law, and intellectual property matters to companies within the interactive entertainment and e-sports industry including publishers, developers, platform manufacturers, and content providers;
- Representing industry disrupters as they develop market entry strategies and seek to compete with mega-players;
- Assisting clients with the development of new business models that achieve strategic goals while maintaining compliance with prevailing federal and state legislative and regulatory frameworks; and
- Advising on and lobbying for legalization of online gaming and sports betting products and services, advocating for laws and regulations that enable industry growth, and assisting clients with implementation and licensing issues.

Our litigation team has served as chief litigation counsel for some of the largest operators in the gaming industry, representing them in bankruptcy proceedings, multibillion dollar lawsuits, bet-the-company antitrust and RICO matters, as well as handling labor and employment concerns. We have facilitated the successful entry of U.S. and international businesses into the legal gambling market and represented clients facing possible criminal prosecution, civil forfeiture action, or investigation



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Related Practice Areas

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Industry Sectors

- Sports

due to ambiguous or outdated regulations or statutory provisions. We partner with clients to address challenges related to under-age and problem gambling and cheating, fraud, and money-laundering. We have managed complex investigations and litigation where fraud is suspected or alleged, while minimizing reputational damage and interruption to business operations.

We understand critical issues surrounding protection of consumer data, data security, and privacy. Our frequent interactions with federal and state regulators and enforcers mean we are intimately familiar with digital currency issues, geolocation protocols, regulatory monitoring of i-gaming platforms and the need for online gaming providers to comply with strict i-gaming regulation protocols and standards, including those related to identity verification, account funding, and transaction recording.

Above all, our cross-disciplinary gaming industry team is focused on delivering practical solutions to our diverse gaming clients at all stages of the business life cycle. Our experience across every aspect of gaming and online betting — from casino operators to fantasy sports — together with our deep knowledge of the legislative and regulatory environments that govern all of their activities, sets us apart.

Experience

Represented the shareholders of Struckd AG, a Swiss mobile gaming platform with a catalog of more than one million games, in its sale to a U.S. software company.

Negotiated a settlement agreement with the potential to revolutionize the U.S. sports-betting market on behalf of Laura Varela and 5Dimes, a popular offshore sportsbook in Costa Rica. The U.S. Department of Justice had been investigating illegal gambling and money-laundering activity associated with 5Dimes and Ms. Varela's husband at the time of his death in 2018. Our team negotiated an unprecedented resolution with prosecutors in the Philadelphia U.S. Attorney's Office that resolved 5Dimes's legal liability and that allowed Ms. Varela to reposition the sportsbook to enter the regulated U.S. sports-betting industry. Further, the Government expressly agreed to advise state regulators, banks, and investors about her extraordinary cooperation and impressive efforts to transform 5Dimes into a lawful, regulated company.

Represented Valley Forge Convention Center Partners, LP in its \$280 million sale of Pennsylvania-based Valley Forge Casino Resort to Boyd Gaming Corporation, an American gaming and hospitality company. This transaction drew on the experience of Cozen O'Connor's corporate, tax, real estate, litigation, and utility, environmental, and energy attorneys.

Represented a sports-betting company on compliance strategies in U.S. markets.

Represented Caesars Entertainment Corporation and related entities in litigation stemming from a serious accident that occurred during a horserace at Harrah's Philadelphia Casino & Racetrack. We settled the matter on terms favorable to the client after jury selection.

Defended the founder of a well-known internet gambling site against felony charges pursued over a five-year period by federal prosecutors. Ultimately, prosecutors dropped the felony charges in exchange for a guilty plea on a misdemeanor charge, resulting in a sentence of unsupervised probation and payment of a fine. The client also was able to reacquire a domain name that had been forfeited during the course of the prosecution. The resolution of the matter was covered by *Forbes* magazine [here](#).

Represented Full Tilt Poker, winning a stay and dismissal of a series of related cases, including allegations of defamation, breach of contract, alleged violation of RICO and antitrust laws.

Represented various lenders in regulatory matters with the Pennsylvania Gaming Control Board relating to loan interests in two Pennsylvania casinos.

Lead counsel in the many regulatory and administrative proceedings before the Pennsylvania Gaming Control Board on behalf of a Category 2 licensee involving its operations and its retention of its Category 2 Slot Machine License.

Represented Category 2 and Category 3 license holders in a wide range of matters including regulatory issues and extensive successful litigation before the Pennsylvania Supreme Court.

Represented the companies and individuals associated with Full Tilt Poker in the civil forfeiture action brought in the United States District Court for the Southern District of New York (Black Friday).

Represented numerous clients seeking prospective compliance advice regarding online gaming and sweepstakes activities.

Represented numerous clients in the online gaming space including operators and third-party processors.

Provided advice and legal services with respect to intellectual property matters to members of the gaming industry.

Experience with litigation and appellate matters involving the Pennsylvania Gaming Control Act, 4 Pa. C. S. A. Section 1101 et seq.

Provided legal advice with respect to applications for licensure, compliance matters and real estate matters (zoning and tax assessments).

Served as special internet gaming counsel for the first Multistate Internet Gaming Agreement.

Served as lead trial counsel for Barcade in prosecuting various establishments that are attempting to use the incontestable BARCADE registration, all resulting in defendants discontinuing use of BARCADE.
