

Video Gaming

The COVID-19 lockdowns helped global gaming sales soar in 2020, and research shows that the industry has no signs of slowing—by some estimates it is on track to surpass \$200 billion in sales by 2023. McCarter’s active Video Game Group understands that this explosive growth puts video game publishers, developers, manufacturers, distributors, coders, and numerous others in the video gaming field under increased pressure to get the content to market. Clients across the globe rely on our knowledge and experience in the immersive technologies, interactive entertainment, and esports areas to make that happen.

Our work includes:

- Advising Alawar Entertainment, Inc., a Russian developer, distributor, and publisher of video games for multiple devices, on general corporate matters as well as reviewing/negotiating their distribution and licensing agreements.
- Representing Esports One, a New York-based provider of interactive and engaging esports broadcasts, in numerous financing transactions, including a series seed round with two VCs and a closed note financing transaction by MIT’s Play Labs.
- Advising The RoCo Group Inc. (d/b/a Gamer Sensei), an online esports platform that connects gamers with a reliable, centralized platform to book coaching services, in a number of financings and corporate transactions.
- Representing American Video Game League (AVGL) in its sale to esports entertainment platform BoomTV.
- Managing, prosecuting, and defending a client’s portfolio of 800+ copyright and trademark registrations in the U.S. and abroad. McCarter’s representation has included the successful prosecution, clearance, maintenance, and enforcement of its copyright and trademark rights, many of which protect its core intellectual property assets. Enforcement efforts have included counseling as well as initiating and pursuing adversarial action against a number of infringers of our client’s rights of trademark and copyright.
- Representing video management platform clients in immigration matters to help clients address specialized personnel hiring needs.

In particular, we draw on our strong capabilities and deep bench in the practices below.

Venture Capital & Emerging Growth Companies

McCarter represents clients on the cutting edge of gaming technology. We empower our clients—from investors financing the companies supporting the next big thing, to emerging companies needing guidance on accepting digital currency payments, to startups looking for term sheet guidance—throughout the development cycle, from ideation to creation, capitalization, implementation, commercialization, and monetization. Year after year our group has ranked highly in numerous categories in *PitchBook*’s league tables, including in the technology and software sectors, at regional, national, and global levels.

Intellectual Property

We take an integrated approach to grow and protect our video game clients’ innovations. Our core intellectual property law disciplines include patents, trademarks, and copyrights, and many of our lawyers have advanced degrees and technical backgrounds in computer science, computer engineering, electrical engineering, and mechanical engineering. McCarter has devised domestic and international patent strategies specifically concerning

data processors, memory devices, data warehousing and data mining tools, communication networks, programming interfaces, computational methods, software for data security, control systems, graphical user interfaces and much more.

Technology Transactions

Combining decades of experience with trailblazing legal and technical skills, our Technology Transactions lawyers have helped clients around the world protect and monetize their offerings through licensing, product development, distribution, joint ventures, strategic alliances, and outsourcing transactions.

Privacy

There are risks inherent in sharing personal and sensitive information in online gaming platforms. Our Cybersecurity & Data Privacy lawyers advise clients regarding commercial data collection and use related to marketing, sweepstakes, and promotions; creation and revisions to internal and online privacy notifications and policies to address evolving requirements across the globe; breach and incident response, working closely with or defending against law enforcement and regulatory authorities; and more.

Corporate and Securities

We represent multinational corporations, midcap enterprises, and startups from formation to IPO and everything in between, including numerous clients in merger and acquisition and financing deals where the selling or financing company's main value is in the form of software code. Included on our team are lawyers with practical business experience gained from working as in-house general counsel at companies with a technology focus.

Additional Areas of Representation

McCarter is a full service firm and our video gaming clients also rely on our immigration, employment, employee benefits, tax, real estate, and numerous other areas of advice.