



firm profile

McMillan is a modern and ambitious business law firm serving public, private and not-for-profit clients across key industries in Canada, the United States and internationally. With recognized expertise and acknowledged leadership in major business sectors, we provide solutions-oriented legal advice through our offices in Vancouver, Calgary, Toronto, Ottawa, Montréal and Hong Kong. Our firm values – respect, teamwork, commitment, client service and professional excellence – are at the heart of McMillan’s commitment to serve our clients, our local communities and the legal profession. For more information, please visit our website at www.mcmillan.ca.

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video games and esports

overview

McMillan’s Video Games and Esports Group is at the top of its game, because interactive entertainment is not child’s play: nearly two-thirds of Canadians (averaging 39 years old) define themselves as “gamers”, and even more actually play video games on a monthly basis, fueling an entrepreneurial industry that employs tens of thousands of Canadians from coast to coast and adds billions of dollars to Canada’s GDP.

McMillan’s lawyers in the Video Games and Esports Group draw on their experience from multiple practice groups, bringing a multidisciplinary approach to craft practical, effective and innovative legal solutions to clients in this rapidly evolving industry where increasingly-powerful and ever-more-connected computing devices make it easier than ever to gamify experiences, create immersive and ubiquitous technologies, and develop new, alternate or virtual realities.

McMillan lawyers collaborate to advise the video game and esports industry on:

- Starting, structuring, and reorganizing companies to benefit from digital tax or interactive media credits;
- Financing and mergers & acquisitions in the interactive entertainment industry, whether domestic, cross-border or international;
- Hiring, outsourcing, insourcing and managing a diverse workforce, including esports teams;
- Developing robust policies, procedures and practices, as well as terms of service and end user license agreements;
- Creating, protecting, enforcing and defending intellectual property rights;
- Organizing and structuring e-sports tournaments, loot crates, virtual currencies, and microtransactions that comply with byzantine regulations;
- Navigating “old world” regulations including gambling, broadcasting, and competition law in the digital era;
- Drafting and negotiating commercial agreements;
- Advocating in, settling and litigating video-game and esports-related disputes;



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- Procuring and licensing service providers, closed- and open-source libraries, and platform licenses; and
- Protecting against product liability, including product warnings and health and safety.

Given the complexity of this dynamic industry, it's no surprise that the above list shows members of McMillan's Video Games and Esports Group being called upon to engage in almost all of McMillan's services.

McMillan lawyers are recognized leaders in the industry, speaking at and even organizing internationally-recognized conferences on video game topics, including through its active involvement with the Games Law Summit, Tokyo Game Show, Esports Bar Association, Video Game Bar Association, and Canadian Technology Lawyers Association.

As interactive entertainment overtakes the traditional film and music industries, McMillan's Video Games and Esports Group is poised to assist you in your legal needs in this exciting area, whether you're an indie studio founder or a sophisticated legal team at a multinational publisher, and everything in between.