



## → James G. Gatto

### Partner

2099 Pennsylvania Avenue, N.W.  
Suite 100  
Washington, DC 20006-6801

T: +1.202.747.1945

F: +1.202.747.3893

[jgatto@sheppardmullin.com](mailto:jgatto@sheppardmullin.com)

Jim Gatto is a partner in the Intellectual Property Practice Group in the firm's Washington, D.C. office. He is Co-Leader of the Artificial Intelligence Team, the Blockchain & Fintech Team, and Leader of the Open Source Team.

### Areas of Practice

For over 35 years he has been a thought leader on legal issues with emerging technologies and business models, most recently blockchain, AI, open source and interactive entertainment. He provides strategic advice on all aspects of intellectual property strategy and enforcement, technology transactions, licenses and tech-related regulatory issues (e.g., securities, gambling, AML), especially ones driven by new business models and/or disruptive technologies. His practice focuses on:

- Blockchain (including all aspects of NFTs, blockchain games, and blockchain applications)
- Interactive entertainment (including video games, metaverses, digital art, virtual worlds, AR, VR, fantasy sports, esports, online gambling)
- Artificial Intelligence (including patent and copyright protection, copyright infringement issues with training AI models, corporate policies on employee use of generative AI, TOS issues, robotics and much more)
- Open Source (including OS clearance and compliance, OS audits, corporate policies on use of OS, M&A diligence and remediation, OS contributions and licensing, patent strategies when using open source and much more)

### Honors

Top Author, *JD Supra* Readers' Choice Awards, 2021-2025

Global IP Strategist, *IAM Strategy 300 Global Leaders*, 2025

Best Lawyers in America - Patent Law, *Best Lawyers*, 2021-2026

Leading IP Strategist, *IAM Strategy 300*, 2023-2024

The World's Leading Patent Professionals, *IAM Patent 1000*, 2023-2025

*Super Lawyers*, 2006-2008, 2010-2014, 2017-2024

Recommended Lawyer - Media and Entertainment, *Legal 500*, 2022

Cryptocurrency, Blockchain and Fintech Trailblazer, *The National Law Journal*, 2018

Thought Leader on Blockchain & Cryptocurrencies, *National Law Review*, 2018

Top Rated Lawyer, Martindale-Hubbell AV Preeminent®

Technology Transactions, *Legal 500*, 2016, 2020-2022

IP Star, *Managing Intellectual Property*, 2013-2014, 2018-2020, 2022-2025

Intellectual Property - Northern Virginia, *Chambers USA*, 2007-2025

## Experience

### Representative IP Matters and Transactions

- Represented Catalina Marketing in their acquisition of Modiv Media. The deal involved an acquisition and strategic integration of Modiv's mobile and digital technology to supplement Catalina's bricks and mortar-based targeted marketing infrastructure.
- Lead IP/tech attorney for the highly publicized, complex strategic alliance between EMC and Lenovo, relating to network servers and storage devices. The deal included M&A and ongoing strategic business agreement components, involving complex licensing, open source and IP aspects. Based on this deal, M&A Advisor named him a winner of the 2012 "Cross-Border Deal of the Year" in its category for this work.
- Assisted VoiceBox Technologies Corp. by securing dozens of patents to protect its award-winning contextual voice technology. VoiceBox was recently named in the IEEE's Patent Power 2013 Scorecard, an independent industry evaluation of the best patent portfolios conducted by the research firm 1790 Analytics.
- Has handled patent and IP-based sales involving hundreds of millions of dollars
- Assisted Activision on IP issues associated with its \$100 million acquisition of the Guitar Hero franchise from Red Octane
- Has successfully assisted Playfish in shutting down unauthorized secondary markets for its virtual goods and currency
- Co-lead trial team for Computer Associates, Inc., in a matter involving the divestiture of an open source software product prevailing on all substantive issues and obtaining an award of attorney's fees
- Advised StarMine LLC from its inception on IP issues and developed and implemented IP strategy through its sale to Thomson-Reuters, Inc.
- First chaired team that obtained preliminary and permanent injunction on behalf of financial services company for a business method patent relating to the municipal bond industry
- Obtained patent for and developed successful multi-million dollar licensing program for Information Planning Management Service, Inc.
- Managed internet portfolios and assisted in IP based sale of United Toll, LLC, to a Roper Industries, Inc., entity
- Prevailed in a patent interference matter for a university professor for his Nobel-prize winning invention in the chemistry field
- First chaired team that successfully sued the U.S. Government under 28 U.S.C. § 1498 for patent infringement in the Court of Federal Claims
- First chaired team that successfully defended two patent infringement lawsuits in the internet coupon field and successfully enforced patent against a competitor in a third suit; then assisted in sale of that business to Catalina Marketing Corp.

- First chaired team that, in a declaratory judgment action filed against a California company in Asheville, NC, obtained summary judgment of infringement, validity and enforceability on behalf of a patent owner
- Successfully represented a bioinformatics company in a patent infringement lawsuit involving Oxford Gene Technology patents relating to oligonucleotide arrays
- Developed a patent portfolio, which has been successfully enforced, for pioneering semiconductor technology relating to gallium nitride based blue LEDs and blue laser devices

## Articles

- Why Companies Need an AI Policy and What it Should Include  
*Financier Worldwide*, 09.2025
- How AI is Changing The Real Estate Industry  
*The Practical Real Estate Lawyer*, 03.2025
- Understanding Risks Of Celebrities 'Hawking' Crypto Tokens  
*Law360*, 01.31.2025
- AI and patent eligibility: practitioners predict 2025 trends  
*Managing IP*, 01.09.2025
- AI Monitoring And FCRA: Employer Compliance Essentials  
*Law360*, 11.22.2024
- AI won't Kill the Billable Hour in the Legal World – It'll just Reinvent it  
*Business Insider*, 09.01.2024
- What Government Contractors Need to Know About Artificial Intelligence Legal Issues  
*ABA Procurement Lawyer*, 07.29.2024
- CFPB Reality Check: Video Game Cash Is Still Money  
*Law360*, 05.10.2024
- The USPTO and USCO Deliver Report to Congress on IP Issues with NFTs Maintaining Existing IP Regime  
*The Licensing Journal*, 04.2024
- Legal Issues When Training AI On Previously Collected Data  
*Law360*, 03.20.2024
- 5 AI Risks For Corporate Boards To Examine  
*Law360*, 01.18.2024
- Valve Rejects Games with AI Assets over Copyright Concerns  
*The Licensing Journal*, 10.13.2023
- Questions To Ask Before Using Company Data To Train AI  
*Law360*, 09.07.2023
- ChatUSG: What Government Contractors Need To Know About AI  
*Briefing Papers*, 07.2023
- Understanding the Different Angles of Artificial Intelligence with James Gatto  
*Lawyers Who Lead*, 07.17.2023
- Legal Considerations When Using Consumer Data To Train AI  
*Law360*, 06.22.2023

- ChatUSG: What government contractors need to know about AI  
*Westlaw Today*, 05.22.2023
- U.S. Policymakers Examine the Role of Blockchain Technology in Energy Transitions  
*New York Law Journal*, 08.04.2022
- Protecting IP and Limiting Liability When Licensing IP for Digital Art and NFTs  
*The Licensing Journal*, April 2022 issue
- Regulatory Uncertainty  
*Blockchain Game Alliance 2021 Member Survey & Report*, 12.16.2021
- Supreme Court Scraps LinkedIn Data-Scraping Decision  
*Bloomberg Law*, 07.06.2021
- The legal considerations of esports NFTs  
*Esports Insider*, 06.04.2021
- Will Blockchain Game Use Drive Greater Overall Blockchain Adoption?  
*CIO Review*, 12.07.2020
- Controversial New Open Source License for Decentralized Apps Protects Users' Data and Cryptographic Keys  
*The Licensing Journal*, June/July 2020
- Open Source-ish! What Defines Open Source Licensing and Why it Matters to Businesses  
*The Licensing Journal*, 05.2020
- A Blow To Crypto Miners Disputing Local Energy Rates  
*Law360*, 04.10.2020
- Blockchain Tech has Numerous Applications for Defense  
*National Defense*, 12.2019
- Understanding Bitcoin and Virtual Currency  
*Lexis Practice Advisor*, 12.06.2019
- Gambling Laws Have Changed A Lot In The Past Year. Here's How.  
*PlayUSA*, 04.17.2019
- Not Every Open Source Cloud Has A Silver Lining  
*Law360*, 03.01.2019
- INSIGHT: Interstate Online Gambling Dealt Blow by DOJ Flip Flop on Wire Act  
*Bloomberg*, 02.14.2019
- Considering Blockchain In The Electricity Industry  
*Law360*, 11.07.2018
- 10 Lessons On Blockchain And Open-Source Licenses  
*Law360*, 11.01.2018
- Insight: How Blockchain Can Affect Health Care  
*Bloomberg Law*, 06.06.2018
- Open Source Software in M&A and Finance Transactions  
*Thomson Reuters*, 06.05.2018
- Patent Issues with Open Source Software (OSS)  
*Thomson Reuters*, 06.05.2018

- Open Source and SaaS  
*Thomson Reuters*, 06.05.2018
- Considerations for Developing Corporate Open Source Policies  
*Thomson Reuters*, 06.05.2018
- Potential Repercussions of the Big Fish Decision  
Extended play or game over?  
*Casino Journal*, 05.29.2018
- Virtual Advertising: Uncharted Legal Waters  
*Advertising Age*, 11.11.2016
- Alternative Fantasy Models Face Legal Scrutiny  
*Law360*, 10.31.2016
- Federal Circuit Is In Sync With Patent's Validity Under Section 101  
*IPFrontline*, 09.21.2016
- "Hospitality's Move to Mobile Raises Legal Risks"  
*HOTELS Magazine*, 09.13.2016
- 2 Courts Dismiss Class Actions Involving Virtual Casinos  
*Law360*, 12.01.2015
- "FTC Issues New Guidance for Mobile App Developers that Collect Location Data," *JD Supra*, February 2, 2015
- "Not So Silky Road," *JD Supra*, February 5, 2015
- "FinCEN Addresses Illegal Sports Betting," *JD Supra*, January 28, 2015
- "Court Finds Poker Game Management Patents Valid Under Section 101," *JD Supra*, November 17, 2014
- "Another Court Declares Terms of Service Provisions Unenforceable - Are Yours?" *JD Supra*, November 6, 2014
- "IRS Issues Significant Convertible Virtual Currency Ruling - Bitcoin Community Abuzz," *JD Supra*, March 28, 2014
- "More Fallout From Silk Road," *JD Supra*, January 28, 2014
- "Sacramento Kings Announce They Will Be The First Pro Sports Franchise to Accept Bitcoin," *JD Supra*, January 20, 2014
- "Taxation of Virtual Currencies," *JD Supra*, January 14, 2014
- "Does Bitcoin Violate the Stamp Payments Act?" *JD Supra*, January 10, 2014
- "Healthcare Gamification - Regulation of Wellness Programs," *JD Supra*, August 28, 2013
- "FINCEN Virtual Currency Guidance," *JD Supra*, July 5, 2013
- "Money Laundering Through Virtual Currency Provider Shut Down," *JD Supra*, May 29, 2013
- "FINRA Levies \$9 Million Fine Against Financial Service Company Over Email Failures," *JD Supra*, May 22, 2013
- "Bitcoin Exchange Assets Seized," *JD Supra*, May 20, 2013
- "DMCA Saves YouTube...Again," *JD Supra*, April 19, 2013
- "Mobile Payments Infographic," *JD Supra*, April 17, 2013

- "SEC OKs Social Media Sites for Financial Disclosures," *JD Supra*, April 3, 2013
- "FINCEN Issues Virtual Currency Regulations," *JD Supra*, March 22, 2013
- "Who Wants Money for Mobile App Development?" *JD Supra*, February 4, 2013
- "Social Media Guidance for Financial Institutions," *JD Supra*, January 30, 2013
- "Will Australia Ban Non-Real Money Gambling Apps?" *JD Supra*, January 15, 2013
- "Virtual Goods, Gaming and the Trouble With Secondary Markets," *JD Supra*, January 2013
- "Make Sure Your Virtual Currency Doesn't Enter Illegal Gambling Territory," *Paybefore Magazine*, Fall 2012

## Books

- "Blockchain: A Prescription for Curing Ailments in the Healthcare Industry," *Health Law Handbook 2019 Edition*, Thomson Reuters, 2019
- Advisory Panel, *Blockchain, Virtual Currencies and ICOs - Navigating the Legal Landscape*, Wolters Kluwer, 2018

## Advertising: Covering Your Ads Blog

- "Thinking of Jumping on the NFT Bandwagon – Are you Prepared?," April 19, 2022

## AI Law and Policy Blog Posts

- "USPTO's Revised Inventorship Guidance for AI-Assisted Inventions: What Changed, What Stayed, and What Practitioners Should Do Now," December 1, 2025
- "Voices on Trial: Voice Actors, AI Cloning, and the Fight for Identity Rights," July 11, 2025
- "'Listen Up' if Your AI Policy Does Not Cover AI Recording Issues – Another Class Action Lawsuit Filed Over Third Party AI Recording Service," July 9, 2025
- "AI Drives Need for New Open Source Licenses – Linux Publishes the OpenMDW License," May 19, 2025
- "Copyright Office Report on Training AI and Fair Use," May 12, 2025
- "Court Grants Interlocutory Appeal on AI Fair Use Issue," April 4, 2025
- "OECD Report on Data Scraping and AI – What Companies Can Do Now as Policymakers Consider the Issues," March 24, 2025
- "If You Are Uptight About AI, This May Relax You," March 10, 2025
- "Court Definitively Rejects Fair Use Defense in AI Training Case," February 12, 2025
- "Lovo 'Voices' Opposition to Suit Over 'Kitchen-Sink' Approach to Alleged AI Voice Cloning," December 12, 2024
- "Andersen Plaintiffs Strategically Dismiss § 1202(b) Claims Pending Interlocutory Appeal in Github Case," November 26, 2024
- "Court Dismisses AI Scraping Claim, But Grants Leave to Amend," November 1, 2024
- "California Takes Action Against Deepfakes: Five New Bills Signed Into Law," September 18, 2024
- "AI Considerations in Government Contract-Related M&A Transactions," August 8, 2024
- "AI is Changing the Real Estate Industry. How Will It Impact Your Business?," August 5, 2024
- "M&A Transactions: Diligencing AI Issues with Target Companies," July 29, 2024
- "USPTO Roundtable: AI and Right of Publicity," July 29, 2024
- "USPTO Issues AI Subject Matter Eligibility Guidance," July 16, 2024
- "Court Rules in Landmark AI Code Generator Case – DMCA Claims Dismissed but Breach of Contract Claims Remain," July 10, 2024
- "NJ Bar Association Warns the Practice of Law Is Poised for Substantial Transformation Due To AI," June 4, 2024
- "Appellate Judge Proposes Possible Use of GenAI for Contract Interpretation – Recognizes That AI Hallucinates but Flesh-And-Blood Lawyers Do Too!" May 30, 2024

- "Lawsuits Against Web Scraping to Train AI," May 29, 2024
- "Jobiak's Opposition to Motion to Dismiss Copyright Infringement Claims on AI-Created Database," May 28, 2024
- "Court to Decide Whether AI-scraped Job Database Is Subject to Copyright Protection and Is Infringed?" May 14, 2024
- "M&A Transactions: Drafting AI Representations and Warranties for Non-AI Companies," May 9, 2024
- "George Carlin Was Funny – Copying His Likeness Ain't – Estate Settles AI-based Right of Publicity and Copyright Claims," May 7, 2024
- "OECD Updates Guidance on Responsible AI," May 6, 2024
- "Responsible AI – Everyone is Talking About it But What Is It?" May 3, 2024
- "NIST Updates AI RMF as Mandated by the White House Executive Order on AI," April 30, 2024
- "Massachusetts AG Says Consumer Protection, Civil Rights, and Data Privacy Laws Apply to Artificial Intelligence," April 17, 2024
- "Colorado Introduces an AI Consumer Protection Bill," April 12, 2024
- "USPTO Issues Additional Guidance on Use of AI Tools in Connection with USPTO Matters," April 10, 2024
- "NY State Bar Association Joins Florida and California on AI Ethics Guidance – Suggests Some Surprising Implications," April 8, 2024
- "AI Legal Updates," March 19, 2024
- "SEC Cracks Down on Over-Hyped AI Claims – Director Says This is Just the Beginning," March 19, 2024
- "FTC Warns About Changing Terms of Service or Privacy Policy to Train AI on Previously Collected Data," March 1, 2024
- "Florida Joins California in Adopting Ethical Guidelines for Attorney's Use of Generative AI," February 6, 2024
- "Artificial Intelligence Legal Issues – 2023 Year in Review and Areas to Watch in 2024," January 9, 2024
- "AI Enforcement Update: FTC Authorizes Compulsory Process for AI Investigations," December 8, 2023
- "Getty Image's AI Model Training Lawsuit in UK Against Stability to Proceed," December 7, 2023
- "Equity and Civil Rights Issues in the White House Executive Order on AI," November 8, 2023
- "White House Executive Order on AI Punts on IP Issues," November 3, 2023
- "Flash Briefing on White House Executive Order on AI Regulation and Policy," November 3, 2023

## Global Trade Law Blog Posts

- "Bribes, Bitcoin and Obstruction: DOJ Announces Charges Against Chinese Agents for Trying to Impede Investigation of Huawei," October 27, 2022
- "OFAC Enforcement Impacts NFTs: As Crypto Enforcement Ramps Up to Combat Ransomware, Robust Compliance is Key," November 16, 2021

## Art Law Blog Posts

- "NFTs and Intellectual Property: What IP Owners and NFT Creators Need to Know," March 25, 2021

- "Protecting IP and Limiting Liability When Licensing IP for Digital Art and NFTs," March 24, 2021
- "Tokenized Art Legal Issues," February 25, 2021

## **Energy Law Blog Posts**

- "Blockchain in the Electricity Industry: Six Items to Consider," March 30, 2020
- "Cryptocurrency Miners I"rate" At Energy Rate Decision," April 23, 2020

## **Class Action Defense Strategy Blog Posts**

- "The Game Goes On: Sheppard Mullin Obtains Dismissal With Prejudice of Class Action Alleging Social Gaming Micro-transactions Constitute Illegal Gambling," February 8, 2016

## **Consumer Finance and Fintech Blog**

- "CFPB Warns Employers Regarding FCRA Rules for AI-Driven Worker Surveillance," October 25, 2024
- "The CFPB Continues to Reshape Consumer Protection in the Digital Arena," September 13, 2024
- "Report Signals CFPB Taking Aim at Video Game and Virtual Worlds Industries," April 5, 2024
- "NFT Insider Trading – Can There Be A Crime If It's Not A Security?," June 17, 2022
- "Governor Newsom Signs Blockchain Executive Order," May 5, 2022

## **Privacy and Cybersecurity: Eye on Privacy Blog Posts**

- "FTC Requests Input from Tech Platform Users About Speech," March 10, 2025

## **Law of the Ledger: Blockchain Law Blog Posts**

- "Louisiana Governor Vetoes Legislation That Would Have Banned Social Casino Sweepstakes Games," June 13, 2025
- "Maine Gambling Control Unit Issues Warning on Illegal Online Gaming Including Certain Sweepstakes Models," June 10, 2025
- "NY AG Seeks to Shut Down Sweepstakes Casinos in NY," June 9, 2025
- "CSBS Flags Key Risks in Draft Stablecoin Legislation," April 4, 2025
- "AI and Blockchain – 1+1 =3," February 18, 2025
- "SEC Launches Crypto Task Force Website to Bring Clarity to Crypto Regulation," February 6, 2025
- "NFT Legal Issues," December 31, 2024
- "NFTs and Securities Law Issues Are on the Rise – SEC Analysis Relies on Resale Royalties," December 31, 2024
- "SEC Hits Blockchain Gaming Project with Wells Notice," December 23, 2024
- "Hawk Thua – Sue that Thing! When Will Celebrities Learn the Risks of Launching Crypto Tokens?," December 20, 2024
- "New California Law Targets Sellers of Digital Goods – Applicability to NFTs is Uncertain," October 10, 2024

- "CFPB Report Targets Games and Virtual Worlds – What Blockchain Game and Metaverse Companies Need to Know," May 29, 2024
- "USPTO Guidance on Design Patents Including a Computer-Generated Electronic Image," November 16, 2023
- "Design Patents Milestone Announced," September 29, 2023
- "SEC Enforcements Against NFTs – Are You Next?," September 13, 2023
- "Microsoft to Indemnify Users of Copilot AI Software – Leveraging Indemnity to Help Manage Generative AI Legal Risk," September 11, 2023
- "Solving Open Source Problems with AI Code Generators – Legal Issues and Solutions," August 25, 2023
- "Valve Rejects Games with AI Assets Over Copyright Concerns," August 1, 2023
- "The Need for Generative AI Development Policies and the FTC's Investigative Demand to OpenAI," July 20, 2023
- "Congress Proposes National Commission to Create AI Guardrails," June 22, 2023
- "Training AI Models – Just Because It's Your Data Doesn't Mean You Can Use It," June 20, 2023
- "ChatUSG: What Companies Doing Business with the Government Need to Know About Artificial Intelligence," May 2, 2023
- "Celebrity "Faces Off" Against Deep Fake AI App Over Right of Publicity," April 13, 2023
- "Another Federal Agency Issues Request for Comments on AI," April 12, 2023
- "Divided Federal Circuit Makes Controversial Ruling That Nonliteral Elements of "Cloned" Software Are Not Protectable Because It Was Based on Open Source and Other Known Material," April 7, 2023
- "Will eBook Ruling Impact Fair Use Analysis for Generative AI?," March 30, 2023
- "Copyright Office Artificial Intelligence Initiative and Resource Guide," March 24, 2023
- "Copyright Office Guidance on AI," March 15, 2023
- "How Generative AI Generates Legal Issues in the Games Industry," March 1, 2023
- "You Don't Need a Machine to Predict What the FTC Might Do About Unsupported AI Claims," March 1, 2023
- "NFT Regulatory Issues – a 2022 Review and 2023 Preview," January 17, 2023
- "Federal Court Rules LBRY Offered Security and Rejects Arguments SEC Did Not Provide Fair Notice," November 7, 2022
- "NFT Insider Trading Charge Doesn't Require the NFT To Be a Security," November 1, 2022
- "California District Court Finds that EKRA Applies to Compensation Methodologies for Labs' Employed Marketers Who Market to Physicians," June 29, 2022
- "SEC Investigating Lack of Insider Trading Policies for NFT/Crypto Exchanges," June 15, 2022
- "DAO Liability and the bZx Class Action," June 15, 2022
- "Mythical Games Scores NFL License for Blockchain Video Game," June 3, 2022
- "Former NFT Marketplace Employee Charged with Insider Trading," June 1, 2022
- "Securities and Exchange Commission V. LBRY; Is Your Crypto Project Illegal?," May 31, 2022
- "Blockchain and Metaverse Legal Issues for the Government and Government Contractors," May 23, 2022

- "Uniswap and VC Backers Sued For Selling Unregistered Securities," April 18, 2022
- "When Does Cryptocurrency Mining Create a Taxable Event? IRS Does Not Clarify," March 28, 2022
- "President Biden Signs Executive Order Outlining Crypto Policy," March 9, 2022
- "US Crypto Regulatory Enforcement Ramps Up – NFTs Now More in Focus," March 3, 2022
- "SEC Targets NFTs," March 3, 2022
- "Are You Well "Versed" in the Legal Issues with Metaverses?," February 28, 2022
- "NFT License Breakdown: Exploring Different Marketplaces and Associated License Issues," September 16, 2021
- "The Legal Considerations of Esports NFTs," June 4, 2021
- "How to Successfully Obtain Blockchain Patents," February 25, 2021
- "Key Insights for Obtaining FinTech Patents," February 11, 2021
- "FinCEN Announces Intention to Require FBAR Reporting of Crypto Currency," January 28, 2021
- "Regulatory Approaches to the Tokenisation of Assets," January 27, 2021
- "Will Blockchain Game Use Drive Greater Overall Blockchain Adoption?" December 9, 2020
- "Fans Get Kick Out of FC Barcelona's Crypto-based Fan Token," June 23, 2020
- "Google Partners with Theta Labs as Validator Node," June 2, 2020
- "Powered by Blockchain," March 19, 2020
- "Azure Heroes – Microsoft Partners With Enjin to Offer Crypto Collectible Rewards," December 10, 2019
- "Joint Statement on Digital Assets from CFTC, SEC and FinCEN – a Warning to the Crypto Industry regarding Anti-Money Laundering and Countering the Financing of Terrorism Obligations," October 19, 2019
- "Patent Attacks Against Open Source Intensify!" October 14, 2019
- "CFTC Chairman Says Ether Is a Commodity," October 11, 2019
- "Open Source Software Policies – Why You Need Them And What They Should Include," June 18, 2019
- "FinCEN – We Will Identify Where Compliance Is Not Taking Place And Take Appropriate Action," May 14, 2019
- "FinCEN Updates Guidance on Crypto," May 10, 2019
- "Popular Open Source Software under Patent Attack," May 9, 2019
- "New Effort to Exempt Crypto Currency from Certain SEC, Tax and Other Regulatory Burdens," April 16, 2019
- "SEC Issues First No Action Letter on Crypto Tokens," April 9, 2019
- "Blockchain Games and Collectibles – Patents and Other Legal Issues," March 19, 2019
- "Not Every (Open Source) Cloud Has a Silver Lining," March 5, 2019
- "HIMMS19 Conference – Blockchain Symposium Recap," February 12, 2019
- "Smart Contract Developers – Beware and Lawyer Up!" November 27, 2018
- "10 Things to Know About The Intersection of Blockchain Technology, Open Source Software, and Patents," October 30, 2018
- "Blockchain. Bringing A Chorus of Cheers to the Music Industry," October 1, 2018

- "The Blockchain-based Supply Chain Adoption Tipping Point?," September 27, 2018
- "Court Rules Cryptocurrencies Can Be Regulated By The CFTC As Commodities," August 24, 2018
- "10 FAQs About Blockchain and Life Sciences," August 21, 2018
- "Crypto-Collectibles Phenomena Continues as MLB Hopes for Home Run," August 13, 2018
- "SEC Blockchain and Crypto Update," August 6, 2018
- "Apple Updates Cryptocurrency Aspects of App Store Review Guidelines," August 2, 2018
- "SEC Declares Ether Is Not a Security," June 14, 2018
- "Open Source Software in M&A and Finance," June 5, 2018
- "Patent Issues with Open Source Software (OSS)," June 5, 2018
- "Open Source and SaaS," June 5, 2018
- "Considerations for Developing Corporate Open Source Policies," June 5, 2018
- "Recent Blockchain Patents of Note," May 23, 2018
- "How Crypto Token Function and Transferability Could Impact Classification as a Security," May 17, 2018
- "Legal Issues with Blockchain-Based Crypto Games and Collectibles," May 1, 2018
- "Drafting Effective Blockchain Patents," April 2, 2018

## **Gaming and Esports Law Blog Posts**

- "Plaintiffs Try Another Bite at the Apple... and Google Too!," March 25, 2025
- "New York and New Jersey Move to Prohibit Social Casino Sweepstakes Model," March 24, 2025
- "Social Casino Sweepstakes Model is Under Fire – What Game Companies, Payment Processors and App Stores Need to Know," March 4, 2025
- "Operating Social Casino-Style Applications Continues to be Costly in Washington State," February 12, 2025
- "Blockchain Game Developers and FinCEN: When are State Money Transmission Laws Applicable?" October 3, 2022
- "The Legality of Loot Boxes: A Primer," November 30, 2020
- "Is Esports Betting Sports Betting in Iowa?" June 15, 2020

## **Video Game Law Blog Posts**

- "Laundering the Loot: Videogame Developer Valve Ends In-game Key Sales Because of Financial Criminal Activity," November 13, 2019
- "Federal Court "Discards" DOJ Interpretation Of Wire Act," June 4, 2019
- "What Game Companies Need to Know About FinCEN's Updated Guidance on Virtual Currency," May 10, 2018
- "Senator Wants to Ban Loot Boxes and Pay-to-Win Aimed at Kids," May 8, 2019
- "EU Objects to Game Companies Geo-blocking Video Games," April 12, 2019
- "DOJ Asserts Wire Act Opinion Doesn't Cover Lotteries," April 11, 2019
- "FTC Loot Box Workshop Announced," April 8, 2019

- "DOJ Sued Over its Reinterpretation of the Wire Act," February 19, 2019
- "DOJ Wire Act Update – 90 Day Window for Compliance," January 17, 2019
- "DOJ Does High "Wire Act" – Flip Flops on Legality of Online Gambling," January 16, 2019
- "All Bets are On! Gambling and Video Games," September 13, 2018
- "Is there a Unicorn Among ICO Issuers?" August 23, 2018
- "Churchill Downs Seeks En Banc Review of Big Fish Decision," May 15, 2018
- "Belgium Gaming Commission Loot Box Report – Extends Beyond Game Companies to Licensors and Game Platforms," May 14, 2018
- "Belgium Threatens Criminal Prosecution Over Loot Boxes," May 10, 2018
- "The Game Goes On: Sheppard Mullin Obtains Dismissal With Prejudice of Class Action Alleging Social Gaming Micro-transactions Constitute Illegal Gambling," May 7, 2018
- "Korean FTC Issues Fines Over Loot Box Advertising," April 24, 2018
- "Social Game Site Excludes Washington Players; Gambling Commission Comments," April 6, 2018
- "Social Casino Game Found to Be Illegal Gambling," March 29, 2018
- "Patent Strategies for Cryptocurrencies and Blockchain Technology," January 16, 2018
- "Apple Requires Disclosure of Odds for Loot Boxes," December 21, 2017
- "SEC Takes \$15 Million Bite Out of an ICO," December 12, 2017
- "The Legality of Loot Boxes – Update," November 30, 2017
- "CFTC Issues Primer on Virtual Currency, Virtual Tokens and ICOs," October 30, 2017
- "Are Loot Boxes An Illegal Gambling Mechanic?" October 24, 2017
- "PTAB Sheds Light On Video Game Patent Validity," October 23, 2017
- "Video Game Network Patent Found to Be Patent Eligible – Not an Abstract Idea," September 14, 2017
- "China Halts ICOs," September 5, 2017
- "Cryptocurrency Traders Beware – The Taxman Cometh!," August 29, 2017
- "SEC Issues Warning on Certain ICOs," August 28, 2017
- "SEC Declares That Initial Coin Offerings (ICOs) May Be Securities; Finds DAO a Security," July 27, 2017
- "Court Enjoins Milwaukee Over AR Location-based Game Ordinance," July 26, 2017
- "New Hampshire Exempts Bitcoin from Money Transmitter Regulation," June 14, 2017
- "Nevada Passes Pro-blockchain Law," June 13, 2017
- "100 Million Reasons For Open Source Compliance," May 19, 2017
- "Horseracing-based Fantasy Sports Game Found Illegal," May 17, 2017
- "Important Open Source Ruling Confirms Enforceability of Dual-Licensing and Breach of GPL for Failing to Distribute Source Code," May 15, 2017
- "AR Game Maker Launches First Amendment Challenge," April 24, 2017
- "Don't Game Your Players with False Advertising," February 15, 2017

- "Don't Lose Your DMCA Safe Harbor Protection!," November 15, 2016
- "Fantasy Stock Picking Contest Deemed by SEC to be Illegal Security-based Swaps," October 21, 2016
- "New Challenge to Daily Fantasy Sports in New York," October 10, 2016
- "Virtual Porn – Real Patent Lawsuit," September 23, 2016
- "Federal Circuit is In Sync with Patent's Validity Under Section 101," September 15, 2016
- "New York Issues DFS Permits," August, 23, 2016
- "Massachusetts Becomes Ninth State to Legalize Daily Fantasy Sports," August 17, 2016
- "New York Daily Fantasy Law Passed – But Will it Stick?," August 16, 2016
- "Compilation of Public Data Can be Trade Secret," August 12, 2016
- "LinkedIn Has Beef With Data Scraping Bots," August 11, 2016
- "NJ Gets Shut-out on Sports Betting," August 10, 2016
- "New York Legalizes Daily Fantasy Sports," August 8, 2016
- "Pokémon Go...es To Court!," August 3, 2016
- "The New Face of eSports Venues?" March 25, 2016
- "DraftKings and FanDuel to Suspend Activity in New York, Effective Immediately," March 22, 2016
- "Daily Fantasy Sports is Legalized....At least in Virginia!" March 8, 2016
- "Daily Fantasy Sports Update – DraftKings Sues Texas AG; Activity in GA and IN," March 7, 2016
- "Virginia Passage of Fantasy Sports Law Appears Imminent; PA, NY and MD Bills in the Works," February 26, 2016
- "The Game Goes On: Sheppard Mullin Obtains Dismissal With Prejudice of Class Action Alleging Social Gaming Micro-transactions Constitute Illegal Gambling," February 8, 2016
- "Rhode Island AG says Fantasy Sports is Legal but Should Be Regulated," February 5, 2016
- "Sweet Home Alabama for Daily Fantasy?" February 3, 2016
- "No Southern Hospitality for Daily Fantasy Sports in Mississippi," February 3, 2016
- "Hawaii is No Paradise for Daily Fantasy Sports – Skill Measured by Average Players, not Experts," February 1, 2016
- "Texas AG Hits Deep in the Heart of DFS," January 19, 2016
- "Serious Games Require Serious Attention to Marketing Statements," January 6, 2016
- "Daily Fantasy Legal Score: NYAG – 1; DFS Operators 1," December 11, 2015
- "New York Court Sacks Daily Fantasy Sports," December 11, 2015
- "New Fantasy Lawsuit – A Horse of Another Color?" December 7, 2015
- "NY Daily Fantasy Sports Case May Not Be Decided Solely on Whether DFS is Skill or Chance," December 4, 2015
- "Court Rules Virtual Currency Casino Not Illegal Gambling Despite Secondary Market," November 16, 2015
- "New York Sacks Daily Fantasy Sports; Gives Pass to Traditional Fantasy Sports," November 12, 2015
- "Illinois Takes Consumer-Friendly Approach to Daily Fantasy Sports Regulation," October 27, 2015

- "Nevada Shuts Down Unlicensed Daily Fantasy Sports," October 16, 2015
- "Massachusetts Joins List of States Reviewing Daily Fantasy Sports," September 18, 2015
- "Fantasy Sports Regulatory Climate – Sunny with a Chance of Clouds," September 2, 2015

## Healthcare Law Blog Posts

- "AI's Executive Order and Its Key Healthcare Implications," November 10, 2023
- "HIMSS19 Kicks-Off Addressing Leading Topics in Healthcare Information Technology," February 13, 2019
- "How Blockchain Technology Brings Value to Healthcare," February 8, 2019
- "The Synaptic Health Alliance: A Look at how Blockchain Technology Could Improve Provider Data Quality," January 31, 2019

## Intellectual Property Law Blog Posts

- "White House Executive Order Ramps Up US Regulation of and Policy Toward AI," October 30, 2023
- "Generative AI and Copyright – Some Recent Denials and Unanswered Questions," October 3, 2023
- "5 Things Corporate Boards Need to Know About Generative AI Risk Management," September 13, 2023
- "Design Patent Protection for Computer Generated Icons and Graphical User Interfaces," April 18, 2023
- "Forum Selection Clause Can Preclude PTO Validity Challenges," March 8, 2022
- "Artificial Intelligence (AI) Patents – Will the Patent Office Change the Rules?," January 7, 2020

## Books

Handbook of Blockchain Law: A Guide to Understanding and Resolving the Legal Challenges of Blockchain Technology  
07.16.2020

## Media Mentions

LinkedIn Battles Online Scrapers in Perpetual Struggle Over Data  
*Bloomberg Law*, 10.29.2025

Can you trust AI to keep your secrets? Probably not, lawyers say  
*Business Insider*, 08.31.2025

Thomson Reuters had the first big win in an AI copyright case. It doesn't mean a cakewalk for other publishers: experts  
*Business Insider*, 02.12.2025

OpenAI Bid to Centralize IP Suits Follows Discovery Setbacks  
*Bloomberg Law*, 12.06.2024

AI Is Driving a Boom for Tech Lawyers  
*Business Insider*, 08.2024

Many AI Patent Eligibility Issues Still Hazy After Guidance

*Law360*, 07.17.2024

Fighting the bots is the new attorney niche

*ABA Journal*, 05.06.2024

Managing AI Risks: The Top Guest Articles of 2023

*Law360*, 12.22.2023

3 Law Firm Practice Areas That Gained Popularity In 2023

*Law360*, 12.13.2023

What Attys Expect From USPTO Guidance On AI And Patents

*Law360*, 11.07.2023

How Artificial Intelligence Is Transforming The M&A Practice

*Law360*, 08.25.2023

Sheppard Mullin Launches 110-Member Global AI Team

*Law360*, 08.23.2023

More AI, More Problems, Attorneys Tell Patent Office

*Law360*, 04.25.2023

IP Agencies Asked To Do More To Educate Public On NFTs

*Law360*, 02.06.2023

FinCEN No-Action Plan May Spur Crypto Innovation, In Theory

*Law360*, 06.15.2022

How the metaverse will impact governance, privacy, fraud, identity, and more

*VentureBeat*, 01.26.2022

Blockchain Game Alliance: NFT games generated \$2.32B in Q3

*VentureBeat*, 12.16.2021

Sheppard Mullin, Smith Anderson Guide NovaQuest Buy of CoreRx

*Bloomberg Law*, 01.22.2021

An Interview with James Gatto, Blockchain Technology and Digital Assets Attorney at Sheppard Mullin's Washington, D.C. Office

*Georgetown Technology Law Technology Review*, 03.2020

A Conversation with James Gatto

*San Diego Blockchain Forum*, 01.24.2020

Agencies, Firms Explore Applications for Blockchain Tech

*ExecutiveBiz*, 12.12.2019

Court OKs Copyright for Banana Costume's Artistic Features (1)

*Bloomberg Law*, 08.01.2019

You've Heard of Bitcoin, But What Do You Really Know About Blockchain?

IEEE local groups help demystify the technology

*IEEE Spectrum*, 06.25.2019

The Tate Chronicles: James Gatto on Blockchain Technology and Digital Currency

*HealthcareNOW Radio*, 05.05.2019

FLIR Fires Up More M&A

*The Deal*, 02.12.2019

Legal Compliance, Patents, and Smart Contracts – Interview With Law Firm Sheppard Mullin's Blockchain Team Leader

Jim Gatto shares his views about legal compliance in blockchain start-ups, patent applications, intellectual property, and more.

*Blokt*, 12.13.2018

US Social Gaming Sector Rattled by Washington Court Ruling

*iGaming Times*, 05.2018

Sheppard Mullin's Jim Gatto On Online Video Gaming Law and Risk

*Panopticon Laboratories*, 04.17.2017

Invest Time, Add Positive Energy And Give Back

*Lawline*, 03.16.2017

How to Make Real Money From Virtual Things

*Inc. Magazine*, 02.2017

Mmo Lockboxes, Keys, And Booster Packs: Gambling Or Gaming?

*Massivelyop*, 01.17.2017

Daily Fantasy Legalization Gains Speed But Hurdles Ahead

*Law360*, 08.23.2016

Sports Betting In Hands Of Congress After Court Fight Fails

*Law360*, 08.19.2016

Sheppard Mullin Lures 3 Pillsbury IP and Tech Partners

*Law360*, 06.16.2015

Video: Managing Legal Risk in Gamification

01.20.2011

## Speaking Engagements

Panelist, "Public Roundtable: AI and Protections for Use of an Individual's Name, Image, Likeness, or Reputation," United States Patent and Trademark Office, August 5, 2024

"Understanding and Managing Legal Risks with AI," ISACA, Webinar, July 18, 2024

- Speaker, "How is AI/ML Changing Compliance?" Online Lenders Alliance Compliance University, July 16, 2024
- "Developing Responsible AI," LawPracticeCLE, Webinar, June 18, 2024
- "Developing Responsible AI - Avoiding Bias, Discrimination and Inequity," Lawline, Webinar, June 3, 2024
- "Mastering Artificial Intelligence & ChatGPT," Rossdale CLE, Webinar, May 30, 2024
- "Developing Corporate Policies for AI - For Employees, Developers and Vendors," Lawline, Webinar, May 20, 2024
- "Legal Issues with AI Impacting Food and Beverage Retailers," Sheppard Mullin, Webinar, April 10, 2024
- "Emerging Technologies: Delve into Legal and Regulatory Frontiers of AI: US and EU/UK Perspectives," American Intellectual Property Association, March 26, 2024
- "The Recent AI Executive Order and its Impact on Government Contractors," Association of Corporate Counsel, Webinar, February 20, 2024
- "Ethical Issues with Generative AI," Lawline, Webinar, November 30, 2023
- "No Black Boxes (We Hope): Legal AI Models and Vendor Considerations," ContractPodAI, Webinar, November 2, 2023
- "Understanding and Managing Legal Risks with Generative AI," Association of Corporate Counsel, October 24, 2023
- "Policies for the Intelligence Age: Are You Ready?" ContractPodAI, Webinar, October 17, 2023
- "Legal Ethics in the Age of Generative AI," ContractPodAI, Webinar, October 5, 2023
- "Understanding and Managing Legal Implications of Artificial Intelligence for Retailers," California Retailers Association, October 3, 2023
- "Training AI Models – Just Because It's Your Data Doesn't Mean You Can Use It" myLawCLE, Webinar, September 6, 2023
- Speaker, "Stockfish v ChessBase - Open Source Issues With AI/Neural Networks," Korea Copyright Commission's 2023 Public Domain & Open Source SW Conference, August 31, 2023
- "Understanding Legal Implications of Artificial Intelligence in Restaurants," National Restaurant Association, Webinar, August 24, 2023
- Speaker, "NFT and Blockchain Technology," Oklahoma Bar Association – Intellectual Property Law Section Seminar, June 2, 2023
- Panelist, "Intellectual Property – Boundaries of Permitted Use in New Tech Fields," ITechLaw World Technology Law Conference, May 24, 2023

Speaker, "Generative AI: Legal Issues and Solutions," Generative AI Media, Marketing & Creative Conference, May 8, 2023

Panelist, "AI Inventorship," United States Patent and Trademark Office Listening Session - West Coast, May 8, 2023

Panelist, "Artificial Intelligence and Visual Arts," U.S. Copyright Office AI Listening Session, May 2, 2023

Panelist, "AI Inventorship," United States Patent and Trademark Office Listening Session - East Coast, April 24, 2023

"Generative AI and Copyright Issues for Game Companies," Entertainment Software Association, Webinar, March 20, 2023

Speaker, "Copyrights and Artificial Intelligence: The Battle Between Content Creators and AI Developers," IPWatchdog Software Masters, March 7, 2023

Speaker, "Can You Copyright AI Generated Content?" The Web3, Metaverse and AI Show, March 1, 2023

Panelist, "Regulating Cryptocurrency Assets Around the World," Houston Bar Association – International Law Section, February 16, 2023

Speaker, Dubai Culture and Arts Authority, "Crypto-art and Economic Development Creating accessible art and digital assets," November 23, 2022

Speaker, Dubai Culture and Arts Authority, "Crypto Collectibles Blockchain, NFTs and Monetizing Digital Art," November 22, 2022

Speaker, Dubai Culture and Arts Authority, "Artwork Ownership Authentication Digital Art and Copyrights and International Property Rights Protection," November 21, 2022

Panelist, DCentral Conference, NFT Law Power Panel, December 13, 2021

Moderator, NFTCON, "The Intersection of NFTs and Intellectual Property," October 14, 2021

Panelist, Game On! Summit, "Covering Your Digital Assets: Intellectual Property Rights and Gaming," September 29, 2021

Speaker, "Season 1, Episode 3: NFTs - Keeping it Legal! (ft. Jim Gatto)," August 20, 2021

Speaker, The Global NFT Summit, "NFTs – Keeping it Legal and Staying Compliant," July 29, 2021

Speaker, Virtual Reality Location-based Entertainment Summit, "Legal Issues to Consider in a COVID-19 World," October 15, 2020

Speaker, "Webinar on Blockchain Games, Collectibles and Markets – Keeping it Legal," Webinar, May 15, 2020

Speaker, "Using Blockchain Technologies to Streamline Contract and Supply Chain Management," Webinar, December 10, 2019

Speaker, "Overview of Cryptocurrency and Blockchain Technology," New York State Bar Association Business Law Section Fall Meeting, New York, New York, November 19, 2019

Speaker, "Blockchain Applications in the Digitization of Transport," The World Bank, Washington, D.C., October 3, 2019

Speaker, "Emerging Health Technology: Privacy and Data Protection in the Age of Digital Healthcare," VA Privacy Symposium, Webinar, September 19, 2019

"San Diego Blockchain Legal Forum," San Diego, California, June 19, 2019

Keynote Speaker, "The Big Picture: A Macro Perspective on Cryptocurrency and Blockchain," IEEE San Diego Blockchain Legal Forum, June 19, 2019

"Blockchain Music & Media," San Francisco, California, June 18, 2019

"CryptoMondays: What's so Stable about cryptocurrencies," San Francisco, California, June 17, 2019

"Blockchain-Based Securitization of Non-Liquid Assets - What You Need to Know," New York, New York, May 13, 2019

"Retail's Top 5 Legal Trends & Issues Webinar," May 9, 2019

"LA Games Conference," Los Angeles, California, May 7, 2019

Speaker, "Keeping Cryptogames, Gambling Issues and IP Legal," Crypto Games Conference, Minsk, Belarus, April 25, 2019

"Business Center for International Understanding Blockchain and Cloud Storage Forum," Washington, D.C., April 11, 2019

"Get Smart on the Law of Smart Contracts," Webinar, April 3, 2019

Speaker, "Venezuela: Cryptocurrency, Sanctions and the Current Legal Climate," D.C. Bar, March 26, 2019

"Crypto Games & Digital Collectibles," San Francisco, California, March 18, 2019

"Blockchain for International Trade and Supply Chain Logistics – Business Opportunities and Legal Concerns," March 13, 2019

"Manhattan College Blockchain Forum," New York, February 7, 2019

"The Business Opportunities and Legal Risks with Blockchain – What You Need to Know," November 29, 2018

Speaker, "Open Source Software: Guidance for Corporate and Technology Counsel on Mitigating Legal and Security Risks," Stafford Webinars, October 12, 2017

Speaker, "Serious Play Conference," George Mason University, July 18-20, 2017

Speaker, Blockchain Webinar, March 15, 2017

Speaker, Game Developers Conference/ GDC Seminar & Reception, San Francisco, California, February 27, 2017

Panelist, Fourth Annual Sports & Entertainment Law Journal Symposium, Presented by ASU, Phoenix, Arizona, November 12, 2016

Speaker, "Liability Issues in Virtual and Augmented Reality," Law Seminars International's Game Technology Conference, Seattle, Washington, October 13-14 2016

Speaker, "Virtual Reality Year in Review!" Presented by YetiZen, December 1, 2015

Panelist, "Intellectual Property & Licensing Strategies for Small Businesses WEBINAR," Center for Innovative Technology, September 10, 2015

Speaker, "The Critical Difference between eSports and Other Video Games," eSports Conference San Francisco, September 9, 2015

Speaker, "Don't gamble with your Business Model: Cutting edge legal issues and potential regulatory enforcements for social gaming, eSports and fantasy sports," Gaming NOW Summit Las Vegas, September 2, 2015

Speaker, "Legal Issues with Social Games, eSports, and Fantasy Sports," September 2015

Speaker, "Intellectual Property Protection & Licensing Strategies for Small Business," September 2015

Speaker, "The Interface Evolves – Sensory Gaming Platforms," NeuroGaming Conference & Expo 2015, May 6, 2015

Speaker, "Intellectual Property Strategy for Games," Pillsbury panel discussion, February 25, 2015

Speaker, "Overview of Legal Issues with mHealth," mHealth Applications Legal Issues, February 10, 2015

Speaker, "All About Apps: Designing for Engagement & Compliance," mHealth Summit, December 10, 2014

Speaker, "Gablification," Game Business and Legal Affairs 2014, May 19, 2014

Speaker, "The Interface Evolves – Sensory Gaming Platforms," NeuroGaming 2014 Conference & Expo, May 7, 2014

"The Real Issues with Virtual Currency," Pillsbury webinar, April 22, 2014

Speaker, "New Ideas in Bitcoin," Inside Bitcoins, April 7, 2014

Speaker, "Gablification! Interaction between Social Games and Online Gambling," Social Gambling & Gaming Summit, December 10, 2013

"Gamblification: Gaming and Gambling Partnerships," Gamer Technology Law Conference, October 7, 2013

Speaker, "Know When to Hold 'Em," PLI's Technology and Entertainment Convergence 2013: Hot Business and Legal Issues in "Technotainment" San Francisco, California, September 18, 2013, and New York, New York, October 3, 2013

"Discussion of Due Diligence," Panel Discussion, The Power of Angel Investing Seminar, Northern Virginia Technology Council, Ashburn, Virginia, July 11, 2013

Speaker, gsummitX - Gamification, Washington, D.C., June 5, 2013

Moderator, "Gamblification! Interaction between Social Games and Online Gambling," American Bar Association Forum on the Entertainment & Sports Industries, June 10, 2013

Speaker, Social Media & Games Committee meeting and interactive workshop, 2013 World Technology Law Conference & Annual Meeting, May 3, 2013

Moderator, "The Next Interface – Sensory Gaming Platforms," NeuroGaming Conference & Expo, May 1, 2013

Speaker, "Clarifying the blurred legal boundaries between various forms of social, virtual currency, prediction, sweepstakes and other forms of gaming – what you can and can't do," Social Casino Summit San Francisco 2013, April 25, 2013

Speaker, "Gamblification: Legal Concerns," GSummit San Francisco 2013, April 18, 2013

Speaker, "Rigging the Mobile Game Deck," Casino Gaming, February 26, 2013

Speaker, "Viva Las Vegas - Monetization 3.0: Opportunities in Online Casinos and Gambling for Games and Media Companies," Games Summit at 2013 International CES, January 10, 2013

"Role of Patents in Business and the Impact of the America Invents Act," Practising Law Institute Law Audio Webcast, November 5, 2012

"Gamblification! Legal Issues Relating to the use of Gambling Mechanics for Non-Gambling Purposes," 2012 ITechLaw European Conference, October 11, 2012

Moderator, "Can Social Games be Monetised through Gambling," Social Gaming and Virtual Goods World, December 7, 2011

"Obeying the Law in a Virtual World," Social Gaming and Virtual Goods World, December 6, 2011

"Not Just Fun and Games: The Legal and Privacy Implications of Virtual Currency," Pillsbury webinar, October 24, 2011

"Derivative works based on open source," AIPLA Annual Meeting with Joint Committee Meeting ECLC and Diversity in IP Law, October 21, 2011

"Mobile and Handheld Device Gaming: Regulatory Update for Location-Based Gaming," LSI Gamer Technology Law Conference, October 3, 2011

"Top 10 Social Media Legal Issues: What Every Lawyer Should Know," MCLE Marathon, September 27, 2011

"Social Media for Nonprofits & Associations," WMACCA Nonprofit Series, May 26, 2011

"Social Media for Nonprofits: Leveraging the Opportunities and Avoiding the Legal Pitfalls," The Kreeger Museum, April 14, 2011

Webinar: "Top Social Media Legal Issues," March 22, 2011

"Legal Issues in Gamification," Engage! Expo New York, February 15, 2011

"Social Media & Location-based Services: New Risks," Webinar, February 2, 2011

"Top Legal Issues in Gamification," The Gamification Summit, January 19, 2011

"Overview of Legal Issues with Virtual Currencies," Virtual Goods World – Europe, November 16, 2010

"Legal Issues with Virtual Worlds, Virtual Goods and Virtual Currencies," PLI Technology and Entertainment Convergence 2010: Hot Business and Legal Issues in "Technotainment," San Francisco, September 22, 2010

"Virtual Worlds in Government Contracting," Pillsbury's Northern Virginia office, June 8, 2010

"ABCs of Social Gaming," Pillsbury's Silicon Valley office, June 1, 2010

"Top Legal and Business Issues with Virtual Worlds," Engage Expo New York, February 16, 2010

"Top Legal and Business Issues with Virtual Worlds," Engage Expo California, September 23, 2009

"Intersecting Interests: Virtual Worlds and the Law," Metanomics stage in Second Life, May 20, 2009

"What Actual Companies Need to Know About Virtual Worlds," Pillsbury MCLE Marathon, Houston, May 18, 2009

"Virtual Worlds," 2009 ITechLaw Annual Meeting, Seattle, Washington, May 14, 2009

"Overview of Business and Legal Issues with Virtual Worlds," Pillsbury Northern Virginia, May 12, 2009

"What Actual Companies Need to Know About Virtual Worlds," Pillsbury MCLE Marathon, Northern Virginia, April 28, 2009

"What Actual Companies Need to Know About Virtual Worlds," Pillsbury MCLE Marathon, New York, New York, February 19, 2009

"Do You Truly Own What You Are Licensing? What Every Licensor and Licensee Needs to Know About Open Source Code," Advanced Forum on Technology Licensing Agreements, ACI, April 29, 2008

Presenter, "Business Aspect of Patents: A Primer for the Non-Patent Lawyer," CLE Marathon hosted by Pillsbury, New York, New York, April 10, 2008

"Overlooked Intellectual Property Issues: Avoiding Pitfalls that Impact Commercialization," USIC (United States Industry Coalition), Arlington, Virginia, March 5, 2008

"Significant Recent Events in the Open Source World," Open Source Seminar, McLean, Virginia, January 10, 2008

"Essentials of Patent Law for General Litigators," CLE event hosted by Pillsbury, New York, New York, November 5, 2007

"Navigating The New Patent World And Understanding USPTO Proposed Reforms," Panel Discussion, Patent Strategies Conference: Implementing Successful Approaches to IP Protection While Maximizing Business Value, IQPC, New York, New York, September 26, 2007

Presenter, "GPLv3 Has Been Released - Do You Know How the Significant Changes Will Impact You?" IPC Fall Meeting, AIA (Aerospace Industries Association), Arlington, Virginia, September 25, 2007

"GPLv3 Has Been Released – Do You Know How the Significant Changes Will Impact You?" Open Source Seminar hosted by Pillsbury, McLean, Virginia, July 24, 2007

"What Venture Capitalists and Other Investors Look for in IP Portfolios," Technology IP Due Diligence Conference, ACI, San Francisco, California, June 22, 2007

"Digital Media Patents for Profit," The Business & Technology Of Online Video, Streaming Media East 2007 Conference & Exhibition, New York, New York, May 15, 2007

Presenter, "Director and Officer Liability for Infringement of Intellectual Property: One More Reason for Effective IP Management," CLE Marathon hosted by Pillsbury, New York, New York, April 11, 2007

Moderator, "The Business Case For/Against Using Open Source in Your Portfolio and Your Client's Processes," Software IP Strategy Summit, ACI, Palo Alto, California, February 21, 2007

Panelist, "Power of Angel Investing," IP Due Diligence, University of Virginia in conjunction with the Virginia Active Angel Network, October 9, 2006

"GPLv3 – What You Need to Know About the Coming Changes," Open Source Seminar hosted by Pillsbury, McLean, Virginia, September 7, 2006

"Patents and Open Source - The Sky is Not Falling," C3 Expo, New York, New York, June 2006

"Recent Developments in Open Source," Open Source Seminar hosted by Pillsbury, McLean, Virginia, April 6, 2006

"Legal Issues in Open Source," Open Source Licensing: A Doorway to Heaven or Hell?, CLE Spring Training; ACC (Association of Corporate Counsel), San Francisco, California, March 23, 2006

"Protection in the World of Open Source: Best Practices for Mergers and Acquisitions in an Open World," Open Bar, Silicon Valley, California, June 2, 2005

"Legal Issues and Business Ramifications of Open Source Software," Breakfast Briefing hosted by Pillsbury Winthrop LLP, McLean, Virginia, January 6, 2005

Moderator & Panelist, "Legal and Regulatory Aspects of Bioinformatics," Infotech Pharma Conference, London, February 12, 2002

"Legal Aspects of Applying Bioinformatics to Personalized Medicine," BioFuture Conference, Vancouver, Canada, November 21, 2002

"IP Issues for Nanotech Start-Ups," International Conference on Computational Nanoscience and Nanotechnology, San Juan, Puerto Rico, April 22, 2002

"What Businesses Need to Know About The Value of Patents - a US and Israeli Perspective," Virginia Israel Technology & Trade Summit, Reston, Virginia, 2001

"The Impact of Open Source Software on University IP Revenue," delivered to Board of Directors, Virginia Tech Intellectual Properties, Virginia Polytechnic Institute and State University, Virginia, January 28, 2002

"Intellectual Property as Collateral in Secured Transactions," Commercializing Intellectual Property Conference, Law Seminars International, Virginia, May 29, 2003

Panelist, "Salvaging Value of IP from Troubled Companies," Business Seminar Co-Hosted By Chevy Chase Bank, Chevy Chase, Maryland, May 15, 2003

## Events

Navigating Change: Compliance Strategies for a Shifting Financial Landscape  
Webinar, 10.22.2025

2025 Chicago AI Week  
Can Legal Systems Keep Up with Rapid AI Advancements?  
Illinois Tech: 3137 S Federal St, Chicago, IL 60616, June 16-19, 2025

Computer-Generated: The Impact of Federal and State Digital Replica Legislation on Software Industries  
Webinar, 01.16.2025

Managing AI Legal Governance Panel  
Sheppard Mullin, Washington DC, 11.13.2024

Advising on AI: Guiding Your Clients Through AI Challenges  
09.19.2024

AI & Ethics: Using Artificial Intelligence Responsibly in Legal Practice  
09.18.2024

The Changing Regulatory Environment for Blockchain, Crypto and NFTs  
08.15.2024

Legal Issues with AI Impacting Food and Beverage Retailers  
Webinar, 04.10.2024

The White House Executive Order on AI and its Impact on Government Contractors  
02.20.2024

No Black Boxes (We Hope): Legal AI Models and Vendor Considerations  
Navigating the Future of Legal Artificial Intelligence: Ethics, Law and Policy Webinar Series  
Webinar, 11.02.2023

Flash Briefing on White House Executive Order on AI Regulation and Policy  
Webinar, 11.02.2023

Policies for Generative AI: Are You Ready?  
Navigating the Future of Legal Artificial Intelligence: Ethics, Law and Policy Webinar Series  
Webinar, 10.17.2023

Ethical Considerations for Lawyers Using Generative AI in Delivering Legal Services  
Navigating the Future of Legal Artificial Intelligence: Ethics, Law and Policy Webinar Series  
Webinar, 10.05.2023

Training AI Models – Just Because It's Your Data Doesn't Mean You Can Use It  
09.06.2023

Understanding Legal Implications of Artificial Intelligence in Restaurants  
08.24.2023

Sheppard Mullin's Labor & Employment Law Spring Update  
The Future of Work Is Here Now  
Sheppard Mullin New York Office, 05.23.2023

3rd Annual Ad Law Symposium  
Webinar, 05.16.2023

How Generative AI (GAI) Generates Legal Issues  
05.09.2023

Sheppard Mullin's NFT.NYC Panel & Reception  
Sheppard Mullin New York Office, 04.11.2023

Artificial Intelligence Masters™ 2023  
April 3 - 7, 2023

Artificial Intelligence Masters™ 2023  
Copyrights and Artificial Intelligence: The Battle Between Content Creators and AI Developers  
03.07.2023

Retail on the Cutting Edge: ABCs of ESG and NFTs  
Sheppard Mullin New York Office, 11.10.2022

Been Around the Block-Chain: Exploring the Legal Impact of Digital Currency, NFTs, and the Metaverse  
06.28.2022

Digital Fashion and Brand Protection: Leveraging Copyright, Trademark, and Trade Dress; Ownership Challenges  
Virtual, 06.21.2022

Sheppard Mullin's NYC NFT Week Panel & Reception  
Convene, 75 Rockefeller Plaza, New York, NY, 06.20.2022

10th Annual HNBA/VIA Intellectual Property Institute  
Washington, D.C., 06-05-2022 - 06-10-2022

How Gaming Became the Engine of the Metaverse  
ASIPi Costa Rica Seminar 2022, 06.06.2022

Non-Fungible Tokens (NFTs) – From Unknown to Action: What You Need to Know  
Virtual, 06.03.2022

NFT and Intellectual Property Intersection: Licensing, Monitoring, Enforcement Strategies  
05.31.2022

Navigating NFTs: What Practitioners Need to Know  
2022 World Technology Law Conference & 50th Anniversary Celebration  
Fairmont, San Francisco, 05.26.2022

The Future of Finance is Now: Blockchain, NFTs, Cryptocurrency, and the Role of Digital Assets  
Webinar, 05.24.2022

Game Business & Legal Affairs Conference  
9TH VGBA Summit Bay Area  
May 23-24, 2022

Ad Law Symposium  
Webinar, 05.04.2022

Advanced Business Law Institute  
04.28.2022

Digital Identity in the Metaverse: Addressing Kids and Teens  
Webinar, 04.12.2022

Building Better Worlds  
02.15.2022

NFT Tech Online Conference  
02.11.2022

GamesBeat Summit: Into the Metaverse 2

Real World Regulations in the Metaverse: What Do You Need to Prepare For?

Virtual, 01.26.2022

Digital.Davos.2022 Conference

Metaverse and Its Stakeholders

Los Angeles, Remote, 01.17.2022

65th Annual IP Law Conference

Copyright: The New Normal

Virtual, 11.04.2021

NFTs & The Future of the Music Legal Landscape

Webinar, 10.27.2021

Think Like a Lawyer, Talk Like a Geek 2021: Get Fluent in Technology

Live Webcast and In-Person, 10.15.2021

NFTCON Day 3

The Intersection of NFTs and Intellectual Property

Webinar, 10.14.2021

Emerging Legal Issues Related to Technology

Non-Fungible Tokens (NFT) and Intellectual Property Intersection: Licensing, Monitoring, and Enforcement Strategies

Live Webcast, 10.08.2021

Game On! Summit 2021

Covering Your Digital Assets: Intellectual Property Rights and Gaming

Online, 09.29.2021

2021 ABA-IPL IP Fall Institute

Virtual, 09.29.2021

NFTs – Keeping it Legal and Staying Compliant

The Global NFT Summit

Online, 07.29.2021

AdTech Trends: NFTs, First Party Data and the Crumbling Cookie

Webinar, 06.16.2021

NFTs, Digital Art & Blockchain Games, Oh My!

CGC|NFT 2.0

Webinar, 06.10.2021

NFTs: The Latest Craze in Creative Works and Cryptocurrency... But What About Copyright?

Copyright Society's Virtual Annual Meeting

06.09.2021

Demystifying NFTs: Defining Non-Fungible Tokens and Their Unique Legal Considerations  
Lawline Pre-Recorded Webcast  
05.24.2021

NFT and Intellectual Property Intersection: Licensing, Monitoring, Enforcement Strategies  
Strafford Webinar  
05.12.2021

The Rise of NFT's Gaming Brings Blockchain Mainstream  
LA Game Online Conference  
05.11.2021

The NFT Revolution: Opportunities and Risks in the Music Industry  
Midem Digital  
04.22.2021

Art & Music and NFT Boom: What and How Intellectual Property Rights Are Implicated  
Beverly Hills Bar Association Entertainment Law Section  
04.05.2021

Blockchain and Entertainment Webinar Series - Blockchain and Art  
Part 2 of 3  
Webinar, 03.10.2021

Blockchain and Entertainment Webinar Series  
Webinar, 02.04.2021

An Open Source Update  
ITechLaw Webinar  
09.10.2020

Women in Healthcare Leadership Collaborative (WHLC) Presents: Blockchain for Healthcare: An Algorithm for Success?  
Webinar, 07.28.2020

POSTPONED: Women in Healthcare Leadership Collaborative (WHLC) Presents:  
Blockchain for Healthcare: An Algorithm for Success?  
Sheppard Mullin, New York

San Diego Blockchain Forum  
12.12.2019

Cannabis Webinar Wednesday: Blockchain and Cannabis – Weeding through the Hype  
11.20.2019

Webinar - Government Use of Blockchain: What Government Contractors Need to Know  
via GlobalMeet, 11.13.2019

Blockchain Enabled Innovation - Crypto and Beyond  
International Technology Law Association Conference  
October 30 - November 1, 2019

AIPLA CLE Webinar: Hot IP Topics with Games  
09.18.2019

San Diego Blockchain Legal Forum  
06.19.2019

CryptoMondays: Whats so Stable about cryptocurrencies  
CryptoMondaysSF  
06.17.2019

Webinar - The "Key" to the FTC Loot Box Hearings – What You Need to Know  
via GlobalMeet, 05.23.2019

Blockchain-Based Securitization of Non-Liquid Assets - What You Need to Know  
Sheppard Mullin New York, 05.13.2019

Retail's Top 5 Legal Trends & Issues Webinar  
05.09.2019

LA Games Conference  
05.07.2019

2019 Video Games and Digital Media Conference  
University of Hastings College of the Law, 03.18.2019

Marketing, Promotions and NextGen Business Models: What to Know and What to Expect, Including With  
Respect to Loot Boxes, Gambling and the Shift to Mobile  
Digital Media and Video Game Conference  
03.18.2019

Crypto Games & Digital Collectibles  
FinTech  
03.18.2019

Wire Act Update: Practical Implications of the DOJ's Reversal on What Constitutes Illegal Online Gambling  
Practising Law Institute  
Webinar, 02.25.2019

Infringement of IP Rights in Augmented and Virtual Reality  
Protecting and Monitoring Trademarks, Right of Publicity, Copyrights  
Strafford Webinar, 02.21.2019

Don't Roll the Dice with Gambling in the U.S.  
ITECHLAW Webinar  
02.20.2019

Intellectual Property Committee Brown Bag Lunch  
Federal Communications Bar Association  
02.08.2019

DOJ High "Wire Act"  
The Practical Implications of the DOJ's Flip Flop on What Constitutes Illegal Online Gambling  
Via GlobalMeet, 01.24.2019

The Business Opportunities and Legal Risks with Blockchain – What You Need to Know  
A Sheppard Mullin Webinar  
via GlobalMeet, 11.29.2018

All Bets Are On! Gambling, Sports, and Video Games in the 21st Century  
American Bar Association Webinar  
09.12.2018

Serious Play Conference  
Legal Issues with Serious Games  
George Mason University, Manassas VA, 07.12.2018

2018 Game Developers Conference Reception  
03.20.2018

Sixth Annual Cardozo Sports Law Symposium  
Benjamin N. Cardozo School of Law, New York, NY  
03.16.2018

Managing IP While Using Open Source: Copyright Licenses With Patent Challenges  
CLE Webinar  
02.20.2018

Cryptocurrency Law  
Learn about the legal issues for Cryptocurrency!  
02.06.2018

Technology and IP Forum: Open Source Updates and Practical Tips  
Hosted by the Association of Corporate Counsel - National Capital Region  
04.26.2017

Getting Real with Augmented and Virtual Reality: Views from the Inside  
04.06.2017

2017 Game Developers Conference Reception  
02.28.2017

Video Game Bar Association Summit 2016  
UCLA School of Law, May 16th - May 17th, 2016

2016 Game Developers Conference Reception  
03.15.2016

Gamblification: The Legal Status of Gambling Mechanics in Interactive Entertainment  
via Webcast, 12.10.2015

Game Developer Symposium 3.0  
10.14.2015

2015 eSports Conference  
09.2015

Intellectual Property Protection & Licensing Strategies for Small Businesses  
09.10.2015

Gaming NOW Summit  
Hosted by Bullet Business  
Las Vegas, NV, 09.2015

NeuroGaming Conference & Expo 2015  
05.06.2015

## Memberships

**Mr. Gatto has been actively involved in and has held many leadership positions in prominent industry organizations. Some recent involvement includes:**

American Intellectual Property Law Association (AIPLA) – Chair Blockchain/NFT subcommittee

American Bar Association (ABA) – Member IP Section, NFT Task Force, Artificial Intelligence/Machine Learning (AI/ML) Task Force, and Artificial Intelligence and Robotics Committee

Member, NIST Generative AI Public Working Group (GAI-PWG)

Member, Blockchain Games Association (BGA)

Member, Government Blockchain Association (GBA)

Member, International Technology Law Association (ITechLaw) – helped form Interactive Entertainment and Media Committee; lead Startup Committee

## Podcasts & Webinars

Navigating Change: Compliance Strategies for a Shifting Financial Landscape  
10.22.2025

Legal Issues with AI Impacting Food and Beverage Retailers  
04.10.2024

Health-e Law Episode 2: AI as an Aid: Emerging Uses in Healthcare with Jim Gatto of Sheppard Mullin  
12.07.2023

Flash Briefing on White House Executive Order on AI Regulation and Policy  
11.02.2023

No Black Boxes (We Hope): Legal AI Models and Vendor Considerations  
11.02.2023

Policies for Generative AI: Are You Ready?  
10.17.2023

Ethical Considerations for Lawyers Using Generative AI in Delivering Legal Services  
10.05.2023

Legit Ledger Episode 21: Plunging Into the Future: What Companies Need to Know as They Embrace AI with Jim Gatto of Sheppard Mullin  
09.05.2023

French Insider Episode 25: Plunging Into the Future: What Companies Need to Know as They Embrace AI with Jim Gatto of Sheppard Mullin  
09.01.2023

Labor & Employment Update - The Future Of Work is Here Now  
05.23.2023

Third Annual Ad Law Symposium  
05.16.2023

Legit Ledger Episode 19: Copyright Issues with Generative AI with Jim Gatto and Yasamin Parsafar  
04.05.2023

The Legit Ledger Episode 16: NFT Regulatory Issues – a 2022 Review and 2023 Preview  
01.30.2023

The Legit Ledger Episode 15: Automated Solution for NFT License Acceptance  
12.27.2022

The Legit Ledger Episode 14: SEC Wins Battle Against LBRY's LBC Token  
11.28.2022

The Legit Ledger Episode 13: NFT Insider Trading Recent Enforcement, Rulings and Why You Need an Insider Trading Policy  
11.17.2022

The Legit Ledger Episode 7: NFT Enforceable Licenses with Jim Gatto and Yasamin Parsafar  
08.15.2022

The Legit Ledger Episode 4: Detecting and Enforcing IP Infringement in Web3 with Kevin Tian, CEO at Doppel  
06.28.2022

The Legit Ledger Episode 3: Licensing Considerations for NFT Creators and Owners with Jim Gatto and Gabe Khoury  
06.14.2022

The Legit Ledger Episode 2: The Current State of NFT Regulation: What Market Participants Need to Know with Jim Gatto and Gabe Khoury  
06.13.2022

The Legit Ledger Episode 1: Intellectual Property Considerations for Licensing NFTs with Yasamin Parsafar and Jim Gatto  
06.12.2022

Ad Law Symposium  
05.04.2022

French Insider Podcast Episode 12: Navigating the Metaverse with Jim Gatto  
03.31.2022

Game On! Summit - Covering Your Digital Assets: Intellectual Property Rights and Gaming  
09.29.2021

Sheppard Mullin China Monthly IP Seminar – Sept. 2021: Understanding Open Source Legal Issues  
09.10.2021

Season 1, Episode 3: NFTs - Keeping it Legal! (ft. Jim Gatto)  
08.20.2021

Nota Bene Episode 139: What are NFT's and Are They Here to Stay? with James Gatto (Summer Repeat)  
08.18.2021

AdTech Trends: NFTs, First Party Data & the Crumbling Cookie Webinar  
06.16.2021

Nota Bene Episode 125: What are Non-Fungible Tokens (NFTs) and Are They Here to Stay? with James Gatto  
05.12.2021

Blockchain and Entertainment Webinar Series: Blockchain and Music  
04.22.2021

Blockchain and Entertainment Webinar Series: Blockchain and Art  
03.10.2021

Blockchain and Entertainment Webinar Series: Blockchain and Games  
02.04.2021

Cannabis Webinar Wednesday: Blockchain and Cannabis - Weeding Through the Hype  
11.20.2019

Nota Bene Episode 58: The Advantages of Using Cryptocurrencies and Other Blockchain Technologies for Business Growth with James Gatto

11.12.2019

Nota Bene Episode 35: Implementing Blockchain Technology to Improve Operations with James Gatto

05.08.2019

Note Bene Episode 3: Implementing Blockchain Technology to Improve Operations with James Gatto

09.19.2018

## Practices

Advertising

Canada

Entertainment, Technology and Advertising

ESG and Sustainability

Healthcare

Intellectual Property

National Security

Patent Prosecution and Counseling

Post-Grant Proceedings

Technology Transactions

## Industries

Advertising

Artificial Intelligence

Blockchain

Blockchain and Fintech

Emerging Company & Venture Capital

Entertainment, Technology and Advertising

ESG and Sustainability

Esports & Games

Fintech

Open Source

Private Equity

Sports

Transportation

Trucking and Logistics

Wine

## Education

J.D., Georgetown University Law Center, 1988

B.E., Electrical Engineering (with Physics minor), Manhattan College, 1984

## Admissions

Commonwealth of Virginia

District of Columbia

U.S. Court of Appeals for the Federal Circuit

U.S. Court of Federal Claims

U.S. District Court for the District of Columbia

U.S. Patent and Trademark Office