



PENNSYLVANIA GAMING CONTROL BOARD
P.O. BOX 69060
HARRISBURG, PENNSYLVANIA
17106-9060

KEVIN F. O'TOOLE
Executive Director

April 30, 2018

Explanatory Comment to Regulation Package 125-215

On April 4, 2018, the Board adopted temporary regulation package 125-215 which, among other matters, addressed the topic of skins used to facilitate interactive gaming and rules regarding player accounts (*see*, Chapters 812 and 818 in particular). The following is in response to inquiries for clarification on how the Board will interpret these sections.

Interactive Gaming Skins

“Interactive gaming skin or skins” as used in the Expanded Gaming Act is defined as the “portal or portals to an interactive gaming platform or interactive gaming website through which authorized interactive games are made available by an interactive gaming certificate holder or interactive gaming operator to registered players in this Commonwealth ...”

Section 818.3 of the Board’s temporary regulations addresses interactive gaming skins. More specifically, that section directs that skins may not be deployed by an interactive gaming operator independent from the interactive gaming certificate holder, but instead must be used in a manner clearly identifying that the games are being offered on behalf of the interactive gaming certificate holder. To clarify, the Board provides the following points:

- Pursuant to the Expanded Gaming Act, interactive gaming operators (platform providers) may ONLY offer interactive games in this Commonwealth ON BEHALF OF an interactive gaming certificate holder (or, if granted an interactive gaming certificate by the Board, as a qualified gaming entity). An interactive gaming operator (platform provider) is the actual provider of the hardware and software that makes up the interactive gaming system.
- There is NO LIMIT to the number of branded websites (i.e. skins) interactive gaming operators (platform providers) may provide on behalf of interactive gaming certificate holders provided those skins clearly and prominently, at all times, indicate the associated interactive gaming certificate holder. Acceptable website branding includes, for example, but is not limited to, a prominent display stating “Name of Certificate Holder powered by Name of Interactive Gaming Operator or skin.”
 - “Clear and prominent display” includes, at a minimum, identifying the interactive gaming certificate holder in the URL/web address AND clear branding on the interactive gaming site or interactive gaming application operated on behalf of the interactive gaming certificate holder that identifies the interactive gaming certificate holder. For instance, an interactive gaming website or app offered by an interactive gaming operator or skin should include the name of the certificate holder.

- An operator of an interactive gaming platform that wishes to offer its product in the Commonwealth without identifying the certificate holder as set forth above may only do so by fulfilling the criteria to be considered a Qualified Gaming Entity under the Expanded Gaming Act and obtaining an available interactive gaming certificate.

There are no restrictions on how interactive gaming operators (platform providers) operating on behalf of interactive gaming certificate holders provide access to their skins (e.g. links from different webpages or apps) so long as it is at all times clear to the player that the interactive gaming site is being offered on behalf of the interactive gaming certificate holder. For example, an interactive gaming operator may link from its webpage, an intermediary webpage or app to the certificate holder branded website it operates on behalf of the certificate holder so long as the certificate holder is clearly identified on the webpage, link, app and landing site.

Advertising by an interactive gaming operator of the games offered on its platform should identify the interactive gaming certificate holder on whose behalf the games are offered, and may direct an individual how to access the platform and register for an account.

Interactive Gaming Accounts

Section 812.4 of the Board's temporary regulations provides that "a player shall have only one interactive gaming account for each interactive gaming certificate holder or interactive gaming operator licensee." Player accounts are non-transferable, unique to the player and distinct from any other account the player may have with an interactive gaming certificate holder or interactive gaming operator licensee. In other words, a player in this Commonwealth may establish ONE non-transferrable interactive gaming account with an interactive gaming certificate holder, or in the case where an interactive gaming certificate holder employs multiple interactive gaming licensed operators, the player may establish no more than ONE interactive gaming account with EACH operator. The player may establish the account with either the interactive gaming certificate holder or interactive gaming operator so long as the account information is ultimately visible and centralized with the interactive gaming certificate holder.