Pay-to-Play Fantasy Sports
Am I Going to Get In Trouble?

The New Era in Gaming Law Symposium
Northern Kentucky University Chase College of Law
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The State Laws We May Need to Worry About...

- Laws Explicitly Addressing Fantasy Sports
- Illegal Gambling
- Lotteries
- Bookmaking & Pool-Selling
- Other Legal Theories...
Federal Laws We May Need to Worry About…

• The Wire Act
• The Travel Act
• The Illegal Gambling Business Act
• The Unlawful Internet Gambling Enforcement Act
• Professional and Amateur Sports Protection Act
• RICO?
• RAWA?
Are Fantasy Sports “Contests” Games of Skill?

• Structure of Contest
• Predominance Test/Dominant Factor Test
• Material Element Test
• Any Element of Chance Test
• Who the Heck Knows What That Judge Might Do?
How Risky is It?

“Everybody’s Doing It” Is Not A Sound Legal Argument...
Questions?

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