

Focus: Technology/Hardware

EXECUTIVE Q&A

Gaming industry keeps IP lawyer on his toes

Marc A. Sockol is a partner in the intellectual property practice group at Sheppard Mullin Richter & Hampton LLP. He is the managing partner in the firm's Menlo Park office. He has drafted, prosecuted and defended more than 750 patent applications across a broad spectrum of technological areas.

Q: What does your firm's new gaming group do and what's your role?

A: The gaming group draws upon the industry knowledge and skills of attorneys and support staff across various practice groups to represent large and small clients with intellectual property, litigation, licensing, transactions, financing, regulatory and other matters. By anticipating issues arising in the gaming industry, the group is prepared to respond to client needs without the traditional preparation costs. Within Sheppard Mullin, I participate in group activities designed to anticipate emerging trends and concerns, so that the group is prepared to manage issues before they arise.



Vicki Thompson

Marc A. Sockol, managing partner of Sheppard Mullin Richter & Hampton, Silicon Valley.

Q: What types of IP do you deal most with in the gaming industry?

A: Compared with that of other high-tech market segments, the rate of innovation within the gaming industry is incredibly high. As a result, it is increasingly reliant on patents that issue quickly to protect existing market value, on broad scope to capture current and future product development, on powerful trademarks to brand the next generation games, and on IP portfolio acquisition because a company can purchase IP with little to no wait-time.

Further, the gaming industry is expanding technology and creating new opportunities. For example, gaming companies provide new ways for players to interact

with the games and with each other. And the visual display and types of interaction that drives gamers cannot be hidden. Consequently, the gaming industry cannot rely as much on certain forms of IP protection, such as trade secrets.

Q: What trends are you seeing in the gaming industry?

A: The Silicon Valley gaming industry continues to focus on what it does best: game development. Gaming companies are increasingly reliant on outside counsel to identify protectable technologies and also to assist with identifying potential problems before they occur.

Recently, I have been receiving more requests for open source

MARC A. SOCKOL

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Age: 41

Home: Emerald Hills

Education: Bachelor of science in electrical engineering, University of California, Davis; juris doctorate, University of San Francisco School of Law

Path to Silicon Valley: I was born and raised here before it was called Silicon Valley. I watched much of this grow around me

First job: Mowing lawns

Worst job: Working at a butcher shop
Best biz book you've read: "Rich Dad Poor Dad," by Robert T. Kiyosaki and Sharon L. Lechter (I know one of the authors)

Biz hero: Robert Patterson of Peninsula Equity Partners. His views on business, Silicon Valley and life are insightful, yet surprisingly simple

Hottest gadget you own: My favorite is the TiVo DVR, the hottest is an iPhone

Best investment you've made: My education

software support than I have in the past. As open source tools become equal to or more powerful than proprietary software, management of open source tools will become increasingly important to the gaming industry.

Q: What's an interesting new patented product you're involved with?

A: The Ultimate Game Chair video game chair. It is a surprisingly inexpensive video game accessory that cooperates with current game consoles, vibrates to game events, blasts music into the user's ears, and draws you into the game experience. Quite cool! Just be careful not to buy a knock-off.