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Seat at the Table

Claire Hart enjoys influencing all aspects of the innovation at Blizzard Entertainment.

By Nicole Tyau

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Blizzard Entertainment Inc. has developed popular video game titles such as World of Warcraft, Diablo, Overwatch and StarCraft, and chief legal officer Claire Hart said she loves being at the intersection of technology and entertainment.

“When you work in tech law, you either love or hate the fact that you’re always sort of in the gray area,” Hart said. “For me, I always find that really interesting because you get to brainstorm with your clients and try to figure things out by understanding what they’re trying to do and where they are.”

Hart graduated from Northwestern University School of Law. She spent five years as an associate at Weil, Gotshal & Manges LLP before joining Google’s in-house team. She spent 10 years there before joining Blizzard.

In the years since its founding in 1991, Blizzard has been an industry leader in video game creation and competitive e-sports. In a recent interview, Hart discussed being part of this cutting-edge business. The following transcript has been edited.

Daily Journal: What role does the legal team play in the life cycle of developing games like Diablo, Overwatch or World of Warcraft?

Hart: My team is involved from sort of the kernel of an idea all the way to the time it ships out to customers or the community. At the beginning, there’s some work if we’re developing new IP. Of course we need to think about how that fits into anything that’s existing and how we can protect it. Once the game is coming into fruition, we’re thinking about what kind of music licenses do we need? If we’re outsourcing art, what do we need to do there? ... There’s software that would need to support it. There’s lots of pieces that come into a game to make it come together.

And then once it’s put together, we’re helping to market and publish and distribute the games. So we’re thinking about that, depending on what type of game, like if it’s a console game or a PC game or maybe a mobile game, that’ll be different. Again, the regulations there may be different. Then we’re looking at marketing material and the like that will go out and any other content.

Then once the game is live, there’s live content and promotions and things like that that we have to look at. It’s an ongoing thing once the game is live. Of course, we have titles that have been around for quite a long time, and we are still supporting those from a legal department because there’s still a lot of activity happening within them. It sort of never ends.

DJ: How do you handle working on the legal side of competitive e-sports?

Hart: Blizzard has kind of been an innovator in that space for a long time, so I’d say in e-sports the work that happens there, a lot of it is similar from franchise to franchise. At the end of the day you’re putting on events and tournaments and contests, and so they happen to involve people playing video games and an audience that enjoys watching that, whether they be live or watching it on TV or being streamed somewhere. In a lot of ways, it’s the same kind of work you would do to put on any kind of event. A lot of that being not that exciting: getting hotel rooms and figuring out who’s going to cater for folks and the space that you need and everything you need to put it on.

DJ: What kind of regulations do you have to be compliant with?

Hart: The gaming industry is a pretty regulated industry compared to where I came from at least. We’re always balancing what we think is best for our community and the players and the business against what the regulations are seeking us to do and trying to find a global solution when we can.



Nicole Tyau / Daily Journal

Obviously, everyone’s also really worried about privacy regulation, and that’s a big thing we’re thinking about since we’re a California-based company. The [California Consumer Privacy Act] comes into effect January 1, so off the heels of [Europe’s General Data Protection Regulation], I think CCPA is something we think about a lot. I’m trying to figure out what the law means and how to come into compliance with it in time.

DJ: What kind of changes are coming to the industry? For instance, the recent federal legislation proposed that could limit on loot boxes because some view them as gambling?

Hart: There’s definitely been a lot of interest in loot boxes. We look at that a lot, and you’re right, it’s sort of with the view towards gambling or addiction or other issues that I think are on the forefront. I think loot boxes have become the target for those concerns. We’re definitely keeping an eye on that.

There’s also a federal privacy act that we’re hoping might help us to balance against all the different state initiatives that are coming because trying to comply with all the different state regulations can be quite difficult. We’re kind of hopeful that we’ll see some overall privacy regulation that we can most easily comply with as a whole.

DJ: Since you have a fairly small team compared to the size of the company, how do you and the legal department handle the workload?

Hart: The way I like to work is that everyone kind of does a little bit of everything. Lots of people have maybe five or six different things that they support, and they just have to flex

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their workload depending on what that is. We have folks that support separate game teams or maybe an e-sport and maybe they also help out on IT or with events, so it takes a village to put everything on. We have a really small team, so everyone’s doing everything, I would say.

We also rely very heavily on our friends up at Activision Blizzard. They have some shared legal services that we use. For example, they have employment law and litigation specialists that we work with on those sorts of matters, so we definitely leverage our colleagues across the greater business when we need to.

DJ: With that relationship with Activision, how often do you use outside counsel to support the business?

Hart: Not that much. We do use it for litigation and for real estate and that kind of stuff, where people I think typically work with outside counsel. Beyond that it’s really when we have a question we feel like we don’t have the expertise for.

Of course, with CCPA we’re using outside counsel because it’s a new law, and everyone’s trying to figure it out. Issues can come up from time to time where we’re willing to engage with counsel, but for the most part we’re handling everything ourselves.

DJ: Do you enjoy that level of hands-on interaction?

Hart: For me, the thing I’ve loved about working in house as a lawyer is the relationships I have with the people around the business, which is true here just as much as anywhere else I’ve ever been. What I additionally like about being here is having a seat at the table and the leadership team where I can voice my opinion but also drive the things that I think are important, whether they be legal in nature or not.