



PENNSYLVANIA GAMING CONTROL BOARD
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Sent via Electronic Mail

Jeremy Eberwein
US Compliance Manager
PT Services (Delaware) LLC
100 N. West Street, Suite 1200
Wilmington, DE 19801

RE: Playtech - Lucky Ball Waiver Request

Dear Mr. Eberwein:

The Pennsylvania Gaming Control Board ("Board" or "PGCB") staff have received your Mega Fire Blaze Lucky Ball Waiver Request ("Lucky Ball") in which you seek authorization to offer Lucky Ball, a ball style game in Pennsylvania. Playtech has described Lucky Ball as a game in which a ball-drawing machine is utilized to determine winning outcomes.

Board staff has reviewed your waiver request and have viewed the videos showing Lucky Ball gameplay. Based upon Playtech's description and the videos of Lucky Ball, Board staff offer the following feedback:

The Racehorse Development and Gaming Act ("Gaming Act"), 4 Pa. C.S. § 1103, authorizes the Board to approve interactive games in three categories: 1) peer-to-peer interactive games 2) non-peer-to-peer interactive game which simulate slot machines and 3) non-peer-to-peer interactive game which simulate table games.

The Gaming Act defines an interactive game as:

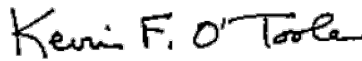
"Any gambling game offered through the use of communications technology that allows a person, utilizing money, checks, electronic checks, electronic transfers of money, credit cards or any other instrumentality to transmit electronic information to assist in the placement of a bet or wager and corresponding information related to the display of the game, game outcomes or other similar information. The term shall not include:

- (1) A lottery game or Internet instant game as defined in the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law.
- (2) iLottery under Chapter 5 (relating to lottery).
- (3) A nongambling game that does not otherwise require a license under the laws of this Commonwealth.
- (4) A fantasy contest under Chapter 3 (relating to fantasy contests)."

Board staff are of the opinion that ball style games, such as Lucky Ball, do not fit the statutory definition of interactive game as they are too close to lottery. Therefore, the Board will not be authorizing Lucky Ball for play in the Commonwealth at this time.

If you have any questions, feel free to contact Paul Resch, Director of the Bureau of Gaming Operations, via email, at [REDACTED], Lee Copello, Director of iGaming Compliance Operations, via email, at [REDACTED], or Robert Wood, Assistant Chief Counsel, via email, at [REDACTED].

Sincerely,



Kevin F. O'Toole
Executive Director

KFO/rmw

cc: Steve Cook, Chief Counsel, PGCB
Claire Yantis, Administrative Director, PGCB
Paul Resch, Director, Bureau of Gaming Operations, PGCB
Lee Copello, Director, iGaming Compliance Operations, PGCB
Gregg Hazzouri, Director, Bureau of Casino Compliance, PGCB
Heather Worner, Director, Office of Gaming Laboratory Operations, PGCB
Chad Zimmermann, Deputy Chief Counsel, PGCB
Robert Wood, Assistant Chief Counsel, PGCB