



PENNSYLVANIA GAMING CONTROL BOARD
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TO: Interactive Gaming and Sports Wagering
Certificate Holders and Operators

**Explanatory Comment on Advertising Requirements for Interactive Gaming
and Interactive Sports Wagering**

On April 4, 2018, the Pennsylvania Gaming Control Board adopted temporary regulation package 125-215 which, among other matters, addressed the topic of skins used to facilitate interactive gaming, which includes the offering of interactive sports wagering. On April 30, 2018, the Board issued an explanatory comment to clarify that interactive gaming operator licensees 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).

The Board's April 30, 2018 explanatory comment further clarified that interactive gaming operators' websites and mobile applications must clearly and prominently display the name of the certificate holder authorized to conduct interactive gaming, a concept known as "co-branding." Finally, the explanatory comment noted that advertisements by an interactive gaming operator must identify the interactive gaming certificate holder on whose behalf the games and sports wagers are offered. The following is in response to inquiries for clarification on the Board's co-branding requirements for advertisements by interactive gaming and sports wagering operator licensees.

Interactive gaming and sports wagering operators must explicitly reference their partnerships with interactive gaming and/or sports wagering certificate holders in advertisements that are specifically directed to Pennsylvania audiences, as well as advertisements that could be interpreted as Pennsylvania specific given the nature of the content, including any advertisement exclusively targeting Pennsylvania residents, advertising the use of an interactive gaming or interactive sports wagering website or app available for play in Pennsylvania. (e.g. Play Online Slots in Pennsylvania with [INSERT OPERATOR NAME] Online Casino; Sports betting is now in PA with the [INSERT OPERATOR NAME] Sportsbook!)

Examples of advertising the Board considers to be directed to Pennsylvania audiences, include, but are not limited to:

- Television or radio advertisements relating to the availability of interactive gaming or sports wagering in Pennsylvania
- Direct mail pieces, e-mails, or text messages sent to Pennsylvania residents
- Billboards located in Pennsylvania
- Newspaper, magazine and other print publications that are based in Pennsylvania. This includes online editions of these publications.

Advertising meeting the above criteria must explicitly state “In partnership with (name of certificate holder)” or similar language as approved by the Board. For print and digital advertisements, this can include either the logo and name of the certificate holder or, for smaller ads, just the name of the certificate holder. The name of the certificate holder must be clearly and prominently displayed and of a size and quality that it is reasonably designed so that a player will be able to identify the certificate holder.

Additionally, all advertisements must comply with the provisions of the Board’s regulations pertaining to advertising generally and Compulsive and Problem Gambling, which can be found in Chapters 501a and 503a. Any questions regarding the compliance of advertisements with the CPG requirements can be directed to Liz Lanza, Director of the Office of Compulsive and Problem Gambling, at elanza@pa.gov. Any questions regarding the co-branding standards outlined herein can be directed to Assistant Chief Counsel Chad W. Zimmermann at cwzimmerma@pa.gov.

Sincerely,



Kevin F. O'Toole
Executive Director

KFO:pll

cc: R. Douglas Sherman, Chief Counsel, PGCB
Claire Yantis, Administrative Director, PGCB
Paul Resch, Director, Bureau of Gaming Operations, PGCB
Kevin Kile, Director, Office of Sports Wagering Operations, PGCB
Susan Hensel, Director, Bureau of Licensing, PGCB
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