

Sport Lawyers Association Conference – Washington, DC May 19-21, 2011

Gambling Breakout session

Notes, Links, and References (abridged)

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The gaming (or gambling, comp. US/UK term) industry is divided in three main markets:

- The lottery market (numerical games, instants/ pulltabs, passive)
- The betting market (sports, financials etc)
- Casinos and video lottery games

(American Gaming Association, 2009; Eadington, 2008) Current status of industry:

Roughly a US\$250 billion industry in a global context

U.S. market approximately \$90 billion, European Union \$80 billion, Australia/New Zealand \$20 billion, Asia \$20 billion, Canada \$15 billion, internet \$12 billion

MACAU – THE “LAS VEGAS OF ASIA”

Gross gaming revenues have increased from \$2.1 billion in 2001 to \$10.3 billion in 2007 – Q-I 2008 at \$3.7 billion => 60% year-over-year (YOY) growth

Macau's casino revenue rose to \$3.2 billion in the first quarter of 2009, up 8.1 percent from the last three months of 2008. The increase in revenue stops a nine-month slide (Bloomberg.com report citing statistics from the [Macau Gaming Inspection and Co-ordination Bureau Web site](#))

2009 first-quarter revenue in Macau was still down 13 percent from first quarter 2008
2010 third-quarter revenue & net profits in Macau were up by [more than 50%](#) than 2009
By 2014 [it is estimated](#) that [Macau gambling revenue](#) will be over \$45 billion (more than 70% of all Asia/Oceania revenue) and grow by appx. 25% per year (approaching two thirds of the total US gambling revenue)

(Eadington, 2010):

[After the Great Recession: The Future of Casino Gaming in Europe and Elsewhere](#)

(Malone & Arland, 2008) The Tangled Web: Internet Gambling

January 17, 1995 – First Internet bet. Currently – Licensed in over ninety countries.

2005 estimate - 23 million Internet gamblers. Approximately 2,500 websites offering gambling with an estimated \$10 billion in revenues. Gray area games:

Video games (\$7.5 billion/year); On-line tournaments and/or direct play. Web-gaming – MSN, Yahoo, etc. Free games with pay-for-play option. Redemption sites, fantasy leagues, “texting” contests. Major Internet Gambling Countries:

Central America: Belize, Costa Rica, Panama.

Caribbean: Antigua-Barbuda, Dom. Republic, Grenada, Curacao, U.S. Virgin Islands.

Europe: Alderney, Isle of Man, Malta, U.K.

North America: Canada - Kahnawake Res. (Quebec); United States (horseracing).

Demographics of Internet Gamblers:

United States

52.34% male

47.66% female

Age

18-24 – 6.88%

25-34 – 14.91%

35-44 – 19.64%

45-54 – 23.95%

55+ - 34.62%.

United Kingdom

50.71% male

49.29% female

Age

18-24 – 15.30%

25-34 – 21.91%

35-44 – 23.78%

45-54 – 15.58%

55+ - 23.43%

The Study of Gambling Services in the Internal Market of the European Union

(http://ec.europa.eu/internal_market/services/gambling_en.htm), composed by the Swiss Institute for Comparative Law at the request of the European Commission (EC), reveals: 2003 US total revenue from gambling (Gross Gaming Revenue or GGR) \approx €60.7 billion; EU \approx €51.5 billion. US betting services, including on-track and off-track betting on horses and sports, US\$3.9 billion (€3.2 billion) \approx 5% of US GGR; EU (€8.9 billion) \approx 17% of the EU total.

US commercial and tribal casinos \approx US\$42.1 billion (€35.1 billion) (58% of the US total); EU casinos \approx €7.5 billion, 15% of the EU total. US gaming machines (aka slot machines, Electronic Gaming Devices, or Video Lottery Terminals – VLTs) outside of casinos are still relatively uncommon \approx US\$3.9 billion (€3.2 billion), 5% of the US total; EU gaming machines \approx €9.7 billion, 19% of the EU total. US Lotteries \approx \$17.4 billion (€14.5 billion), 24% of US GGR; EU lotteries GGR \approx €23.0 billion, 45% of the EU total. US Bingo services and charitable gambling \approx US\$4 billion (€3.3 billion), 5% of US GGR; EU Bingo services \approx €2.4 billion, 5% of the EU total.

Overview of EU Gambling sector (Swiss Institute of Comparative Law, 2006)

Lotteries	43.7%	(24% US)
Casino Gaming	15.9%	(58% US)
Machine Gambling outside casinos	18.3%	(5% US)
Betting	17.3%	(5% US)
Bingo	4.8%	(5% US)

(Eadington, 2010): Growth in casino gaming revenue comparison:

2004-07 avg: EU = 3.7%, USA = 5.7%

2007-09 avg: EU = -6.7%, USA = -5.1%

(see comparative tables attached)

Destination resorts (Las Vegas, Atlantic City, Mississippi) hit hardest

Jurisdictions shrinking most in recession: NV, NJ, IL & Estonia, Germany

“Irrational exuberance” (Eadington, 2010) toward integrated resort casinos led to major blows in the US casino industry (Las Vegas, Atlantic City, Connecticut, Detroit)

In the EU, no major investment in integrated resorts = no major blows.

Global trends per Eadington (2010):

- Continued expansion and proliferation of legal casino-style gambling, esp. in North America and Asia
- ***Fiscal driven legalization in the United States***
- ***Strategic legalization or reform in Asia: Macau, Singapore, Taiwan***
- Growing legal presence of Internet gambling, but ongoing legal challenges and controversies related to Internet gaming in many countries
- UIGEA (2006) in the United States; *increasing discussion of legalization* (even post 2010 elections?)
- ***Legalization in many EU countries; ongoing legal challenges in others***
- ***Technological advances in gaming devices***, improving entertainment value and customer information
- Server based gaming; remote gaming devices; gaming machines with specific player memories; social networking possibilities
- Better use of the Internet for customer loyalty programs, monitoring and communicating with valued customers, marketing gaming and non-gaming products
- Growing importance of mitigating problem gambling as a policy and regulatory issue
- Formalizing “protecting the vulnerable” as one of the explicit charges for regulators
- Increases in private sector and government funding for treatment, research and education

U.S. trends per Eadington (2010):

- Permitting only one or only a few casinos into particular markets
- Kansas, Pennsylvania, Maryland, Ohio (+*Missouri, added*) => limited licenses with bidding processes
- Reluctance to adopt the “Nevada model”: unlimited gaming licenses within a particular geographic area
- “Tipping Point” for legalizing gambling => driven by recession, fiscal considerations and the presence of nearby legal gambling (*particularly important now in the Northeastern U.S.*) +competition w/i region
- Trend toward capturing more economic rents via high tax rates
- Pennsylvania (55%); Maryland (67%); New York (70%) vs. Nevada (7%), Atlantic City (8%), Mississippi (12%) => European levels
- Lessons from “racinos” in the United States => Rent seeking subsidies (but no increased demand or salvation for racing)
- Declining gaming revenues for Reno, Lake Tahoe, Atlantic City
- Canadian provinces introducing Internet poker – Recent launches by British Columbia, Ontario
- Growing presence of grey area gambling in many parts of America
- Alabama’s new casinos and “electronic bingo machines”
- Internet sweepstakes cafés, Internet poker, sports betting, fantasy sports

Las Vegas trends per Eadington (2010):

- Consolidation of major gaming companies (2000-2005)
- MGM (Mirage, Mandalay Bay), Harrah’s (Caesars, Hilton, Showboat, Harvey’s, Flamingo, Horseshoe)
- ***Irrational exuberance from developers, financial institutions, state governments on the future growth of casino gaming.*** Tens of billions of dollars in capital projects planned or committed to (2004 to 2007)
- Palazzo(\$1.5 b); Wynn Encore(\$2.5 b); M(\$1 b); CityCenter(\$8.5 b); Cosmopolitan(\$4 b) => completed
- Echelon(\$5 b); Fontainebleau(\$3 b); Plaza(\$4 b); Crown(\$4 b), MGM- Kerzner(\$3 b +/-) => all stopped
- Negative impact from the Great Recession (2007-2009) on many of the major casino companies
- Collapse of real estate and commercial values in Las Vegas => Frontier site; Fontainebleau; City Center
- Commitments to major projects or to Leveraged Buy-outs created substantial debt loads => Cash flows inadequate to cover interest payments
- Harrah’s, MGM, Las Vegas Sands, Boyd all near bankruptcy in 2009; Station Casinos, Trump bankrupt
- ***The end of the mega-casino era & growing belief Las Vegas growth is over***
- *Substantial shift in spending patterns for casino visitors in general and Las Vegas visitors in particular*

Asian trends per Eadington (2010):

- *Effects of the Great Recession were brief; propensity of Asians to gamble is stronger than Westerners*
- Newly legalized markets => Significant ramp-up growth
- **Macau: Legal reforms plus opening to Chinese consumers via visa schemes => Largest gaming market in the world**
- **2009: \$15 billion; 2010: nearly \$25 billion (versus Las Vegas at \$7 billion)**
- **70% of gaming revenues from VIP business** => potentially problematic because of lack of regulation, illegal activities between junket operators & customers, embezzlements & other crimes linked to gambling losses
- **Singapore:** Strategic legalization of two Integrated Resort casinos. Highly regulated; effective prohibition of Macau style junket play; constraints on gambling by local citizens
- Both integrated resorts opened in 2010 at cost of \$5 billion each; doing very well so far
- **Taiwan, Japan** => Moving to legalization; likely to adopt the South Africa/Australia model of limited licenses with contributions to public benefit via conditions on gaming licenses through bidding competition

Fahrenkopf, (2010): [Worldwide Gaming Update](#)

In 2009, the U.S. commercial casino industry:

- Generated \$30.7 billion in gross gaming revenue, a 5.5 percent drop from 2008
- Employed more than 328,377 people, an 8.1 percent decline from 2008
- Paid \$13.1 billion in total wages, which was 7.1 percent lower than the amount paid in 2008
- Contributed almost \$5.6 billion in direct gaming taxes to states and communities, a 1.6 percent drop from 2008

According to La Fleur's "World Lottery Almanac 2008" (<http://www.lafleurs.com>), the global Lotteries and Gaming Industry in 2007 reached the record amount of \$224 Billion, a 10.8% increase from 2006. This figure does not include sales generated via alternative channels (Internet, SMS, mobile, interactive TV) and sales by Betting Exchanges which are the new market trends. The European lottery and betting industry holds a prominent position; EU \approx half of the turnover stipulated above. Among European industry giants, the Greek state-run OPAP (third highest per capita spending in the world) posted a record revenue of 5.06 € Billion; the Italian Lottomatica \approx 720 € Million (Italian lottery market only). Other traditional Betting and Lotteries institutions such as the Spanish Lotteries y Apuestas del Estado, the French La Française des Jeux, and the U.K. National Lottery have posted healthy returns and promising growth prospects. The U.S. market posted \$52.7 Billion sales, led by the N.Y. Lottery with \$7.5 Billion.

(Financial Times, January 16, 2011): [Asia's punt on gambling pays off handsomely](#)

Five of the world's top 10 gambling companies are based in Asia, according to an annual review of the industry, underlying the increasing shift of gambling activity from west to east.

While Sheldon Adelson's US-based [Las Vegas Sands](#) tops the list compiled by Global Betting & Gaming Consultants, **most of its revenues come from Asia**.

Asia's strong presence in the rankings is a sign of the increasing significance of the Asian market compared with 2008 when only one Asian company figured in the top 10, says GBGC.

While many gambling companies responded to the economic crisis by delisting, the Asian market witnessed the emergence of Wynn Macau and Sands China, spun off from their parent companies and established as listed companies in 2009.

Warwick Bartlett of GBGC says [the turnaround at Las Vegas Sands](#) from its flirtation with bankruptcy during the economic crisis is mostly due to *Mr Adelson's \$1bn*

cash injection and success of its Macau and Singapore operations. Its shares, which sank to **\$1.38 in 2009**, **were above \$47 on Friday**. The company, operator of the Venetian and the Palazzo in Las Vegas, has a market capitalisation of \$32.3bn. SJM Holdings, founded by Stanley Ho and the biggest casino operator in Macao, entered the list at number five after a 182% rise in its share price in 2010.

Mr Bartlett said: "The movement within the index reflects the changes in the global economy. Asia has recognised gambling is GDP positive and new casinos in Singapore are expected to add 2% to their GDP in a few years." *The rise in the importance of Asia contrasts with the declining influence of the UK*, Mr Bartlett added. **Eight years ago, William Hill was ranked seventh and Rank Group ninth. This year there is no UK operator in the top 20.**

Top listed gambling companies	
By market capitalisation	
All gambling companies	Market cap* (\$bn)
Las Vegas Sands, US	25.5
Genting, Singapore	19.1
Sands China, China	16.7
Wynn Macau, China	12.4
SJM Holdings, China	9.0
Kangwon Land, S Korea	5.5
Int'l Game Technology, US	5.4
Wynn Resorts, US	5.2
OPAP, Greece	5.1 (see attached)
Crown Limited, Australia	5.0
* Implied market value adjusted for gambling revenues only.	
Source: GBGC	Data as at Jan 7 2011

US Law highlights

Barney Frank on H.R. 2267 (Frank, 2009, <http://www.npr.org/templates/story/story.php?storyId=9884085>):
“I spend a lot of energy trying to protect people from other people. I have none left for protecting people from themselves.”

- DE, MT, NV, OR allowing sports betting (effective in NV; MT offers pari-mutuel fantasy sports wagering; OR discontinued 7/1/07; DE voting to reenact; Bill passed Fri May 8, 2009: <http://legis.delaware.gov/LIS/LIS145.nsf/vwLegislation/050812EA73CE613C852575850056C7AB?open...> leading to *Office of the Commissioner of Baseball v. Markell*, 579 F.3d 293 (3rd Cir. 2009); SCOTUS denied Cert. May 3, 2010, holding that Delaware cannot offer *more* than the sport betting schemes it did prior to PASPA enactment) – NJ would have been the 5th...
- ... after the Professional and Amateur Sports Protection Act (PASPA, 1992) aka “Bradley Act” (28 U.S.C. § 3701, *et seq.*)... to no avail
 - *iMEGA/Interactive Media et al. v Holder et al.* 3:2009cv01301 (D.N.J. 3/23/09); 08-1981 (3rd Cir. 2009). *PASPA v. Con. Law*
- CA, LA, NV prohibit (+online) betting beyond state borders
- Interstate Wire Wager Act (18 U.S.C. § 1084) + Internet
 - Four major elements:
 - 1. being engaged in the business of betting or wagering;
 - 2. knowingly using a wire communication facility;
 - 3. for the transmission in interstate or foreign commerce of bets or wagers or information assisting in their placement;
 - 4. on any sporting event or contest.
 - Exemption for “placing of bets or wagers on a sporting event or contest from a State or foreign country where betting on that sporting event or contest is legal into a State or foreign country in which such betting is legal.” 18 U.S.C. 1084(b)
- Unlawful Internet Gambling Enforcement Act (*Title VII of SAFE Port Act* 31 U.S.C. § 5361) (amended 12 CFR Part 233, 31 CFR Part 132, 11/12/08; effective 6/1/2010) [FDIC Examination Guidance and Procedures link](#)
- Interstate Horse Racing Act (15 U.S.C. § 3001) + Internet horse race bets in CA, NV, OR, SD...
- Other applicable statutes: RICO Act, Travel Act, Illegal Gambling Business Act, Interstate transportation of wagering paraphernalia Act...
- *In re MasterCard Int'l, et al.*, 132 F. Supp. 2d 468, (E.D. La. 2001), No. 01-30389 (5th Cir. 2002): Gambling losses are enforceable because “the Wire Act does not prohibit non-sports Internet gambling.” (DOJ disagreed)
- Federal gambling law does not address games of skill... (Fantasy Sports, Poker...?)
 - *Humphrey v. Viacom*, 06-2768 (D.N.J., June 20, 2007)
 - *Pennsylvania v. Dent*, 733/2008 (Ct. Comm. Pl. 26th Dist. Columbia Cty, Pa Criminal Div. 1/14/2009)
 - *The Betcha.com twist: Internet Community v. Washington*, 37079-4-II (Ct. of App. Div II WA, 2/10/09)
- IL, IN, LA, MI, NV, OR, SD, WA prohibiting unauthorized internet gambling
- HI, UT prohibiting any form of public gambling
- ND legislative efforts to legalize and regulate online poker operations
- 2008 Elections: MO Proposition A eliminated a \$500 limit a gambler could lose during any two-hour period at the same casino (more state developments under: <http://www.ncsl.org/programs/econ/gamblingdev.htm>)

- **Internet Gambling Regulation Consumer Protection & Enforcement Act (2009 Barney Frank bill)**
http://www.house.gov/apps/list/press/financialsvcs_dem/press050609.shtml
(see below... and 2010 elections results...)
- **Amateur Sports Integrity Act (2003 bill)**
- **Student Athlete Protection Act (2000 bill)**
- **NCAA DI & DII Bylaw 10.3 + Pro leagues policies**

Interactive Media Entertainment and Gaming Association

IMEGA v. Holder, 3:2009cv01301 (D.N.J. 3/23/09)

Complaint under:

<http://www.imega.org/wp-content/uploads/2009/03/imega-v-holder-federal-paspa-challenge.pdf>

iMEGA refers to DoJ letter to Jo Biden, 91 Chair of Sen. Jud. Comm. opposing PASPA passing (10/28/92) (a) Congress defers to the states re: revenue (b) Federalism (c) Enforcement via sports orgs.

Terms' clarification and enforcement issues – Struggling horse-racing industry

2/23/2009 NJ SR12 urges US Congress to lift US ban on sport betting

iMEGA members operate legally in various world jurisdictions, but due to PASPA may not engage in internet sport betting

Counts: 1) US Con. Commerce Clause uniform legislation v. PASPA allowing four states' sport betting; 2) 14th Am. US Con. Equal Protection (residents of 4 v 46 states); 3) Vague and Overbroad – 5th Am. US Con.; 4) 10th Am. (a above); 5) 11th Am. (c above); 6) 1st Am. Sen Lesniak (restriction of his freedom to legislate) 7) Procedural Due Process (4th, 5th, 14th Am.) (unable to challenge enforcement by sports orgs.) 8) Substantive Due Process (4th, 5th, 14th Am.) 9) Con. Right to privacy.

08-1981 (3rd Cir. 2009): <http://www.imega.org/wp-content/uploads/2009/09/us-3rd-circuit-imega-v-holder-decision.pdf>

And procedural sequence:

<http://www.imega.org/wp-content/uploads/2011/01/defendants-motion-to-strike-reply-re-imega.pdf>

<http://www.imega.org/wp-content/uploads/2011/01/1967-003-lettletter-in-opposition-to-motion-to-strike-surreply110119.pdf>

http://www.nj.com/news/index.ssf/2010/12/nj_voters_to_decide_on_legaliz.html

UIGEA Revised Regulations (11/12/2008):

<http://www.federalreserve.gov/newsevents/press/bcreg/bcreg20081112a1.pdf>

<http://www.treas.gov/press/releases/reports/unlawfuinternetgambling11.12.08.pdf>

“a single, regulatory definition of “unlawful Internet gambling” would not be practical.”

Deferred definition of gambling to state and federal law.

Comment: poker is a game of skill and not of chance... application of a dominant factor test as a means of distinguishing a skill game from a game subject to chance.

Fed Agencies: “The Act defines the term “bet or wager” as including a “game subject to chance.” However, the Act also defines the term “bet or wager” as including the purchase of a chance or opportunity to win a lottery or other prize (which opportunity to win is predominantly subject to chance).” The fact that Congress used “subject to chance” in one paragraph and “predominantly subject to chance” in the next paragraph in the same subsection suggests that Congress intended the element of chance in “game subject to chance” to be less than predominant. The Agencies believe that if Congress had intended chance to be the predominant factor in determining the outcome of a “game subject to chance,” Congress would have inserted the word “predominantly” as it did subsequently in the same section. Therefore, even if chance is not the predominant factor in the outcome of a game, but was still a significant factor, the game could still be deemed to be a “game subject to chance” under a plain reading of the Act.”

Opportunity for involvement:

Commercial customer may receive license from appropriate gambling authorities, rendering gambling activities as lawful...

If a commercial customer does not have such a license, the participant may request that the unlicensed Internet gambling business provide a reasoned legal opinion that it does not engage in restricted transactions. If a participant has questions or concerns regarding the reasoned legal opinion, it should verify (or have the commercial customer verify) the conclusions presented in the reasoned legal opinion with the appropriate licensing authority.

Reasoned legal opinion means a written expression of professional judgment by a State-licensed attorney that addresses the facts of a particular client's business and the legality of the client's provision of its services to relevant customers in the relevant jurisdictions under applicable federal and State law, and, in the case of intratribal transactions, applicable tribal ordinances, tribal resolutions, and Tribal-State compacts. A written legal opinion will not be considered "reasoned" if it does nothing more than recite the facts and express a conclusion.

For UIGEA challenges, also review:

IMEGA v. Keisler, 08-1981 (3rd Cir. 11/13/2008)

Ps reply brief:

<http://www.imega.org/wp-content/uploads/2008/11/imega-reply-imega-v-keisler-et-al.pdf>

IMEGA v. Judge Thomas D. Wingate (Ky S. Ct. 1/21/09) appeal and progress under:

<http://www.imega.org/wp-content/uploads/2011/01/imega.pdf>

<http://www.imega.org/wp-content/uploads/2011/01/com-brief-on-assoc-standing.pdf>

<http://www.imega.org/wp-content/uploads/2010/12/commonwealth-ky-v-internet-domain-names.pdf>

<http://www.imega.org/wp-content/uploads/2009/01/notice-of-appeal.pdf>

<http://www.imega.org/wp-content/uploads/2009/01/imega-decision.pdf>

<http://www.imega.org/wp-content/uploads/2009/02/motion-to-file-brief-exceeding-page-limitations.pdf>

"It stretches credulity to conclude that a series of numbers, or Internet addresses, can be said to constitute a 'machine or any mechanical or other device . . . designed and manufactured primarily for use in connection with gambling'"

[KY App. Ct. reversed trial ct. decision allowing KY to seize 141 gaming web site names]

IMEGA v. Gonzales, 2008 U.S. Dist. LEXIS 16903, (D.N.J. 3/4/2008)

"... [I]t is not the Court's role to pass on the wisdom of a Congressional act or speculate as to its effectiveness. The Court has determined that the challenged statute was lawfully enacted and does not impermissibly intrude on the Constitution's guarantees..."

From the 111th Congress graveyard (These bills never became Law):

– *The Internet Gambling Regulation, Consumer Protection, and Enforcement Act (H.R. 2267)* –

Introduced by Rep. Frank (D-Mass.), the bill would establish a federal regulatory and enforcement framework for Internet gambling operations. In July 2010, it passed the Financial Services Committee...

(then, elections 2010...)

– *Internet Gambling Regulation and Tax Enforcement Act of 2009 (H.R. 2268)* –

Introduced by Rep. McDermott (D-Wash.), this companion bill to H.R. 2267 would establish a system of taxation for Internet gambling operations. Under the legislation, licensed operators would pay a 2 percent tax on all deposits

– *Internet Poker and Games of Skill Regulation, Consumer Protection, and Enforcement Act of 2009 (S. 1597)* –
Introduced by Sen. Robert Menendez (D-N.J.), it would legalize and regulate games of skill on the Internet, also known as the "poker carve-out bill".

EU Law Highlights

- **EC Treaty** [The Treaty establishing the European Community (as amended by the Treaty of Amsterdam)] C 325/35, 12/24/02: EC Treaty promotes competitive market economy and prevents barriers to integration of the single European market [+Lisbon Treaty Art. 165 on EU sport competency]
- **Article 3** (c, g): Abolition of obstacles for free flow of services, no competition distortion
- **Article 49**: "...restrictions on freedom to provide services within the Community shall be prohibited..."
+//Art. 54: *As long as restrictions on freedom to provide services have not been abolished, each Member State shall apply such restrictions without distinction on grounds of nationality or residence to all persons providing services within the meaning of the first paragraph of Article 49*
- **EC Art. 49 exemptions**
- ***Discretionary power of Member States to decide about the number and type of operators & type and volume of games***
- ***National restrictions are compatible with EC Treaty if (Gambelli, paragraph 67; EC Art. 54):***
 - *Non discriminatory and proportionate;*
 - *Justifiable by imperative requirements: Consumer protection, prevention of fraud and crime, maintenance of order in society (Public Order);*
 - *Restrictions must reflect a concern to bring about a genuine diminution of gambling opportunities;*
 - *Financing of good cause/state is no imperative requirement.*
- **European Court of Justice Jurisprudence**
Case Law (on EC Treaty Articles 49; 81 and 82 – Restrictions on provision of services; Competition rules, restraint of trade and abuse of dominant position)
- C-275/92; *Schindler* (Import of lottery ads; Netherlands-UK)
- C-368/95; *Familiapress* (Distribution of pub+prize; Austria-BRD)
- C-124/97; *Läärä* (Exclusive right to operate slot machines; FIN)
- C-67/98; *Zenatti* (Operation of sports betting agency/book; ITA)
- C-6/01; *Anomar* (Operation of gaming machines; POR)
- C-243/01; *Gambelli* (Monopoly of collecting bets; ITA-UK)
- C-42/02; *Lindman* (Taxation of winnings; FIN-SWE)
- C-338/04; *Placanica* (Betting licenses restrictions; ITA)
- C-260/04; *Italian Republic* (Horse-racing licenses renewal; ITA)
- C-49/07; *Motosykletistiki Omospondia Ellados NPID (MOTOE) v Elliniko Dimosio*
- C-153/08; *Commission v Kingdom of Spain* (lottery/betting earnings taxation discrimination)
- C-42/07; *Liga Portuguesa* (extending national restrictions to online sport betting)
- C-258/08; *Ladbrokes* (scope of national restrictions)
- 203/08; *Betfair* (scope of national restrictions)
- C-447/08 & 448/08; *Sjöberg & Gerdin*
- C-46/08; *Carmen Media v Land Schleswig-Holstein*
- C-64/08; *Engelmann*
- C-316, 409 & 410/07; *Stoß, Avalon & Happel*
- **Pending:**
- C-212/08; *Zeturf* (French horseracing monopoly)
- **Withdrawn:**
- C-584/08; *Real Madrid F.C. et al.* (jurisdiction and enforcement of judgments on internet gambling companies)

- Italy has opened VLT casinos (could lead to investments of €2bil); legalized online poker and casino games.
- France and Denmark legalized online gambling (summer 2010).
- **The European Court of Justice has ruled (September 2010) that German (*Carmen Media, Stoß et al.*) and Austrian (*Engelmann*) gaming laws are in breach of EU Law. This could lead to a liberalization of EU member nations' online gambling policies.**
- Austria to loosen Casinos Austria's monopoly in next two years.

For more EU Gaming Law & Policy updates:

<http://gaminglaweu.eu/>

and

<http://www.kaburakis.com/research/>

Gambling research institutes and centers

<http://www.ncrg.org/>

<http://www.unr.edu/gaming/index.asp>

http://www.law.whittier.edu/faculty_admin/members_bio-rose.html

<http://www.gamblingandthelaw.com/>

<http://gaming.unlv.edu/index.html>

<http://www.gamblingstudies.salford.ac.uk/>

<http://www.isdc.ch/en/>

Associations:

International Association of Gaming Advisors

International Masters of Gaming Law

International Association of Gaming Regulators

American Gaming Association

European Gaming & Betting Association

Remote Gambling Association

(see attached report on [*Sports Betting*](#))

Useful Bookmarks:

[Gaming Law Memo](#)

[Gaming Law International](#)

[E-comlaw.com: Gambling Law Blog](#)

[GamingLaw.eu - The European Portal on gaming and gambling laws](#)

[EGBA - European Gaming and Betting Association](#)

[International Masters of Gaming Law](#)

[iMEGA :: Interactive Media Entertainment & Gaming Association](#)

[The Interactive Gaming Council](#)

[IAGA - Home](#)

[RGA](#)

[European Sports Security Association > Home](#)

[Euromat - European Gaming and Amusement Federation](#)

[EiG 2010](#)

[American Gaming Association](#)

[North American Gaming Regulators Association](#)

[Gaming Regulators European Forum \(GREF\): forum for European gaming regulators](#)

[International Association of Gaming Regulators](#)

[Casino news from Gamingfloor.com](#)

[GamblingCompliance](#)
[Gaming Standards Association](#)
[The National Center for Responsible Gaming](#)
[University of Nevada, Reno | Institute for the Study of Gambling and Commercial Gaming](#)
[Center for Gaming Research, UNLV](#)
[Centre for the Study of Gambling| Salford Business School | University of Salford - A Greater Manchester University](#)
[Institut Suisse de droit comparé - ISDC](#)
[European Association for the Study of Gambling :: nl_NL](#)
[The Society for The Study of Gambling - Home](#)
[Gambling and the law](#)
[Gambling Law US - State Gambling Laws United States](#)
[eGaming Review](#)
[iGaming Business](#)
[Sports Betting News and Odds at VegasInsider.com, The Global Leader In Sports Gaming Information.](#)
[Online Sports Betting Odds from Las Vegas Casinos and Offshore Sportsbooks](#)
[Sports Odds Publisher: Compare Mobile Odds - Compare Sports Betting Odds](#)
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[Gaming Law Gambling Law Consultants .. Catania Gaming Consultants .. Welcome](#)
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[Association of Gaming Equipment Manufacturers](#)
[APCW Homepage](#)
[Gambling Portal Webmasters Association -](#)
[Interactive Gambling Report | gbgc](#)

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Community of Science Profile: <http://myprofile.cos.com/akabura>

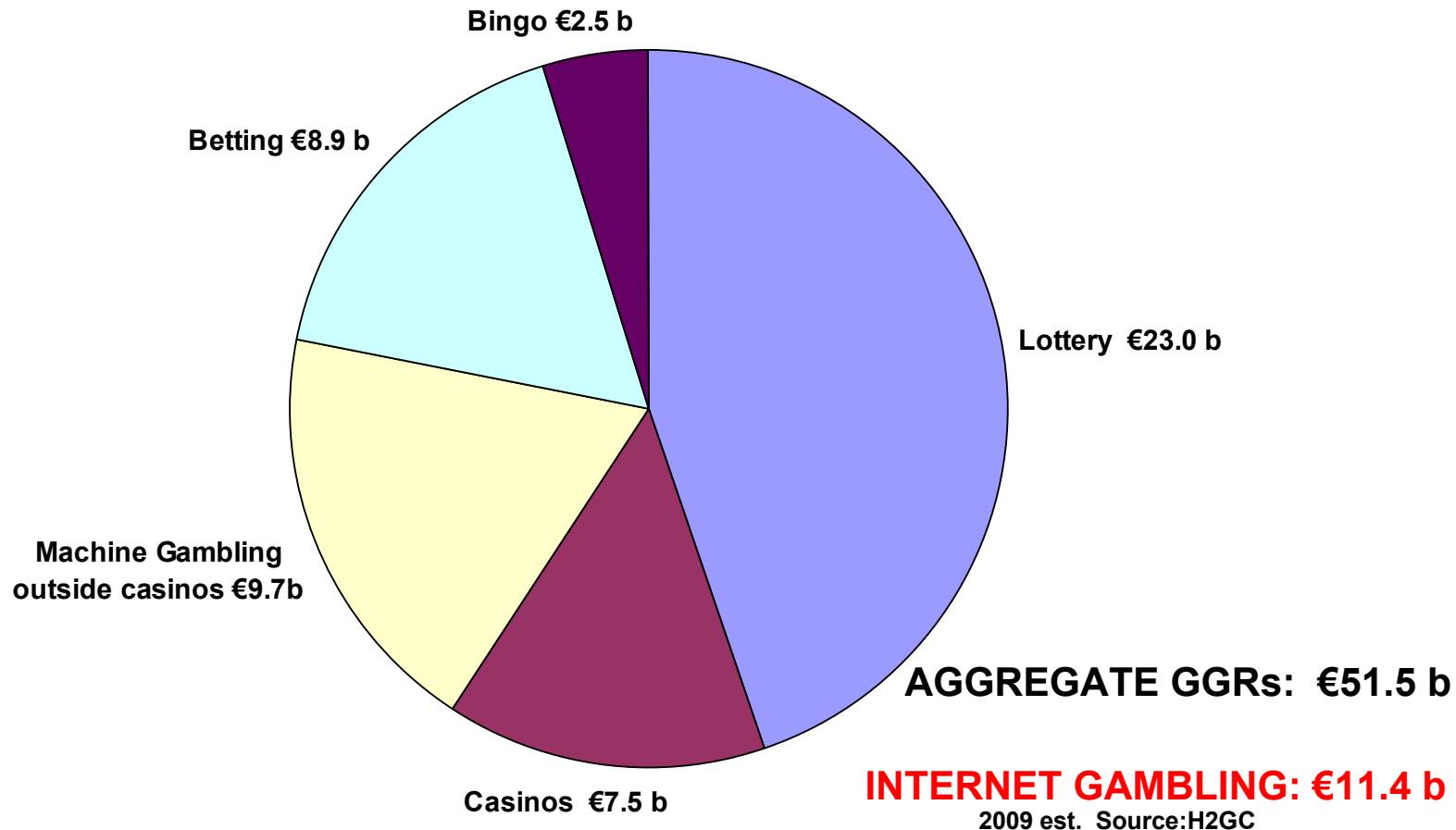


<http://istanbul2010.islbc.org/>

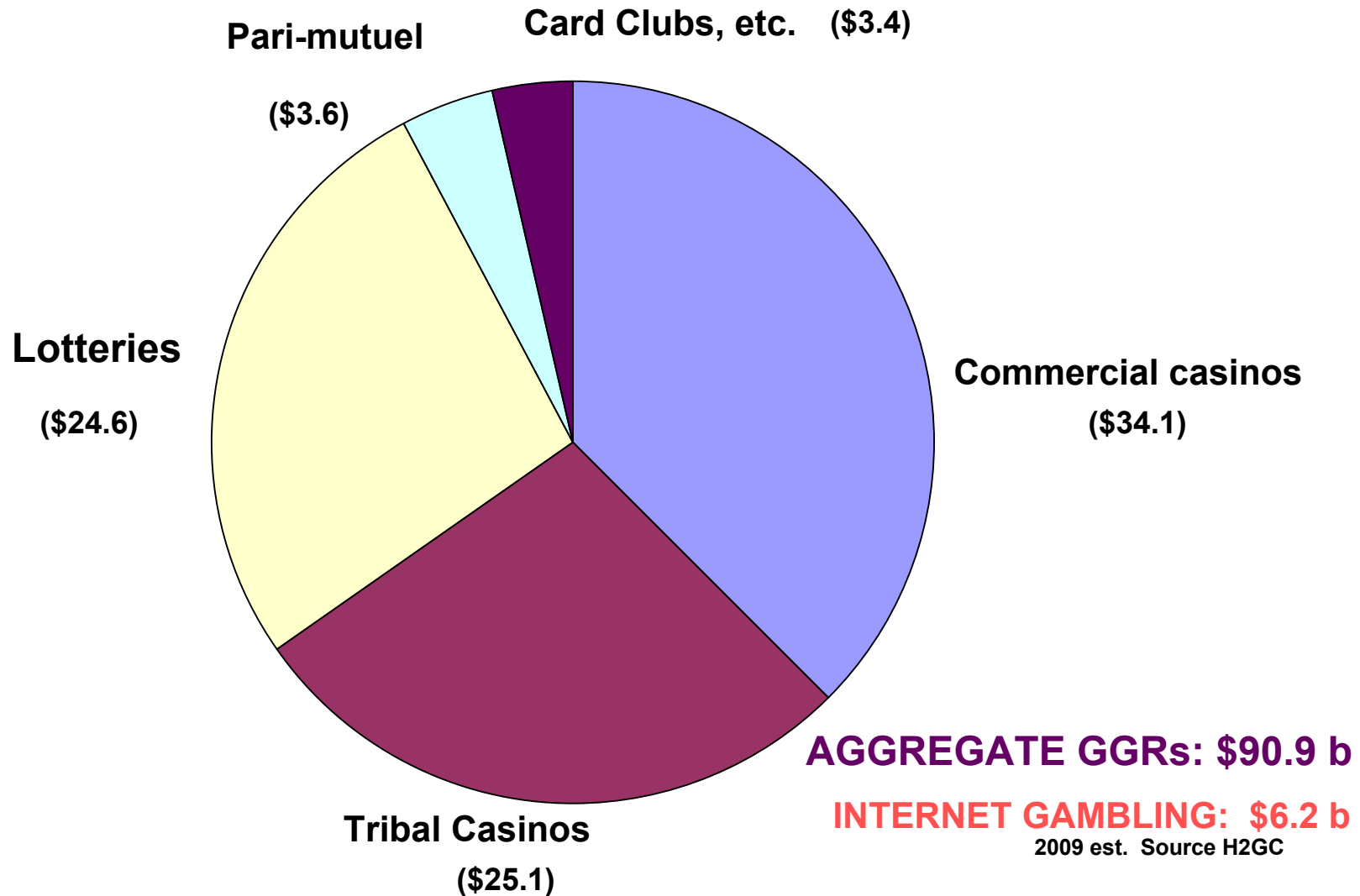


DISTRIBUTION OF GAMING SPEND, EUROPEAN UNION, 2003

€ billions

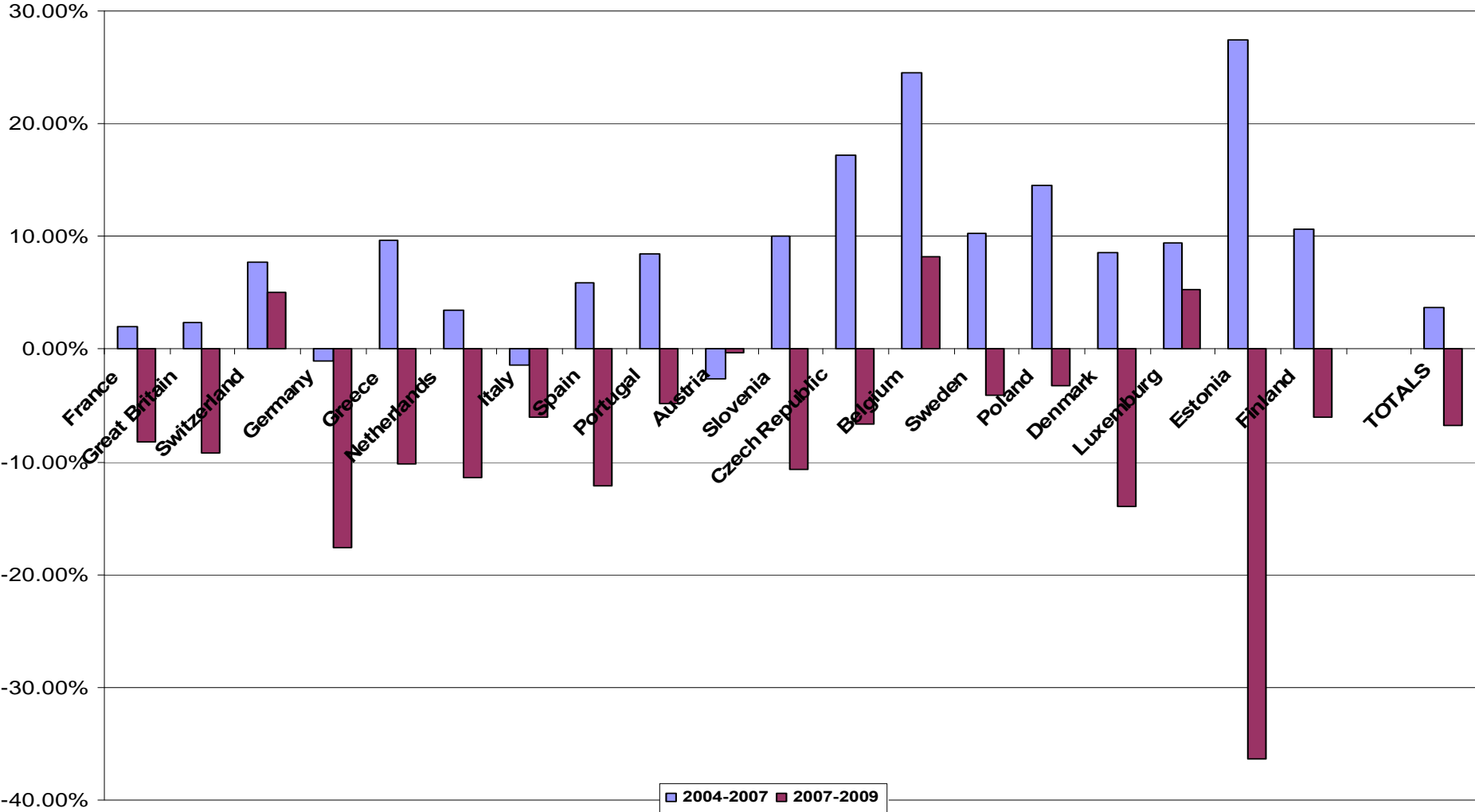


U.S. GROSS GAMING REVENUES, 2007 (\$ billions)



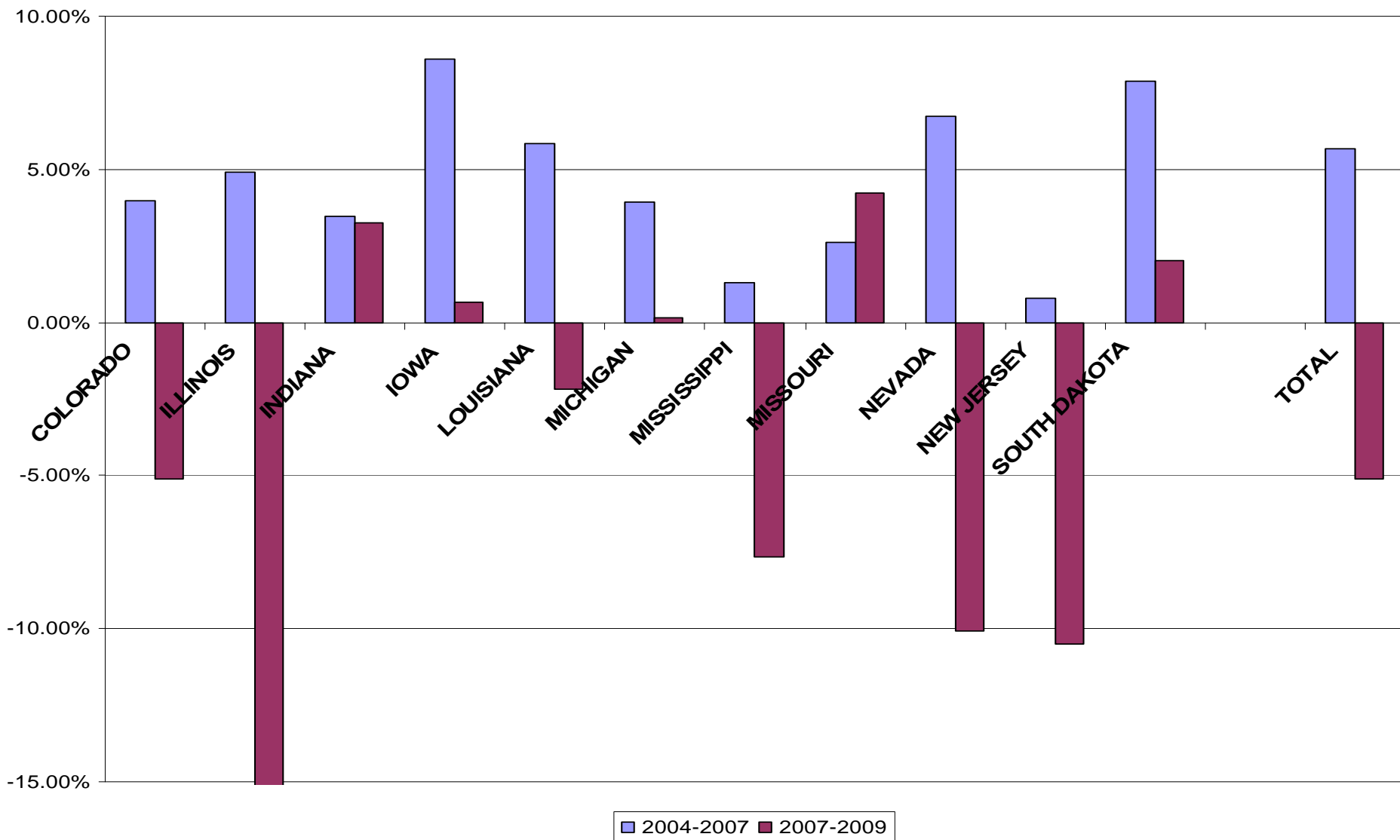
AVERAGE ANNUAL GROWTH RATES, CASINO REVENUES IN EU COUNTRIES

2004-2007 AND 2007-2009



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AVERAGE ANNUAL GROWTH RATES, CASINO REVENUES IN U.S. STATES 2004-2007 AND 2007-2009



2010 Revenue – YTD

	2009 YTD	2010 YTD	% change
Colorado	\$492,674,348	\$514,619,425	4.45%
Illinois	\$980,218,000	\$940,295,000	-4.07%
Indiana	\$1,915,009,751	\$1,900,002,123	-0.78%
Iowa	\$950,307,186	\$930,799,748	-2.05%
Kansas	\$0	\$25,239,948	
Louisiana	\$1,694,158,018	\$1,596,574,010	-5.76%
Michigan	\$909,498,231	\$931,022,882	2.37%
Mississippi	\$1,724,236,390	\$1,646,799,242	-4.49%
Missouri	\$1,176,398,794	\$1,203,731,977	2.32%
Nevada	\$6,101,550,414	\$5,993,207,371	-1.78%
New Jersey	\$2,712,493,883	\$2,485,865,478	-8.35%
Pennsylvania	\$1,293,261,738	\$1,587,246,858	22.73%
South Dakota	\$68,474,705	\$71,265,803	4.08%
Total	\$20,018,281,458	\$19,826,669,865	-0.96%