



INTERACTIVE FANTASY SPORTS CONTEST APPLICATION FOR TEMPORARY PERMIT

This form has been designed to satisfy unique information and documentation that is required pursuant to Article 14 of the Racing, Pari-Mutuel Wagering and Breeding Law in order to obtain a temporary permit to engage in interactive fantasy sports contests.

OPERATORS ELIGIBLE FOR AND REQUIRED TO OBTAIN A TEMPORARY PERMIT:

Any operator of an interactive fantasy sports platform wishing to administer, manage, or otherwise make available an interactive fantasy sports platform offering contests to persons located in New York State who has also offered such a platform prior to November 10, 2015.

COMPLETING THIS APPLICATION:

- a. You must make accurate statements and include all material facts. **Any misrepresentation, or the failure to provide requested information, may result in the denial of your application and could result in referral to law enforcement for criminal prosecution pursuant to Section 210.45 of the Penal Law.**
- b. Read each question carefully prior to answering. Answer every question completely. Do not leave blank spaces. If a question does not apply to you or you have nothing to disclose, indicate “**Does Not Apply**” in response to that question. Failure to provide a response to every question could result in the delay of processing or denial of your application.
- c. Each item contained in this application requires a narrative response. At the beginning of each attached response, please clearly indicate the question number and, if applicable, subsection letter to which the information is responsive.
- d. You may not make any modification to questions or information requested in this form.
- e. Once your application is submitted, it becomes the property of the Commission and will not be returned.
- f. Your completed application may be filed by email to request@gaming.ny.gov or mailed to: Secretary, N.Y.S. Gaming Commission, P.O. Box 7500, Schenectady, New York 12301-7500 or delivered to: Secretary, N.Y.S. Gaming Commission, 1 Broadway Center, Suite 600, Schenectady, New York 12305.

PROCESS:

Commission staff will review and process all applications for temporary permits. A determination to award a temporary permit will be made after the Commission is satisfied that the applicant meets all of the requirements of Racing, Pari-Mutuel Wagering and Breeding Law section 1404, as is required by Racing, Pari-Mutuel Wagering and Breeding Law section 1402(2). No incomplete applications will be processed. No operator may resume conducting interactive fantasy sports contests until the Commission has issued such operator a temporary permit. No operator may advertise any platform or contest to persons located in New York State until the Commission has issued such operator a temporary permit. Such temporary permit is valid so long as the operator complies with all applicable laws, rules and regulations, as determined by the Commission. Temporary permit holders are required to remit all taxes set forth in Article 14. Any operator who obtains a temporary permit must file an application for registration within 90 days of the promulgation of regulations to effectuate the registration process.

BE SURE:

- a. To sign the **Statement** at the end of this application.
- b. To retain a completed copy of this application for your own records.

APPLICANT INFORMATION

1. Entity Name		d/b/a	
2. Business Street Address			
City	State	ZIP	
Mailing Address (if different than business address)			
City	State	ZIP	
3. Business Phone	Fax Number		
4. Contact Name	Contact Title		
5. Contact Email	Contact Mobile Phone		
6. Business Website(s)			

Attach as an Exhibit to the back of this application answers to the following questions.

Exhibit Number	Information Requested	Applicable Racing, Pari-Mutuel Wagering and Breeding Law Section	Attached?	
			YES <input type="checkbox"/>	NO <input type="checkbox"/>
1	Please provide evidence that the applicant offered interactive fantasy sports contests to persons located in New York state before November 10, 2015.	1402(1)(b)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
2	Please describe each type of interactive fantasy sports contest offered to persons located in New York state before November 10, 2015.	1402(2)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
3	Please describe the applicant's policies and procedures to: (a) limit each authorized player to one active and continuously used account, and (b) prevent prohibited players from maintaining accounts or participating in any contest offered by such operator or registrant.	1404(1)(a)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
4	Please describe the applicant's policies and procedures to prohibit minors from participating in an interactive daily fantasy sports contest.	1404(1)(b)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
5	Please describe the applicant's procedure for refunding a deposit received from a minor when a minor has participated in one of applicant's contests.	1404(1)(b)(i)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
6	Please describe the applicant's parental control procedures to allow parents or guardians to exclude minors from access to any contest or platform.	1404(1)(b)(ii)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
7	Please describe the applicant's policies and procedures to ensure that the following are not inaccurate or misleading: (a) advertisements concerning the chances of winning and the number of winners; and (b) statements upon contest entry referencing the chances or likelihood of winning.	1404(1)(c)	YES <input type="checkbox"/>	NO <input type="checkbox"/>

8	<p>Please describe the applicant's policies and procedures to enable authorized players to:</p> <p>(a) exclude themselves from contests;</p> <p>(b) prevent themselves from entering a contest from which they have been self-excluded; and</p> <p>(c) permanently close an account registered to such player on all platforms supported by the applicant.</p>	1404(1)(d) 1404(1)(e)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
9	<p>Please submit the directions that will appear on the main page of the applicant's platform to explain to authorized players contest play and how a player may identify a highly experienced player.</p>	1404(1)(f)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
10	<p>Please describe how highly experienced players in any contest will be identified, through easily visible means, on all platforms supported by the applicant.</p>	1404(1)(g)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
11	<p>Please describe the applicant's policies and procedures to:</p> <p>(a) disclose the maximum number of total entries allowed for each contest;</p> <p>(b) develop the number of entries a single authorized player may submit to each contest; and</p> <p>(c) prevent authorized players from submitting more than the allowable number of entries per contest.</p>	1404(1)(h) 1404(1)(i) 1404(2)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
12	<p>Please describe the applicant's policies and procedures to:</p> <p>(a) protect the privacy and online security of authorized players and their accounts; and</p> <p>(b) ensure that all authorized players are offered access to his or her account history and account details.</p>	1404(1)(j) 1404(1)(k)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
13	<p>Please describe the applicant's policies and procedures to ensure authorized players' funds are protected upon deposit and segregated from the operating funds of the applicant and otherwise protected from corporate insolvency, financial risk, or criminal or civil actions against the applicant.</p>	1404(1)(l)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
14	<p>Please provide screenshots of each of the applicant's proposed websites that list information concerning assistance for compulsive play in New York state.</p>	1404(1)(m)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
15	<p>Please describe the applicant's policies and procedures to ensure that the value of any prizes and awards offered to authorized players are:</p> <p>(a) established and made known to such players in advance of the contest; and</p> <p>(b) not determined by the number of authorized players or the amount of any entry fees paid by such players.</p>	1404(1)(n)	YES <input type="checkbox"/>	NO <input type="checkbox"/>

16	Please submit the rules of each type of contest the applicant intends to offer, each of which ensures that all winning outcomes: (a) reflect the relative knowledge and skill of the authorized players; (b) are determined predominantly by accumulated statistical results of the performance of individuals in sports events; (c) are not based on the score, point spread, or performance of a single sports team, or any combination of such teams; (d) are not based solely on any single performance of an individual athlete in a single sport or athletic event ;and (e) are not based on a prohibited sports event, as defined in Racing, Pari-Mutuel Wagering and Breeding Law section 1401(15).	1404(1)(o)-(r) 1404(4)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
17	Please describe the applicant's policies and procedures to prevent the promotion or advertisement of any of the applicant's online fantasy or simulation sports games or contests with an entry fee during the conduct of any of the applicant's online fantasy or simulation sports games or contests without an entry fee. If the applicant will prohibit players from participating in online fantasy or simulation sports games or contests without an entry fee, please so state.	1404(3)(b)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
18	Please describe the applicant's policies and procedures to prevent any prohibited participant, as defined in Racing, Pari-Mutuel Wagering and Breeding Law section 1401(14), to enter any contest.	1404(5)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
19	Please describe the applicant's policies and procedures for preventing the targeting of prohibited participants, minors or self-excluded persons in advertisements.	1404(6)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
20	Please provide an example of an advertisement or website material containing representations or implications the applicant intends to make about average winnings from contests.	1404(6)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
21	Please provide the applicant's policies and procedures to prohibit the use of third-party scripts or scripting programs for any contest and ensure that measures are in place to deter, detect and, to the extent reasonably possible, prevent cheating, including collusion, and the use of cheating devices, including use of software programs that submit entry fees or adjust the athletes selected by an authorized player.	1404(7)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
22	Please provide the applicant's procedure to be displayed prominently on the applicant's platform for the filing of a complaint by an authorized player against the applicant.	1404(8)	YES <input type="checkbox"/>	NO <input type="checkbox"/>
23	Please provide the applicant's policies and procedures for maintaining records of all accounts belonging to authorized players and retaining such records for five years from the date an account was created.	1404(9)	YES <input type="checkbox"/>	NO <input type="checkbox"/>

Statement and Authorization

I, as the duly authorized representative of the applicant named below, have supplied the information contained in this application. I understand and read the English language or I have had an interpreter read, explain and record the answer to each and every question on this application. I have read Article 14 of the Racing, Pari-Mutuel Wagering and Breeding Law. Any document accompanying this application that is not an original document is a true copy of the original document. I swear that the foregoing statements are true, as they pertain to the applicant.

(Entity Name)

(Printed Name of Duly Authorized Representative)

(Address)

(City, State, Zip)

DATED: _____

(Signature of Duly Authorized Representative)