



**WASHINGTON STATE GAMBLING COMMISSION**  
LOCATION: 4565 7th Avenue SE, Lacey WA 98503  
MAILING ADDRESS: P.O. Box 42400, Olympia WA 98504-2400  
TELEPHONE: 360-486-3440 / FAX NUMBER: 360-486-3631  
IN-STATE TOLL-FREE: 1-800-345-2529 / WEB SITE: www.wsgc.wa.gov

## GAME ENDORSEMENT FORM FOR NEW PROPRIETARY GAMES

**DEPOSIT REQUIRED \$1000**

### INSTRUCTIONS

- You must use this form to submit new proprietary table games for use in Washington State.
- All new games and related equipment must be approved and you must be licensed by us prior to marketing, selling, renting or otherwise supplying the game to licensed gambling operators or Class III gaming facilities in Washington State.
- The initial deposit to review each game is \$1,000.00. The commission may also assess additional amounts to cover associated inspection and investigative costs as required by law. These costs, which are in addition to the initial deposit, will be determined by our staff and are payable prior to the completion of the evaluation as prescribed by Washington Administrative Code (WAC) 230-06-050.
- Please use one form for each game.
- Make check payable to the Washington State Gambling Commission.
- You must submit a different application and fees to begin the licensing process. The game review and licensing processes are independent of each other but both must be completed before marketing, selling, renting or otherwise supplying your game in Washington.

### YOUR APPLICATION AND THE PUBLIC RECORDS ACT

From the moment we receive your application, it becomes a public document subject to disclosure under the Public Records Act (RCW 42.56) and other Washington laws. The Commission may disclose to the public, other state or federal agencies, or discuss at a public meeting all information set forth in this application and all supplemental information submitted.

### CONDENSED RULES REGARDING GAMES AND GAME REGISTRATION REQUIREMENTS

**WAC 230-15-035 Authorizing new games or changing game rules.** Card game licensees must operate only the card games the director or the director's designee has specifically authorized. The director or the director's designee authorizes each new card game or changes to existing card games on an individual basis. A list of all authorized games and the rules of play are available at all commission offices and on the commission web site.

- (1) Card game licensees must submit:
  - (a) Requests for authorizing new card games in the format we require; and
  - (b) Changes to an existing card game in writing.
- (2) The director or the director's designee will notify the licensee in writing if the request is denied. The notification will include reasons for the denial and provide the licensee all information necessary to file a petition to the commission for rule making.

**WAC 230-15-040 Requirements for authorized card games.** (1) In order for a card game to be authorized, it must be approved by the director or the director's designee and must:

- (a) Be played with standard playing cards or with electronic card facsimiles approved by the director or the director's designee; and

- (b) Offer no more than four "separate games" with a single hand of cards and no more than three of the "separate games" may offer a wager that exceeds five dollars each.

- (i) "Separate game" means each individual objective to be achieved within a card game that requires a separate wager and results in a distinct and separate pay out based upon the outcome.

- (ii) Progressive jackpots are considered "separate games."

- (c) Identify "bonus features" to be allowed in each card game:

- (i) "Bonus feature" means an added prize and/or variation based on achieving the predetermined specific hand required to win the prize and does not require a separate wager. More than one "bonus feature" may be offered per card game. A "bonus feature" must not be combined with a progressive jackpot. Examples include, but are not limited to, "envy" and "share the wealth" "bonus features" when operated as described below.

- (ii) A "bonus feature" is not considered a separate game.

- (d) Operate "envy" and "share the wealth" "bonus features" as follows:

- (i) If a player makes a wager that qualifies for an "envy" "bonus feature" pay out, they are entitled to receive a prize if another player's hand achieves the predetermined specific hand. If a player is playing more than one wagering area or if

a hand they are playing is split into two or more hands and any one of their hands achieves the predetermined specific hand, their other hand with a qualifying wager is entitled to receive a prize also.

(ii) If a player makes a wager that qualifies for a "share the wealth" pay out, they are entitled to receive a prize if their hand(s) or another player's hand(s) achieves the predetermined specific hand.

(e) Not allow side bets between players.

(2) Card game licensees may use more than one deck of cards for a specific game. They also may remove cards to comply with rules of a specific game, such as Pinochle or Spanish 21.

(3) Players must:

(a) Compete against all other players on an equal basis for nonhouse-banked games or against the house for house-banked games. All players must compete solely as a player in the card game, except as authorized in approved card game rules for variations of the game of Pai Gow poker where a player may bank the game every other hand; and

(b) Receive their own hand of cards and be responsible for decisions regarding such hand, such as whether to fold, discard, draw additional cards, or raise the wager; and

(c) Not place wagers on any other player's or the house's hand or make side wagers with other players, except for:

(i) An insurance wager placed in the game of Blackjack; or

(ii) "Envy" or "share the wealth" "bonus features"; or

(iii) A tip wager made on behalf of a dealer.

(4) Mini-Baccarat is authorized when operated as described in the commission approved game rules on our web site. However:

(a) Card game licensees may make immaterial modifications to the game; and

(b) Subsection (3) of this section does not apply; and

(c) The number of players is limited under WAC 230-15-055.

(5) A player's win or loss must be determined during the course of play of a single card game, except for:

(a) A carryover pot game. A carryover pot is an optional pot that accumulates as a dealer and participating players contribute to the pot. The winner of the pot is not necessarily determined after one game and the pot can be carried over to more than one game. Carryover pots must not carryover more than ten games. Participants must include at least one player and the dealer competing for the highest qualifying winning hand. Game rules must state how the pot is distributed. If the carryover pot has not been won by the tenth game, the dealer will divide it equally between the remaining players still participating in the pot and the house or, if allowed by game rules, only the players still participating in the pot; and

(b) In the game of Mini-Baccarat, a player may make an optional wager on the player hand winning the next three consecutive games, or the banker hand winning the next three consecutive games.

**WAC 230-15-045 Withdrawing card game authorization.** If the director or the director's designee withdraws authorization of a card game:

(1) The director or the director's designee will give licensees written notice and an opportunity to object to the decision. If a licensee files an objection in writing, an administrative law judge will review the decision.

(2) The director or the director's designee will provide written notice to impacted licensees after a final decision is made.

**WAC 230-03-200 Defining "gambling equipment."** "Gambling equipment" means any device, gambling-related software, expendable supply, or any other paraphernalia used as a part of gambling or to make gambling possible. "Gambling equipment" includes, but is not limited to:

(1) Amusement games;

(2) Punch boards and pull-tabs;

(3) Devices for dispensing pull-tabs;

(4) Electronic devices for conducting, facilitating, or accounting for the results of gambling activities, including, but not limited to:

(a) Components of a tribal lottery system;

(b) Electronic devices for reading and displaying outcomes of gambling activities; and

(c) Accounting systems that are a part of, or directly connected to, a gambling system including, but not limited to:

(i) Bet totalizers; or

(ii) Progressive jackpot meters; or

(iii) Keno systems;

(5) Bingo equipment;

(6) Devices and supplies used to conduct card games, fund-raising events, recreational gaming activities, or Class III gaming activities, as defined in the Indian Gaming Regulatory Act at U.S.C. 25 chapter 29 § 2703 and in tribal-state compacts including, but not limited to:

(a) Gambling chips;

(b) Cards;

(c) Dice;

(d) Card shuffling devices;

(e) Graphical game layouts for table games;

(f) Ace finders or no-peek devices;

(g) Roulette wheels;

(h) Keno equipment; and

(i) Tables manufactured exclusively for gambling purposes.



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**DEPOSIT REQUIRED \$1000**

**USE ONE INFORMATIONAL FORM FOR EACH GAME:**

- Attachment A: Persons Who Will Receive Some Portion of any Marketing Revenues (GC4-303a)
- Attachment B: Location(s) Where the Game / Equipment is Manufactured (GC4-303b)
- Attachment C: Location(s) Where the Game / Equipment is Stored (GC4-303c)

Please provide the official name of the game you wish to have approved:

Proprietary Game: \_\_\_\_\_

1. Indicate which market you plan to solicit your proprietary game: (Mark  one)

- Tribal Only                       Commercial and Tribal (Games authorized commercially are automatically authorized for Tribal use.)

2. Name of

Company: \_\_\_\_\_

3. Are you already licensed with Washington State Gambling Commission:

- Yes: License Number: \_\_\_\_\_ - \_\_\_\_\_  
 No: You must be licensed prior to marketing, selling, or renting your game in Washington.

4. Who owns the rights to the game:

Last Name: \_\_\_\_\_

First Name: \_\_\_\_\_

Middle Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone number: \_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_

5. Is this game identified by any other name(s)?

- Yes             No            If YES, what is / are the other name(s)?

\_\_\_\_\_

\_\_\_\_\_

6. Is there any equipment that goes with the game?

- Yes             No            If YES, list the related equipment: (Attach separate sheet if needed)

\_\_\_\_\_

Agency Use Only:

Code: 211-72    Date: \_\_\_\_\_    Amt: \$ \_\_\_\_\_    Val #: \_\_\_\_\_

7. Is this a modification of an existing game?

Yes       No      **If YES**, list the game:

\_\_\_\_\_

8. Is this a replacement for an existing game?

Yes       No      **If YES**, list the game:

\_\_\_\_\_

9. What is your legal right to this game?

- a.  I invented this game. **Enclose a copy** of your patent, copyright, and trademark documents.
- b.  I have the written, legal rights to market this proprietary game.
  - **Enclose a copy** of the contract that allows you to market this proprietary game.
  - **Enclose a copy** of the contract from the game inventor allowing this proprietary game to be marketed.
- c. Are you currently seeking a patent / copyright / trademark?
  - Yes, **Enclose copies of all documents** associated with the patent / copyright / trademark applications(s).
  - No.

10. Is there legal action or litigation underway that would affect the ownership of this new proprietary game or affect your rights to market this game in Washington State?

Yes       No      **If YES**, describe the nature of the action on a separate sheet of paper.

11. Is this new proprietary game currently being played *outside* Washington State?

Yes       No      **If YES**, provide a list of all locations on a separate sheet of paper.

12. On the provided attachments (*Attachment A: Persons Who Will Receive Some Portion of any Marketing Revenues* (GC4-303a), *Attachment B: Location(s) Where the Game / Equipment is Manufactured* (GC4-303b), and *Attachment C: Location(s) Where the Game / Equipment is Stored* (GC4-303c)), specify each location where the game and associated equipment is manufactured, assembled and stored. List all entities and persons that will benefit, share or receive any proceeds from the operation of this game and associated equipment. Start with yourself and your spouse. Feel free to duplicate the worksheet to accommodate all required information.

13. Provide the following for your proprietary game:

- Enclose 1 copy of a diagram, photograph, or layout of any materials and equipment associated with the game / equipment;
- Enclose the rules of play including specific examples. Ensure all game specifications and / or capabilities are explained;
- Enclose a schedule of any and all payouts and odds;
- Enclose a description of any dealing procedures for the game;
- Provide a copy of the operational procedures / manuals for the game / equipment, including relevant hardware and/or software manuals;
- Provide a copy of any independent lab report(s) associated with the game / equipment;
- Provide a copy of all mathematical analysis and laboratory approvals as appropriate; and
- A list of contacts with whom we may discuss this submission. Include a name, address, telephone number and e-mail address (if available).

Ensure that all required documentation is included with this application.

