

**WORLD ESPORTS ASSOCIATION
SOCIAL MEDIA POLICY AND BEST PRACTICES GUIDELINES**

The following Social Media Policy and Best Practices Guidelines (the “Guidelines”) are provided to the World ESports Association (“WESA”) for use by WESA and distribution to WESA-member esports teams (the “WESA Teams”).

WHY DO THESE GUIDELINES MATTER?

- The esports industry is one of the most dynamic platforms for advertising and sponsorship opportunities given the industry’s international reach, loyal fan base, and prolific presence on social media outlets such as Twitch, Twitter, Instagram, Facebook, YouTube and Reddit, among other social media channels (“Social Media”).
- The WESA Teams are committed to conducting their advertising and promotional communications with consumers in a transparent and honest manner that complies with existing regulations with respect to advertising on Social Media.
- In keeping with this commitment, the WESA Teams have adopted these Guidelines to be applied at both the team and player levels when engaging in promotional activities on Social Media, so that WESA Teams are offering full value to their endemic and non-endemic advertising partners.

Federal Regulation	Increased Enforcement	Social Media Emphasis	Marketability
The Federal Trade Commission (“FTC”) is the federal agency charged with enforcing the federal law that governs advertising and marketing practices in the United States.	In recent years, as more advertisers rely on celebrities, athletes, and influencers to market their products or services, the FTC has increased its enforcement efforts with respect to its Guides Concerning the Use of Endorsements and Testimonials in Advertising.	Video game influencers have engaged in endorsement practices that gave rise to two recent FTC investigations and settlements (including YouTuber “PewDiePie”).	Now, more than ever, it is critical for the WESA Teams and players to show advertisers a sophisticated understanding of the laws impacting advertiser marketing practices.

AM I AN ENDORSER?

Key Takeaway
If you are posting about or telling your fans during a stream that you like a certain product or advertiser, then you are likely an endorser. Endorsers may have disclosure obligations under federal law.

- An endorser is one who expresses their honest opinion, belief or finding about an advertiser or the advertiser’s products or services.
- You cannot be an endorser and provide your honest opinion, belief or finding about an advertiser or the advertiser’s products or services if you have no experience with the advertiser or have never used the product or service.
- All endorsements must be truthful.

DO I HAVE TO DISCLOSE SOMETHING?

Key Takeaway
If you were paid by or received free product from an advertiser to endorse the advertiser or the product, then you may have to disclose that “material connection” to your followers.

- If you have a “material connection” with an advertiser, that connection must be disclosed in a manner that is likely to be seen and understood by a reasonable consumer.
- “Material connections” between a team/player and advertiser can take many forms:

Money	Rewards or other incentives
Free products or services	Formal endorsement or influencer agreements
Discounts	Contest entries
Special access and privilege	Paid content
- If the endorsement is based on a team or player being a particular “expert” then the endorser must in fact have the expertise being claimed in the endorsement.

HOW DO I DISCLOSE?

Key Takeaway
Advertising disclosures on Social Media have to be upfront, clear and stand out from the rest. Use language that leaves no doubt about the material connection between you and the advertiser, product or service you are endorsing.

- Followers must be able to see and/or hear and understand the disclosure.
- Don't hide your disclosures (e.g., below the "show more" section on YouTube or at the end of a long post on Instagram).
- Disclosures should be in easy to read fonts and colors.
- Disclosures during a Twitch stream or YouTube video should be on the screen long enough to be noticed, read and understood.

Disclosure Examples		
Through the use of informative hashtags	By appropriately naming the title of your content	Through the language of a Social Media post
#sponsored #ad #paid #[ADVERTISER]ambassador #[ADVERTISER]gamer	"Sponsored Post" "Sponsored Tweet" "Paid Partnership" "Sponsored Stream"	"Excited to be partnering with [ADVERTISER] to bring you this stream...."

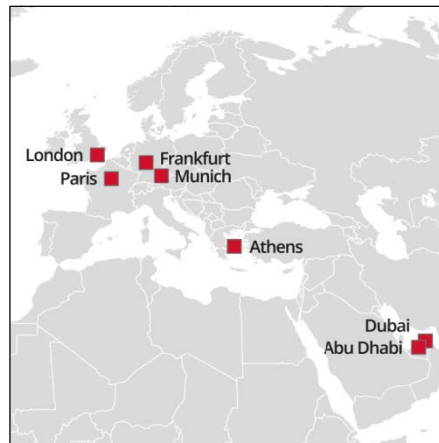
Platform Specific Disclosure Issues		
Reddit	Twitch	Twitter
Advertisers are concerned about the lack of control they have over conversations about their brands on Reddit. Confirm you are approved to promote the advertiser on Reddit before doing so.	Disclose affiliate links in a way that explains to followers that you earn money based on your affiliation with the advertiser.	Retweets and public replies can be considered advertising and thus trigger disclosure obligations.
Facebook	Instagram	YouTube
If you go live on Facebook, make sure disclosures are made in the live video and with the post that appears on your Facebook page.	The disclosure requirements are not satisfied by simply including information about your material connection to an advertiser in your Instagram bio.	Consider using the “Includes paid promotion” text overlay feature now available.

OTHER SOCIAL MEDIA BEST PRACTICES

Right of Publicity	Intellectual Property	Sweepstakes and Promotions	Commenting on Team/Player/Game Controversies
Absent consent, an advertiser cannot use a celebrity’s name and likeness to promote its products or services. As an endorser, you should similarly refrain from using a celebrity’s name and likeness in connection with your endorsements.	You should only use advertisers’ trademarks when given permission and instructions. Absent advertiser approval, you should not use any copyrighted works (pictures, videos, etc.) in connection with an advertiser endorsement.	Without proper vetting, sweepstakes and promotions can give rise to operating illegal lotteries under state law, which is punishable both criminally and civilly. Consult with legal prior to running any sweepstakes or promotions.	Inserting yourself into an esports controversy may drive a wedge between you and your advertiser partners. Teams and players should decline to comment on controversial issues and/or decisions until a strategic approach is established across the organization.

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