



## Mark C. Humphrey

Partner



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### legal expertise

Mark C. Humphrey is a partner in Mitchell Silberberg & Knupp's Litigation Practice Group. Mark's practice focuses on commercial litigation with an emphasis on contractual and commercial disputes, video games, entertainment and intellectual property.

Prior to joining the firm, Mark was an associate at Early Sullivan Wright Gizer & McRae LLP. While at Early Sullivan, Mark gained experience in all aspects of civil litigation, including trial, motion practice, oral argument, discovery procedures, negotiating settlements, and appeals.

### representative matters

- Successfully obtained \$2 million judgment on behalf of Plaintiffs, Riot Games, Inc. and Bungie, Inc., in an action seeking to put a stop to Defendant's unlawful, for-profit sale and distribution of malicious software products designed to enable members of the public to gain unfair competitive advantages to two of the most popular online multiplayer video games in the world: *Valorant* and *Destiny 2*.
- Lead associate in multi-million dollar class action in which thousands of employees sued contractor providing security for United States military bases in Iraq. Drafted class certification motion papers, resulting in class certification of multiple claims including fraud. Drafted answering brief for appeal of certification order. Class certification order affirmed by Ninth Circuit in September 2017.
- Member of a litigation team in a contractual dispute concerning a sale of commercial property and a promissory note. Participated in jury trial, which ended in \$2.7 million verdict for client.
- Obtained judgment for defendants in \$8 million breach of contract lawsuit.

### practice areas

entertainment transactions  
intellectual property  
entertainment & ip  
litigation  
litigation  
commercial litigation  
specialties  
Artificial Intelligence (AI)  
cross-border practice  
video game

### admissions

California  
Florida  
U.S. District Court  
Central District of California  
Northern District of California  
Southern District of  
California  
Eastern District of California

### education

Southwestern Law School,  
J.D., 2013, *magna cum laude*  
University of California, Los  
Angeles, B.A., 2007, *cum  
laude*

### other career experience

- Associate, Early Sullivan

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new york  
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f 212.509.7239

washington, dc  
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f 202.355.7899



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- Obtained settlement in corporate dispute between potential business partners in organic food startup involving the founder of a famous private food company and foundation.

Wright Gizer & McRae  
LLP

## honors & awards

- "Legal Impact Report," *Variety* (2025)
- "Ones to Watch," *Best Lawyers in America*® in Commercial Litigation, 2024-2025
- Wildman/Schumacher Scholarship, Southwestern Law School
- Biederman Scholar, Biederman Entertainment and Media Law Institute

## headlines

Six MSK Litigators Named to *Variety's* 2025 "Legal Impact Report"  
*Variety*, April 9, 2025

34 MSK Attorneys Named Among *The Best Lawyers in America*® for 2025  
August 15, 2024

38 MSK Attorneys Named Among *The Best Lawyers in America*® for 2024  
August 17, 2023

MSK Promotes Five Lawyers to Partner  
*Business Wire*, December 19, 2022

## media mentions

Marc Mayer and Mark Humphrey Mentioned in *GamesIndustry.biz* for  
Representation of Activision in Lawsuit Against Creator of Call of Duty Hacking  
Software  
*GamesIndustry.biz*, May 13, 2025

Marc Mayer and MSK Team Highlighted in *Law360* for Activision Client Win  
*Law360*, May 28, 2024

Mark Humphrey Quoted in *The Washington Post*, *The Guardian* Concerning  
OpenAI Controversy  
*The Washington Post* and *The Guardian*, May 27, 2024



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Mark Humphrey Quoted in *Law360* Discussing AI-Related IP Litigation  
January 1, 2024

Marc Mayer and Mark Humphrey Highlighted in *Daily Journal's* "Verdicts and Settlements"  
*Daily Journal*, June 18, 2021

Marc Mayer and Mark Humphrey Noted in *PC Gamer*  
*PC Gamer*, January 12, 2021

## publications

*Digital Domino Effect: The Erosion of First Sale Protection for Video Games and the Implications for Ownership of Copies and Phonorecords*, 42 SW L. REV. 441  
2013

## client alerts

Muddled Harbors: U.S. Supreme Court Holds That ISP Is Not Contributorily Liable for Its Users' Infringement  
*MSK Client Alert*, March 26, 2026

Court Unplugs AI Fair Use Defense, But Context Is Key  
*MSK Client Alert*, February 12, 2025

Not-So-Starry Night for Copyright Applicant: Copyright Office Again Refuses To Register an AI-Generated Image  
*MSK Client Alert*, December 12, 2023

In Hazy World of AI Law, Judicial Skepticism of AI Output Infringement Claims Continues to Take Shape  
*MSK Client Alert*, November 22, 2023

Manufacturer Strikes Out on Three IP Theories Asserted to Enforce Its Claimed Rights in Product Design  
*MSK Client Alert*, May 27, 2020

## events & speaking engagements

2026 Entertainment and Media Law Conference  
March 19, 2026

2025 Games Industry Law Summit  
September 3, 2025

Recreating Reality: Examining Freedom of Expression in Video Game Development  
December 18, 2024

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So Close, No Matter How Far: Emulators & Unofficial Servers  
Games Industry Law Summit Vilnius 2024  
September 4, 2024

AI Deconstructed: IP, Privacy and Employment Law  
March 27, 2024

NOW 2024  
March 7, 2024

PLI's Artificial Intelligence Law 2024  
January 25-26, 2024

Video Game Law Conference Tokyo  
November 1-2, 2023

Music in Gaming  
September 21, 2023

Litigation Update  
Video Game Bar Association 2023 Summit  
May 23, 2023

Games Industry Law Unpacked Warsaw 2023  
May 9-11, 2023

Fun, Games & Legal Claims: Exploring the Intersection of Copyright in Video Games  
February 15, 2020

eSports: Navigating the One of the World's Fastest-Growing Industries  
December 9, 2019