Our Conversation with Glen Caplan

Duke I&E: You went to Duke for law school and graduated in 2002, tell us about that experience.

GC: My time at Duke was really vital to where I am today, both personally and professionally. First and foremost, I met my future wife, Jennifer (Askanazi) Caplan (LS ’02), with whom I have two beautiful daughters, as well as many other interesting and intelligent people, many of whom I am lucky enough to still count as friends today. When I enrolled, the Law School had begun a concerted effort to emphasize its intellectual property curriculum, which is a significant part of my current law practice representing startup and emerging growth technology companies. I was able to learn about these issues in real-time as the Internet was exploding in popularity and cultural significance around me. The Law School also provided me with access to alumni speakers such as Dan Scheinman ’87 (the General Counsel of Cisco Systems) and David Berger ’82 (a partner at Wilson Sonsini Goodrich & Rosati), whose talks played a significant role in my decision to start my legal career at Wilson Sonsini in Palo Alto, CA.

Duke I&E: For three years, you worked at Wilson Sonsini in the heart of Silicon Valley, tell us what that was like.

GC: Wilson Sonsini is the largest and most successful technology-focused law firm in the world. Its clientele reads like a who’s who of the technology leadership landscape (Google, Apple, etc.). I was provided the opportunity to work with some of the best and brightest young companies and entrepreneurs out there (one of the very first clients I ever worked with was a small online shoe store called Zappos.com) and I really enjoyed the excitement of practicing on the cutting edge of entrepreneurial law. It was a great learning experience for me since I was thrust into significant client responsibilities from day one. I was expected to advise the founders and senior executive team of startup companies on legal matters, as well as practical business matters. I was surrounded by incredibly smart attorneys who provided tremendous mentoring and support, and I feel like I matured incredibly quickly as an attorney and as a professional as a result of the trust and responsibility that the firm gave me.

Duke I&E: In 2005, you moved back to North Carolina to work at Hutchison Law Group. How do you compare the North Carolina scene with the Silicon Valley scene?

GC: North Carolina is a microcosm of Silicon Valley. North Carolina has a similarly sophisticated cutting-edge entrepreneurial environment and legal practice, however, it is on a much smaller scale than in Silicon Valley. I also feel that the North Carolina scene is more welcoming and perhaps a bit less insular. If you make an effort, it won’t take very long to become very deeply embedded in the local scene, while I felt that it is a little more difficult to crack in Silicon Valley. The North Carolina scene is very open and people are happy to try and make productive introductions to just about anyone that is
willing to help grow the ecosystem and make this a more vibrant and enriched community.

**Duke I&E:** You and Justyn Kasierski started Joystick Labs, a gaming accelerator in Durham. How’d you both meet and where’d the idea for Joystick Labs come about?

**GC:** Though we overlapped by a year at Duke Law School, I didn’t meet Justyn (LS ‘00) until we were both associates at my prior law firm, Hutchison Law Group. We both relocated to North Carolina from Silicon Valley based firms (Justyn was in the Waltham, MA office of Gunderson Dettmer) within a few months of one another in early 2005.

We had become aware of the increasing influence of accelerator programs in the software startup world (most notably Y Combinator and TechStars) and noted that the Research Triangle area, which is a tremendous hub for innovation and entrepreneurial activity, was quickly becoming conspicuous by its omission from this type of entrepreneurial activity. We spent several months talking to the prominent accelerators and their graduates and learning what made them work well. We believed that we had an interesting opportunity in North Carolina to focus on a single industry in which our region excels, video games. We were witnessing how the video game industry was being revolutionized as a result of increasingly lower costs of development and distribution (thank you Steve Jobs for the App Store), just as the software industry had been upended by the open source software movement several years earlier. These decreased startup costs fit nicely into our accelerator model.

We were also fortunate that, coincidentally, the local video game community was attempting to organize itself and raise its national profile. It’s the 4th largest game development hub in the US, but at the time was a somewhat disparate group of companies. Our efforts dovetailed very nicely with the industry’s initiatives and we received, and continue to receive, incredible support from the community. We believe this is a great place to build great gaming companies and we have worked very closely with leaders from that industry to provide our companies with incredible mentorship and community support.

**Duke I&E:** Give us an update on Joystick Labs, and tell us who you are looking for and how people can get involved.

**GC:** Joystick Labs has funded six companies so far. We are very hopeful that at least three of those companies will be releasing titles in time for the holidays, so we are incredibly excited about what is being accomplished at Joystick Labs right now. There are probably two primary ways that people can get involved with Joystick Labs:

Talent: We want to help the best and brightest next generation of video game developers get their companies started and their games commercialized, so helping to spread the word about Joystick Labs and referring the most talented new game developers to us is the most important thing that we could ask. We think Joystick Labs is a pretty compelling opportunity for game developers: Joystick offers more than $20,000 in initial funding
with the opportunity to receive follow-on funding, as well as tons of resources, networking opportunities, and advice specifically tailored to building your video game studio. Check out our web-site for more details: http://www.joysticklabs.com/the-program.

Partners: We want to be able to put our teams in the best position possible to succeed, so we are always looking to build relationships with industry players, investors and other alumni that want to help shape the future of the game industry. We would love to continue to leverage the Duke alumni network to help these companies succeed and to continue to build the Durham and North Carolina community into the world’s leading game development destination.

**Duke I&E: What would you like Joystick Labs to look like in 5 years?**

**GC:** It’s critical that we build the Joystick Labs brand in three dimensions. For investors, I would like the Joystick Labs brand to carry the same level of influence and signal for innovation as the Y Combinator and TechStars brands carry in their respective industries - investors will know that these entrepreneurs are receiving world-class mentoring and guidance and are poised to do great things once they emerge from our program. For game developers, our brand must represent that we are building a program that is incredibly conducive to assisting the best and brightest young (or old) game developers to strike out on their own and build great games and lasting companies. Finally, consumers should know that a game created at Joystick Labs will be innovative and fun, and be a part of their purchase decision.

I can’t tell you exactly how we will accomplish those goals as the model for Joystick Labs has been constantly evolving since we began working on the concept three years ago, and I suspect it will continue to evolve significantly as this industry continues to mature. For example, under the direction of our Managing Director, John Austin, we have decided to offer a greater array of in-house support services (i.e. producer, programmer and artist) to assist these young companies to more quickly realize their visions. We are also creating greater flexibility to provide additional follow-on funding to the most promising companies so that they aren’t distracted by very early-stage fundraising and can focus on bringing their games to market and trying to build their companies from a position of strength.

**Duke I&E: Tell us more about your day job as an attorney at Robinson, Bradshaw, & Hinson. What is it like to be a startup attorney? What sorts of things do you work on?**

**GC:** Being a startup attorney is a lot of fun. I get to spend my day talking with highly energetic, brilliant people that are building companies that have the opportunity to make a very lasting impact on the world. I have always enjoyed learning about technology and like to be an early adopter, so my job affords me the opportunity to see the next generation of technology at its earliest stages and get to know the people behind these products. I start working with many of my clients before they have formed their companies (and often times before they even have a working prototype of their idea!) so I truly feel like I am in on the ground floor with many of these clients. Getting to
participate in the conversation about the future direction of their products and their companies is very rewarding.

I spend a good portion of my time providing the type of legal advice on formation, intellectual property, venture financing and mergers & acquisitions matters that you would expect, but I probably spend an equal amount of time providing practical business advice with respect to my clients’ businesses and making introductions to people in the entrepreneurial community that can be helpful to their businesses. I think it is critically important that every entrepreneur works with a team of advisors (legal, accounting, etc.) with experience representing startups. The ability to assist my clients to avoid common pitfalls, as well as to provide guidance regarding what is and is not considered to be market in this space, is often times the most valuable service that I can provide.

**Duke I&E:** You see a lot of startups, what’s some advice you have for students starting a company?

**GC:** My best advice for students interested in starting a company is to simply go for it. You will never have the opportunity again in your life to be surrounded by such a highly concentrated community of brilliant and motivated peers and world-class facilities and mentors. Make use of the resources that you have at your disposal, both University specific resources (professors, classes, DUhatch, etc.) as well as your peers who are some of the most elite minds in the world (if you can’t find a co-founder on the Duke campus or one of the other campuses here in NC then you aren’t trying). Though you think your time is consumed with classes and homework, the reality is you have a tremendous amount of additional time and energy to spend on experimenting and trying to realize your vision. You also have the safety net of being a student. If you try something while you are a student and it doesn’t work, so what? Try something else from the comfort of your dorm room and see what will work. The next idea might be great!