“Where Dreams Go to Die”: What a Satirical Baseball Video Teaches About Fair Use



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In *Cooperstown Properties, LLC v. Duffield*, No. 6:25-cv-1079 (N.D.N.Y. Sept. 30, 2026), a New York federal judge dismissed the federal copyright, trademark, and unfair competition claims that a youth baseball facility brought against a YouTuber who ridiculed it.

The 110-second video, titled “Cooperstown, Where 12 Year Olds Dreams Go to Die,” was produced and published by defendant Duffield, who operates the popular YouTube channel “Baseball Doesn’t Exist” and who had no apparent prior association with the plaintiff. The video opened with the registered logo of the plaintiff Dream Parks, a baseball recreational facility, and snippets of its promotional footage. This logo is federally protected with both the United States Patent and Trademark Office as well as the Copyright Office. Then, the video pivoted to sarcastic commentary on the cost, crowded bunkhouses, and poor odds that await career athlete aspirations for talented kids. Dreams Park sued over the use of the logo, two photographs of future major leaguers, and three short video excerpts. The video drew well over two million views on the X platform (formerly known as Twitter) alone.

On copyright, the court found fair use at the motion to dismiss stage. This is unusual, as fair use is an affirmative defense that defendants must prove deeper into a suite's lifespan, and courts typically resolve the issue on a fuller, more mature record. Here the video and the originals were before the court, so the defense appeared on the face of the complaint. The court held that the video used the plaintiffs’ works as raw material for criticism and parody, even though the logo and clips were reproduced largely unaltered, and that the defendants’ ad revenue carried little weight. The creative nature of the works tilted slightly against fair use, but the court gave that factor little weight. Copying the entire logo and photos was neutral because a parody must evoke its target. The market factor favored the defendants strongly, since a mocking video does not substitute for a youth baseball tournament, and no licensing market exists for criticism of oneself.

The trademark claims fell under *Jack Daniel’s v. VIP Products*, which limits the *Rogers* test (a well-established First Amendment protection case for expressive works) to cases where the defendant does not use the mark as a source identifier for its own goods. The court found the video used the marks only to identify the object of its critique, so *Rogers* applied. The marks were artistically relevant, and the plaintiffs’ confusion allegations were too conclusory to show the use was “explicitly misleading” under the *Polaroid* factors. Dreams Park’s state-law claims remain pending, but only until it files an affidavit identifying the citizenship of each LLC member so the court can confirm diversity jurisdiction.

This case provides some clear takeaways: registrations are strong tools against those who use your marks and materials to sell their own goods, but they offer little protection against a critic, for whom Fair Use remains a powerful shield. Consider reserving enforcement for the first group and answer the second with communications strategy – even if that strategy amounts to no response whatsoever. Sometimes, it’s best not to add oxygen to a fire.