

MLBPI's Licensing Fight Ends in Victory and Settlement with DraftKings

APRIL 6, 2026

Winston is representing MLB Players Inc. (MLBPI), which serves as the exclusive group licensing representative for all MLB (major league baseball) players. MLBPI sued several online sportsbook and mobile-betting platforms, including DraftKings, over their use of hundreds of MLB player images and likenesses without MLBPI's consent.

DraftKings sought to dismiss MLBPI's claims, arguing that MLBPI lacked standing, that the claims should be dismissed under a public interest exception to Pennsylvania's Right of Publicity statute, and on First Amendment grounds. MLBPI countered that the use of player images on online sportsbooks differed from fantasy baseball uses and required fact discovery for First Amendment analysis. On March 17, 2025, Judge Karen Marston ruled in favor of MLBPI, denying DraftKings' Motion to Dismiss MLBPI's right-of-publicity claims and permitted the claims to proceed to discovery.

MLBPI cleared a significant hurdle via this victory by establishing that the use of player images and likenesses without consent by online sportsbooks presents a plausible right-of-publicity claim and brings MLBPI one step closer to protecting MLB players against the unlicensed use of player images and likenesses by online sportsbooks.

This win was recognized in *Am Law's* Litigator of the Week column with a Shout Out.

The parties notified the court they have reached a settlement. On April 6, 2026, Judge Marston dismissed the case with prejudice.

MLB Players Inc. v. DraftKings, Inc., et al., Case No. 24-04884, U.S.D.C., E.D. Pa.

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