

Akerman Lens

Whose bat is it anyway?

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The Los Angeles Dodgers recently won an unbelievably entertaining and memorable World Series Championship over the Toronto Blue Jays. The final out occurred in Game 7 when Alejandro

Kirk hit into a double play after breaking his bat in half on the pitch. The broken bat remained on the field while the Dodgers players and their families celebrated the victory and the members of the media poured onto the field to conduct interviews and take photographs. Furthest from anyone's mind at that point — except perhaps any memorabilia and collectibles attorney — was what would happen to the bat.

In the last decade, game-used sports memorabilia, such as sneakers, jerseys, gloves, and bats, has surged in value. Game-used memorabilia is now big business, with items selling for millions of dollars through private sales and auctions held by companies such as Heritage, Goldin, Sotheby's, and Leland's, among others.

So what will happen to this bat? Will the Blue Jays lay claim to ownership of the bat, as they paid for it? Can Alejandro Kirk assert ownership on the basis that the Blue Jays issued it to him? Does he even want it? Or can a lucky media member who picked up the bat claim that it was abandoned by the team and player, having been left on the field? Canadian law will dictate, as this was a home game for Toronto.

What is certain is that this broken bat will surface eventually, whether at auction or perhaps in a museum. It will no doubt be a highly coveted item by any Dodgers fan — and possibly the subject of future litigation.



It was the bottom half of the 11th inning, and Kershaw was spending the final moments of a Hall of Fame career preparing to come out of the bullpen in a pinch. When he turned to watch Alejandro Kirk hit a broken-bat grounder that started a double play,

Kershaw was certain there were two outs and the score was suddenly tied, not that his Dodgers had just pulled off an improbable, championship-clinching 5-4 victory over the Toronto Blue Jays.

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