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## Playing Kickball Is Much Less Fun With Adults Involved

Rivals Squabble Over Rights,

By Yochi J. Dreazen *Staff Reporter of THE WALL STREET JOURNAL*

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WASHINGTON -- Often associated with elementary-school gym classes, kickball now attracts hordes of recent college graduates who appreciate its combination of minimal physical exertion, ample game-time socializing and postgame drinking.

The largest kickball league, the World Adult Kickball Association, runs 70 divisions in 18 states across the country and claims a total of more than 14,000 players. It recently expanded to Iraq, where a former Washington-area player launched a minidivision on his Marine base near the flashpoint city of Fallujah.

The sport has also become a profitable business. WAKA, which has 30 paid employees and dozens of volunteer division officers, says it will gross nearly a million dollars this year from player fees.

Now, the league is facing a competitor eager to challenge it at its own game. Carter Rabasa, who ran a WAKA division for two years, launched his rival DCKickball league in May with 16 teams and 400 players. And as kickball grows in both popularity and profitability, the former children's game is setting off a most adult-like fight.



"WAKA is a monopoly, but there doesn't seem to be any structural reason for that to be the case," says Mr. Rabasa, an information-technology consultant. "Despite their dominance, I can create a compelling product, market it to the same people, and start taking their customers."

WAKA's founders, for their part, accuse Mr. Rabasa of building his league with intellectual property he took after a short stint working for their company.

"Everything he learned about kickball he learned from WAKA," retorts Johnny LeHane, one of WAKA's four founders.

As a sport, kickball has been around for decades. It follows the same general rules as baseball, except the pitcher rolls the ball to a "batter" who tries to kick it for a base hit or home run. One variation allows defensive players to throw someone out by bouncing the ball off him. Games run five innings and rarely take more than an hour.

Kickball's history as a business, however, dates back just a few years. In 1998, four recent college graduates -- David Lowry, Jimmy Walicek, Rich Humphrey and Mr. LeHane -- were having drinks at a bar here when the conversation turned to finding a way to meet women.

Three of the men had been members of Trigon, a coed engineering fraternity at the University of Virginia, and the group settled on the idea of launching a sports league that mixes athletics and socializing. They decided on kickball, which requires little athletic skill and isn't likely to injure anybody.

The league began on the National Mall here in 1998 with eight teams and grew quickly, fueled by word of mouth and the on-air endorsement of a popular Washington morning deejay who started a team and brought bagpipers and women in bikinis to his games.

By the winter of 2002, the league had grown so big -- with divisions across the Washington area and in several other cities -- that the four founders registered it as a for-profit corporation in Virginia. It now has 11 full-time employees and an additional 19 part-time ones. On its Web site, the company describes itself as the "pre-eminent adult kickball organization and the world governing body of kickball."

"We've tried to take a ridiculous idea and apply sound business management techniques to it," Mr. LeHane says.

Mr. Rabasa, 27 years old, initially had nothing but warm feelings for WAKA. He joined one of its teams almost immediately after moving to downtown Washington five years ago and says kickball quickly became the center of his social universe. "If not for kickball, I wouldn't be friends with half of the people I hang out with now," he says.

Mr. Rabasa captained his team -- the Fockers, named after characters in the 2000 movie "Meet the Parents" -- and then served as the unpaid vice president and later president of his 16-team division. He coordinated games, made sure teams had the equipment they needed, updated his division's Web site, and planned parties.

Mr. Rabasa says that the more he learned about WAKA's inner workings, the more disillusioned he became. He says division heads had virtually no say in the league's operations or management, and he questioned the league's accounting of its finances. On its Web site, WAKA says a portion of each player's registration fee is given back to his or her division's social budget and offers a long list of other costs that are covered by the fees, but it doesn't provide a specific breakdown. Mr. Rabasa says that his WAKA division received just \$12 per player back from the league for social functions -- out of fees ranging from \$60 to \$70. "There's no information on where WAKA's money goes. It's a closed book," he says.

Mr. LeHane says that he and the other WAKA founders spend much of their time communicating by email with players and division heads. He says the league has had virtually no complaints about the size of social budgets. In addition to social functions, WAKA says player fees cover staff salaries, insurance, equipment, Web hosting, and assorted legal and operational costs. The company, which operates out of the home of one of the founders in the Virginia suburb of Chantilly, says it makes a profit but declined to say how much. And Mr. LeHane says WAKA is more transparent with its finances than most private companies. "I don't think a phone company would break down its bills this well," he says.

In the summer of 2004, Mr. Rabasa spotted an opening, and he built a page on his personal Web site that detailed his hopes for a new league -- which he named DCKickball. He asked visitors to make suggestions.

Seeking permits to use Pierce Park in his Adams Morgan neighborhood, Mr. Rabasa pressed his case with city officials and at community meetings by promising that his venture would be different from WAKA, which many in the area blame for an increase in binge drinking and public urination. The WAKA division that uses the park has such a poor reputation in the neighborhood that a local advisory commission passed a nonbinding resolution earlier this year that urged Washington's Department of Parks and Recreation to no longer give WAKA permission to play there.

WAKA spokeswoman Marisa Stanga said the complaints dated back to the league's early years and said the company has since forced teams in the division in question to sign written agreements acknowledging that they'll be ejected from the league if any of their players are caught drinking.

Mr. Rabasa got his city clearances in February. He incorporated his league as a nonprofit and promised prospective players that it would have lower registration fees and a bigger social budget than WAKA has. He tried to launch a Web site for the league.

That's when the feuding began. When Mr. Rabasa went to register [www.DCKickball.com](http://www.DCKickball.com), he discovered that it had been taken a few months earlier by Mr. Lowry, one of the four WAKA founders. Visitors to the site were redirected to WAKA's Web site, which says, "Don't be fooled by copycat kickball clubs, WAKA Kickball is the real deal and the full WAKA Experience cannot be matched." WAKA says the timing was coincidental, noting that it had also registered sites such as [www.virginiakickball.com](http://www.virginiakickball.com) and [www.texaskickball.com](http://www.texaskickball.com) at the same time.

An ex-girlfriend of Mr. Rabasa's then registered a profane Web address including WAKA's name, which directed visitors to the DCKickball home page, [www.DCKickball.org](http://www.DCKickball.org). Supporters of WAKA have in turn gone online to defend the league and denounce Mr. Rabasa. On a message board for WAKA's Monument Division here, for instance, Mr. Rabasa's league was derided as a "redheaded stepchild looking for attention."

WAKA has stepped up its legal efforts to protect its intellectual property and block future defections. It has started requiring division heads to sign noncompete agreements that would prevent them from starting leagues of their own. And WAKA has trademarked the slogan, "Everyone Loves Kickball."

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