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Historic Day at Bar: Dodger Stays in Brooklyn; Judge Says, Among Other Things, That Los Angeles Club Has No Good Name to Lose

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Nothing can heal the wound left when the Brooklyn Dodgers packed up their bats and balls and headed to Los Angeles after the 1957 season. But yesterday, Brooklyn got a small measure of revenge.

A Federal judge in Manhattan ruled that the Brooklyn Dodger Sports Bar and Restaurant could keep its name in the face of a legal effort by the Los Angeles Dodger organization to take even that shred of identity away from Brooklyn.

"It's a great day for Brooklyn," said Richard Picardi, an owner of the bar at 7509 Third Avenue in Bay Ridge. "Sometimes the little guy does win after all."

At the Brooklyn Dodger -- a medium-size bar decorated with Dodger memorabilia, including one of Jackie Robinson's bats -- emotions yesterday evening ranged from exhilaration to smugness. But just beneath the surface, the pain of "dem bums' " departure still seemed to sting. 'To the Third Generation'

"We were all hurt when they moved," said Frank Baratta, 55, a chauffeur who donated \$50 to fight the case. "The name of this bar is very special."

"There's no reason why they should have the name," said George Mullaney, a bartender. "They left here."

The judge, Constance Baker Motley, agreed.

"Defendants testified that many of the patrons who frequent the Brooklyn Dodger are well aware of Los Angeles's now-infamous abandonment of the borough of Brooklyn and -- to the third generation since then -- remain bitter about it," she said in her ruling.

Judge Motley found that the Los Angeles Dodgers had made no effort for a quarter-century to protect the Brooklyn name, and added that the Brooklyn bar owners had promptly told the Califonia club they were using the name. Loss of What Good Name?

She noted that the club, in conjunction with Major League Baseball Properties Inc., the big leagues' umbrella business group, waited 18 months after the notification before suing.

Any suggestion that they might have been trying to profit from the good name of the Los Angeles club was ludicrous, she concluded.

"Trading upon Los Angeles's 'good will' in Brooklyn would have been fatal to defendants because many Brooklynites despise the Los Angeles Dodgers," she wrote.


Robert Kheel, a lawyer for the Dodgers and the baseball leagues, said the Dodgers

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"obviously disapprove and disagree" with the decision, but said no decision had been made whether to appeal.

The case reflected an effort by the Dodgers and organized baseball to secure the tightest possible grip on sales of merchandise carrying team logos. That business grew from about \$200 million in sales in 1986 to \$2 billion in 1991, according to testimony at the trial.

The Brooklyn bar sells none of this merchandise, and even stopped giving away T-shirts with its own name after a previous judge in the case suggested such action might be prudent. It operates under the name only at the Bay Ridge site, although the owners ran bars under the Brooklyn Dodger name in Canarsie and Kensington that eventually closed.

The Dodgers' lawyer did not dispute Judge Motley's long description of the events leading to the suit. The bar first wanted to call itself the Ebbets Field Cafe, but a search of titles found that an establishment in Hicksville, L.I., already used this name. To avoid legal problems, the Brooklyn Dodger name was chosen -- a name that dates to the 1880's, when residents of Brooklyn had to dodge trolleys while crossing streets. Trademark Idle for Decades

A search of trademarks in Washington indicated the name was not being used by anybody. Ronald Russo, the bar's lawyer, said this cost the Brooklyn Dodger about \$500. He said his client then immediately wrote to Peter O'Malley, president of the Dodgers, to tell him he was honoring his team and to invite him by whenever he was in town to see the Mets.

The Dodgers then waited some 18 months to sue, a delay Mr. Russo said was crucial in his side's victory. Another factor was that the Dodgers had let the trademark go totally unused for nearly a quarter-century. The judge said the club's actions to license it several times in the mid-1980's were only "a relatively short time prior to the opening" of the bar. Buy Bar Twice Over

Mr. Russo last night seemed proud, but amazed. He grew up and still lives in in Brooklyn, though he now travels to Manhattan, where he charges corporate clients \$300 an hour. He estimates he could have bought the bar twice over had he received fees for his legal work on the case.

When the case started nearly three years ago, Mr. Russo said the Dodgers and the professional baseball had nine lawyers on hand. "I don't think they ever thought we would hang on," he said.

The lawyer's immediate plans were to visit a little bar in Brooklyn, perhaps sip a drink, and "remember when baseball still was a game."

Photo: Richard Picardi, center, a co-owner of the Brooklyn Dodger, celebrating a Federal judge's decision that the Brooklyn bar can keep its name. With him outside the bar were two patrons, Tony McComiskey, left, and Kevin O'Neill. (Steve Berman for The New York Times)

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