

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OHIO, EASTERN DIVISION

Christin Farmer v. Birthing Beautiful Communities

Farmer · No. 1:25-cv-00005 · Decided March 12, 2026

SUMMARY

The United States District Court for the Northern District of Ohio denied Birthing Beautiful Communities’ motion to dismiss Christin Farmer’s Fourth Amended Complaint. The court held that Farmer adequately pleaded copyright infringement, federal trademark infringement and unfair competition, Ohio common-law trademark claims, and deceptive trade practices based on alleged unauthorized use of copyrighted materials, the “Birthing Beautiful Communities” name, and the associated B Logo. The court also concluded that issues concerning licensing, trademark use, and abandonment could not be resolved at the motion-to-dismiss stage.

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio, Eastern Division
WRITING FOR THE COURT	Bridget Meehan Brennan
JURISDICTION	United States District Court for the Northern District of Ohio, Eastern Division
DECIDED	March 12, 2026
DOCKET	1:25-cv-00005
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss the Fourth Amended Complaint asserting copyright infringement, federal and Ohio trademark infringement and unfair competition, and deceptive trade practices. The court denied the motion.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, draws reasonable inferences in the plaintiff’s favor, and determines whether the complaint states a plausible claim for relief. Legal conclusions and conclusory allegations are not accepted as true, and unwarranted factual inferences need not be drawn.
PRECEDENTIAL VALUE	nonprecedential

PARTIES

Christin Farmer v. Birthing Beautiful Communities

TOPICS

trademark infringement

copyright infringement

motions to dismiss

intellectual property

civil procedure

PRACTICE AREAS

copyright

trademark

civil procedure

commercial litigation

QUESTIONS PRESENTED

1. Whether the Fourth Amended Complaint plausibly alleged copyright infringement despite BBC's argument that the registered works were a compilation and that individual works had not been separately registered.
2. Whether the Fourth Amended Complaint plausibly alleged ownership, use, and infringement of the Birthing Beautiful Communities name and B Logo under Section 1125(a)(1)(A) of the Lanham Act.
3. Whether Farmer's alleged nonuse of the trademark after resigning from BBC established abandonment at the pleading stage.
4. Whether Farmer's Ohio common-law trademark and unfair-competition claims and Ohio Deceptive Trade Practices Act claim should be dismissed because they use the same standards as the federal trademark claim.

HOLDINGS

1. The Fourth Amended Complaint plausibly pleaded copyright infringement by alleging ownership of registered Copyrighted Works and unauthorized copying, reproduction, publication, display, distribution, derivative use, and exploitation of those works. BBC's argument that the claim failed because only the Perinatal Support Pipeline was pleaded or because the works were not individually registered could not be resolved in BBC's favor on a motion to dismiss.
2. The Fourth Amended Complaint plausibly pleaded a claim under Section 1125(a)(1)(A) by alleging that Farmer used the name and logo before BBC's formation, consented to BBC's use through a license that could be oral or implied, terminated that license upon resignation, and alleged that BBC's continued use was likely to cause confusion.
3. The alleged absence of Farmer's trademark use from 2021 through 2025 did not establish abandonment as a matter of law at the pleading stage because the complaint did not resolve whether Farmer intended not to resume use.
4. The motion to dismiss Counts Three and Four was denied because the Ohio common-law trademark and unfair-competition claims and the Ohio Deceptive Trade Practices Act claim use the same standards as the federal Lanham Act claim, which was adequately pleaded.

KEY QUOTATIONS

“To survive a Rule 12(b)(6) motion for failure to state a claim, the complaint must make out a plausible legal claim, meaning the complaint’s factual allegations must be sufficient for a court “to draw the reasonable inference that the defendant is liable.”” (II.A)

“Typically, abandonment of a trademark is a fact issue not susceptible to resolution on a motion to dismiss.” (II.C)

“While the Fourth Amended Complaint fails to plead any use of the trademark by Farmer, it cannot be determined at this stage whether she abandoned the trademark.” (II.C)

FACTUAL BACKGROUND

Farmer created perinatal-support materials and began using the name Birthing Beautiful Communities and a related logo before incorporating BBC as a nonprofit in 2015. She later obtained copyright registrations for several works, including pay models, policies and procedures, a social-risk assessment, and a perinatal-support pipeline program. Farmer resigned from BBC in 2021 after the parties circulated but never signed a proposed separation letter that contemplated a license of certain works. BBC subsequently registered the trade name and continued using the name, logo, and copyrighted materials, which Farmer alleged was unauthorized.

PROCEDURAL HISTORY

Farmer initiated the action pro se on January 3, 2025, and amended her complaint several times. After the court appointed counsel, Farmer stipulated to dismissal of the individual defendants and obtained leave to file a Fourth Amended Complaint naming only Birthing Beautiful Communities as a defendant. BBC moved to dismiss the Fourth Amended Complaint in full, and the court denied the motion.

DISPOSITION

other

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 556, 570 (2007)
- Cates v. Crystal Clear Techs., LLC, 874 F.3d 530, 534 (6th Cir. 2017)
- Bickerstaff v. Lucarelli, 830 F.3d 388, 396 (6th Cir. 2016)
- D’Ambrosio v. Marino, 747 F.3d 378, 383 (6th Cir. 2014)
- Terry v. Tyson Farms, Inc., 604 F.3d 272, 275-76 (6th Cir. 2010)
- Kottmyer v. Maas, 436 F.3d 684, 688 (6th Cir. 2006)
- Feist Publ’ns, Inc. v. Rural Tel. Serv. Co., Inc., 499 U.S. 340, 348, 357, 361 (1991)
- RJ Control Consultants, Inc. v. Multiject, LLC, 100 F.4th 659, 667 (6th Cir. 2024)
- Lexmark Int’l, Inc. v. Static Control Components, Inc., 387 F.3d 522, 534 (6th Cir. 2004)
- Ellis v. Diffie, 177 F.3d 503, 506 (6th Cir. 1999)
- Experian Info. Sols., Inc. v. Nationwide Mktg. Servs. Inc., 893 F.3d 1176, 1184 (9th Cir. 2018)

- Lexmark Int'l, Inc. v. Static Control Components, Inc., 572 U.S. 118, 122 (2014)
- Allard Enters., Inc. v. Advanced Programming Res., Inc., 146 F.3d 350, 355-56 (6th Cir. 1998)
- Homeowners Grp., Inc. v. Home Mktg. Specialists, 931 F.2d 1100, 1105 (6th Cir. 1991)
- Rock & Roll Hall of Fame & Museum, Inc. v. Gentile Prods., 134 F.3d 749, 753 (6th Cir. 1998)
- Deere & Co. v. FIMCO Inc., 239 F. Supp. 3d 964, 1006 (W.D. Ky. 2017)
- Big Cola Corp. v. World Bottling Co., Ltd., 134 F.2d 718, 721 (6th Cir. 1943)
- City of New York v. Henriquez, 768 F. Supp. 3d 388, 413 (E.D.N.Y. 2025)
- Doeblers' Penn. Hybrids, Inc. v. Doeblner, 442 F.3d 812, 823 (3d Cir. 2006)
- Ausable River Trading Post, LLC v. Dovetail Sols., Inc., 902 F.3d 567, 572 (6th Cir. 2018)
- E.F. Prichard Co. v. Consumers Brewing Co., 136 F.2d 512, 521 (6th Cir. 1943)
- Yellowbook Inc. v. Brandeberry, 708 F.3d 837, 844, 846 (6th Cir. 2013)
- Stilson & Assocs., Inc. v. Stilson Consulting Grp., LLC, 129 F. App'x 993, 995-96 (6th Cir. 2005)
- Daddy Junky Music Stores, Inc. v. Big Daddy's Fam. Music Ctr., 109 F.3d 275, 288 (6th Cir. 1997)