NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

ISAAC A. POTTER, JR.,
Plaintiff-Appellant,

v.

ROBERTA S. BREN, OBLON SPIVAK, MICHELLE K. LEE, DEPUTY DIRECTOR, U.S. PATENT AND TRADEMARK OFFICE, AND LINDA M. KING,
Defendants-Appellees.

2014-1379

Appeal from the United States District Court for the Eastern District of Virginia in No. 1:13-cv-01417-CMH-IDD, Senior Judge Claude M. Hilton.

PER CURIAM.

O R D E R

Upon review, it appears that this court may lack jurisdiction over Isaac A. Potter's recently-docketed appeal.

Mr. Potter filed his action in the United States District Court for the Eastern District of Virginia and made allegations of, among other things, criminal copyright infringement, criminal trademark infringement, unfair competition, and fraud. It appears that his district court

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complaint challenges at least in part registration of the trademark KNIGHTS OF THE ZODIAC to registrant Toei Animation Co.

Mr. Potter previously appealed the district court's denial of his motion for default judgment to the U.S. Court of Appeals for the Fourth Circuit, which dismissed as interlocutory. Mr. Potter's current appeal appears to stem from the district court's order granting certain defendants' motions to dismiss and directing Mr. Potter to file an amended complaint.

This court is a court of limited jurisdiction. 28 U.S.C. § 1295. Based only upon our review, it does not appear that the district court's jurisdiction arose in whole or in part under the laws specified in § 1295 as defining this court's appellate jurisdiction.

Accordingly,

IT IS ORDERED THAT:

(1) The parties are directed to respond within 21 days from the date of this order as to whether this appeal should be dismissed or transferred to the United States Court of Appeals for the Fourth Circuit pursuant to 28 U.S.C. § 1631.

(2) The briefing schedule is stayed.

                                        FOR THE COURT

                                        /s/ Daniel E. O'Toole
                                        Daniel E. O'Toole
                                        Clerk of Court

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