

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**ERIK M. UNDERWOOD,**  
*Plaintiff-Appellant*

**MY24HOURNEWS.COM, INC.,**  
*Plaintiff*

v.

**BANK OF AMERICA CORPORATION,**  
*Defendant-Appellee*

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2025-1892

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Appeal from the United States District Court for the District of Colorado in No. 1:18-cv-02329-RM-CYC, Judge Raymond P. Moore.

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**ON MOTION**

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Before REYNA, HUGHES, and STOLL, *Circuit Judges*.

PER CURIAM.

**ORDER**

The court directed the parties to show cause because the underlying action involves trademark and unfair

competition claims but no patent claims. In response, Bank of America Corporation (“BofA”) urges dismissal. Erik M. Underwood urges the court to assert jurisdiction, ECF No. 12, and moves the court to invite the government to file amici briefs to address jurisdiction. We dismiss.

This court’s jurisdiction to review decisions of federal district courts is generally limited to final decisions in patent cases, *see* 28 U.S.C. § 1295(a)(1); civil actions on review to the district court from the United States Patent and Trademark Office, *see id.* § 1295(a)(4)(C); or cases involving certain damages claims against the United States “not exceeding \$10,000 in amount,” *id.* § 1346(a)(2), *see id.* § 1295(a)(2). This case does not fall within any of those limited subject matter areas. Mr. Underwood has not shown otherwise by pointing to a pending matter before the Trademark Trial and Appeal Board that he contends is “intertwined” with this case. ECF No. 12 at 2 n.1.

While we may transfer under 28 U.S.C. § 1631 to a court in which an appeal could have been brought at the time it was filed, there is no need to do so here, since Mr. Underwood’s notice of appeal is already docketed at the appropriate regional circuit, the United States Court of Appeals for the Tenth Circuit. *Underwood v. Bank of Am. Corp.*, No. 25-1248 (10th Cir. June 25, 2025).

Accordingly,

IT IS ORDERED THAT:

- (1) The appeal is dismissed.
- (2) All pending motions are denied.

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(3) Each party shall bear its own costs.

FOR THE COURT



Jarrett B. Perlow  
Clerk of Court

September 30, 2025  
Date