

FILED: August 27, 2019

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-1659
(1:18-cv-00460-LO-IDD)

FRANCE.COM, INC., a California corporation,

Plaintiff - Appellee,

v.

THE FRENCH REPUBLIC; ATOUT FRANCE; THE MINISTRY FOR EUROPE
AND FOREIGN AFFAIRS; JEAN-YVES LE DRIAN, in his official capacity as the
French Republic's Minister for Europe and Foreign Affairs; FRANCE.COM, a
domain name,

Defendants - Appellants,

and

VERISIGN, INC.,

Defendant.

ORDER

The French Republic, Atout France, the Ministry for Europe and Foreign Affairs, Jean-Yves Le Drian, and France.com seek to appeal the district court's May 31, 2019, order denying their motions under Fed. R. Civ. P. 12(b)(1) to dismiss the civil action filed by Appellee France.com, Inc., for lack of jurisdiction based on sovereign and official

immunity and dismissing the action without prejudice under Fed. R. Civ. P. 12(b)(6) for failure to state a claim. Appellee moves to dismiss the appeal for lack of jurisdiction.

This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2012), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2012); Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-47 (1949). The order Appellants seek to appeal is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we grant the motion to dismiss the appeal for lack of jurisdiction.

Entered at the direction of the panel: Chief Judge Gregory, Judge Niemeyer, and Judge Motz.

For the Court

/s/ Patricia S. Connor, Clerk