

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
NORTH CAROLINA

Matheson & Associates, PLLC v. Whitcomb Selinsky, PC

Matheson · No. 5:25-CV-174-BO-BM · Decided February 3, 2026

SUMMARY

The United States District Court for the Eastern District of North Carolina granted defendant Whitcomb Selinsky, PC’s motion to dismiss for lack of personal jurisdiction in a trademark infringement action involving the marks “Beer Law Center” and “Beer Law HQ.” The court held that defendant’s representation of North Carolina clients, accessible website, attendance at an out-of-state conference, and limited prelitigation email communications did not establish purposeful availment or a sufficient connection between defendant and North Carolina.

CASE DETAILS

COURT	United States District Court for the Eastern District of North Carolina
WRITING FOR THE COURT	Terrence W. Boyle
JURISDICTION	United States District Court for the Eastern District of North Carolina, Western Division
DECIDED	February 3, 2026
DOCKET	5:25-CV-174-BO-BM
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(2) to dismiss the trademark-infringement complaint for lack of personal jurisdiction. The court decided the motion on the papers and granted it.
STANDARD OF REVIEW	On a paper-based Rule 12(b)(2) challenge, the plaintiff must make a prima facie showing that personal jurisdiction exists, and the court construes facts and inferences in the plaintiff's favor. The court may consider affidavits attached to the motion.
PRECEDENTIAL VALUE	unpublished

TOPICS

- personal jurisdiction
- motions to dismiss
- trademark infringement
- trademark law
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the defendant's contacts with North Carolina established general personal jurisdiction.
2. Whether the defendant purposefully availed itself of the privilege of conducting activities in North Carolina sufficient to support specific personal jurisdiction over the Lanham Act trademark-infringement claims.
3. Whether the defendant's website, representation of North Carolina clients, attendance at a Virginia conference, and prelitigation email communications established minimum contacts with North Carolina.

HOLDINGS

1. Defendant's representation of a handful of North Carolina clients, together with its other identified contacts, did not establish general personal jurisdiction because defendant was not essentially at home in North Carolina.
2. Plaintiff failed to make a prima facie showing that defendant purposefully availed itself of the privilege of conducting activities in North Carolina, so specific personal jurisdiction was lacking.
3. The defendant's three representations of North Carolina clients could not support specific personal jurisdiction because plaintiff presented no evidence that those representations formed the basis of its trademark claims.
4. Because defendant demonstrated that the court lacked personal jurisdiction, the complaint had to be dismissed under Rule 12(b)(2).

KEY QUOTATIONS

“When personal jurisdiction has been challenged on the papers alone, the plaintiff must make a prima facie case showing that personal jurisdiction exists, and a court construes all facts and inferences in favor of finding jurisdiction.”

“A “generally accessible, semi-interactive Internet website” is not a sufficient basis on which to find that defendants have directed activity into North Carolina.”

“Plaintiff has failed to make a prima facie showing that defendant purposefully availed itself of the privilege of conducting activities in North Carolina.”

“The complaint must therefore be dismissed.”

FACTUAL BACKGROUND

The parties are law firms that provide legal services to businesses in the alcoholic-beverage industry. Plaintiff claimed trademark infringement based on defendant's use of the name and logo "Beer Law HQ" in relation to plaintiff's registered mark "Beer Law Center." Defendant is a Colorado law firm with no offices, employees, agents, property, or physical presence in North Carolina; its North Carolina contacts consisted of representing a handful of North Carolina clients, communicating with plaintiff by email before suit, and maintaining a website

accessible in North Carolina. The alleged logo confusion arose at a conference in Virginia, and the North Carolina client representations were unrelated to plaintiff's trademark claims.

PROCEDURAL HISTORY

Matheson & Associates, PLLC sued Whitcomb Selinsky, PC for trademark infringement under the Lanham Act. Defendant challenged personal jurisdiction, and the parties submitted briefing on the motion to dismiss. The district court concluded that plaintiff failed to make a prima facie showing of personal jurisdiction and dismissed the complaint.

DISPOSITION

dismissed

CASES CITED

- Combs v. Bakker, 886 F.2d 673, 676 (4th Cir. 1989)
- Grayson v. Anderson, 816 F.3d 262, 268 (4th Cir. 2016)
- Moseley v. Fillmore Co., 725 F. Supp. 2d 549, 559 (W.D.N.C. 2010)
- Red Hill Ranch, LLC v. Old S. Carriage Co., Inc., 225 F. Supp. 3d 422, 424 (D.S.C. 2015)
- Consulting Engineers Corp. v. Geometric Ltd., 561 F.3d 273, 277-278, 281 (4th Cir. 2009)
- Christian Sci. Bd. of Directors of First Church of Christ, Scientist v. Nolan, 259 F.3d 209, 215 (4th Cir. 2001)
- Bristol-Myers Squibb Co. v. Superior Ct. of California, San Francisco Cty., 582 U.S. 255, 262 (2017)
- Daimler AG v. Bauman, 571 U.S. 117, 127 (2014)
- Goodyear Dunlop Tires Operations, S.A. v. Brown, 564 U.S. 915, 919 (2011)
- Ferraro v. Rodgers, No. 7:24-CV-833-FL, 2025 WL 1287982, at *4 (E.D.N.C. May 2, 2025)
- BNSF Ry. v. Tyrrell, 581 U.S. 402, 413 (2017)
- Fidrych v. Marriott Int'l, Inc., 952 F.3d 124, 128-129, 134, 140 (4th Cir. 2020)
- UMG Recordings, Inc. v. Kurbanov, 963 F.3d 344, 352 (4th Cir. 2020)
- Carefirst of Maryland, Inc. v. Carefirst Pregnancy Centers, Inc., 334 F.3d 390, 401 (4th Cir. 2003)
- ALS Scan, Inc. v. Digital Serv. Consultants, Inc., 293 F.3d 707, 711, 714 (4th Cir. 2002)
- Danzig Ltd. v. Inception Mining, Inc., 2018 U.S. Dist. LEXIS 55972, at *9 (W.D.N.C. Feb. 28, 2018)
- Pan-American Prods. & Holdings, LLC v. R.T.G. Furniture Corp., 825 F. Supp. 2d 664, 682 (M.D.N.C. 2011)