

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE DIRECTOR OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE

In the Matter of :
Jerry T. Kearns, : Proceeding No.: D 2001-07
Respondent. :

FINAL ORDER

The Director of Enrollment and Discipline (OED Director) and Jerry T. Kearns (Respondent) having submitted a settlement of a matter that meets the requirements of 37 CFR § 10.133(g), it is:

1. ORDERED that Respondent is reprimanded pursuant to 37 C.F.R. § 10.130(a);
2. ORDERED that Respondent comport himself with a settlement agreement with the OED Director voluntarily not to practice before the USPTO on any matter whatsoever, and not to represent any client directly or indirectly in any matter pending in the USPTO, for the duration of his disability from practicing law in Colorado under applicable requirements of the Colorado State Bar, the Colorado Supreme Court, and/or state law;
3. ORDERED that the OED Director will publish the following Notice in the Official Gazette:

NOTICE of REPRIMAND and VOLUNTARY AGREEMENT

Jerry T. Kearns of Colorado, a patent attorney whose registration number is 32,648, has been reprimanded and has agreed voluntarily not to practice before the United States Patent and Trademark Office in patent and non-patent law cases, and not to represent any clients directly or indirectly in any such matters, pursuant to the provisions of 35 U.S.C. § 32, and 37 C.F.R. § 10.133(g). This Reprimand and Voluntary Agreement shall extend for the duration of Jerry T. Kearns' disability from practicing law in Colorado under applicable requirements of the Colorado State Bar, the Colorado Supreme Court, and/or state law.

4. ORDERED that upon dissolution or vacation of any disability from practicing law in Colorado, by virtue of an Order of the Colorado Supreme Court, or by operation of state law, Respondent shall present an appropriately certified copy of evidence of such dissolution or vacation to the OED Director. Thereafter, the OED Director forthwith shall publish a notice in the Official Gazette that Respondent's voluntary agreement not to practice before the USPTO is mutually rescinded and vacated; and

5. ORDERED that in the event that at any time after Respondent's disability from practicing law in Colorado is dissolved and vacated, and thereafter Respondent is reincarcerated for any violation of parole stemming from his conviction for the September 14, 1996 intersection collision incident, and Respondent's disability from practicing law in Colorado is reinstated by virtue of any Order of the Colorado Supreme Court, the Colorado State Bar, and/or state law, the OED Director may reinstate the foregoing Reprimand and Voluntary Agreement without further notice or hearing, and further, any reinstated Reprimand and Voluntary Agreement may be terminated on the same basis described in paragraph 4 above.

Nicholas P. Godici

JUN 8 2001

Nicholas P. Godici
Acting Under Secretary of Commerce for Intellectual Property and
Acting Director of the United States Patent and Trademark Office

cc: Harry I. Moatz
Director of Enrollment and Discipline

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