

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

In the Matter of:)
)
Robert M. Storwick,)
)
Respondent)
_____)

Proceeding No. D2009-31

FINAL ORDER PURSUANT TO 37 C.F.R. § 11.24

Pursuant to 37 C.F.R. § 11.24(d), the exclusion of Robert M. Storwick (Respondent) from the practice of patent, trademark, and other non-patent law before the United States Patent and Trademark Office (USPTO or Office) is hereby ordered for violation of the ethical standard set out in 37 C.F.R. § 10.23(b)(6) via 37 C.F.R. § 10.23(c)(5).

A “Notice and Order Under 37 C.F.R. § 11.24” mailed February 4, 2010, (Notice and Order) informed Respondent that the Director of the Office of Enrollment and Discipline (OED Director) had filed a “Complaint for Reciprocal Discipline Pursuant to 37 C.F.R. § 11.24” (Complaint) requesting that the USPTO Director impose reciprocal discipline upon Respondent, namely: exclusion from the practice of patent, trademark, and other non-patent law before the Office. The request for exclusion of the Respondent in the Complaint was based upon a November 29, 2007, order of the Supreme Court of Washington in *In re: Robert Martin Storwick, Attorney at Law*, Supreme Court No. 200,538-1, disbarring Respondent from the practice of law in the State of Washington. The Notice and Order directed that if Respondent seeks to contest imposition of his exclusion from practice pursuant to 37 C.F.R. § 11.24(d), Respondent shall file, within 40 days, a

response containing all information Respondent believes is sufficient to establish a genuine issue of material fact that the imposition of discipline identical to that imposed by the Supreme Court of Washington would be unwarranted based upon any of the grounds permissible under 37 C.F.R. § 11.24(d)(1). The Notice and Order mailing was returned with the explanation that it was “not deliverable” and unable to be forwarded. A service by publication notice pursuant to 37 C.F.R. § 11.24(b) and 11.35(b) published in the *Official Gazette* on March 30, 2010 and April 6, 2010 notifying Respondent that he may obtain a copy of, inter alia, the Notice and Order by sending a written request to the USPTO General Counsel.

Respondent has not filed a response to the Notice and Order.

37 C.F.R. § 11.24(d)(1). Accordingly, the USPTO Director hereby determines that: 1) There is no genuine issue of material fact under 37 C.F.R. § 11.24(d); and 2) Exclusion of Respondent from practice before the USPTO is appropriate.

ACCORDINGLY, it is hereby **ORDERED** that:

(a) Respondent is excluded from the practice of patent, trademark, and other non-patent law before the Office, beginning on the date of this Final Order indicated below.

(b) Respondent shall comply fully with 37 C.F.R. § 11.58 while excluded.

(c) Respondent is granted limited recognition to practice before the Office beginning on the date this Final Order is signed and expiring thirty (30) days after the date this Final Order is signed for the sole purpose of facilitating Respondent’s compliance with the provisions of 37 C.F.R. § 11.58(b).

(d) The USPTO shall promptly dissociate Respondent’s name from all USPTO

customer numbers and public key infrastructure (“PKI”) certificates;

(e) Respondent shall not use any USPTO customer number or PKI certificate unless and until he is reinstated to practice before the USPTO;

(f) Respondent shall not obtain a USPTO customer number or a PKI certificate unless and until he is reinstated to practice before the USPTO;

(g) The OED Director shall publish this Final Order.

(h) The OED Director shall publish the following notice in the *Official Gazette*:

NOTICE OF EXCLUSION

Robert M. Storwick of Mercer Island, Washington, registered patent attorney (Registration Number 30,112). Mr. Storwick has been excluded from the practice of patent, trademark, and non-patent law before the United States Patent and Trademark Office for violating 37 C.F.R. § 10.23(b)(6) via 37 C.F.R. § 10.23(c)(5) by being disbarred by the Supreme Court of Washington. Mr. Storwick was disbarred for violating Washington State Rules of Professional Conduct 1.4, 1.14(a), 8.4(b), and 8.5(c) in connection with his handling of filing a European patent application where he failed to maintain all funds of a client paid to Mr. Storwick in an identifiable trust account; committed a criminal act (theft of client funds) that reflects adversely on the lawyer; and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation. This action is taken pursuant to the provisions of 35 U.S.C. §§ 2(b)(2)(D) and 32, and 37 C.F.R. §§ 11.24 and 11.59. Disciplinary decisions involving practitioners are posted for public reading at the Office of Enrollment and Discipline’s Reading Room located at:
<http://des.uspto.gov/Foia/OEDReadingRoom.jsp>.

(i) The OED Director, in accordance with 37 C.F.R. § 11.59, shall give notice of the public discipline and the reasons for the discipline to disciplinary enforcement agencies in the state where the practitioner is admitted to practice, to courts where the practitioner is known to be admitted, and the public.

(j) Respondent shall comply fully with 37 C.F.R. § 11.60 upon any request for reinstatement.

[signature page follows]

JUN 17 2010

Date



WILLIAM R. COVEY

Deputy General Counsel for General Law
United States Patent and Trademark Office

on behalf of

David Kappos
Under Secretary of Commerce For Intellectual
Property and Director of the United States Patent
and Trademark Office

CERTIFICATE OF SERVICE

I certify that the foregoing Final Order Under 37 C.F.R. § 11.24 was mailed first class certified mail, return receipt requested, this day to the Respondent at the following address provided to the Office of Enrollment and Discipline pursuant to 37 C.F.R. § 11.11:

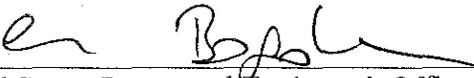
Robert M. Storwick
Law Office of Robert M. Storwick
P.O. Box 386
Mercer Island, Washington 98040

and to the following address at which it is believed Respondent receives mail:

Robert M. Storwick
5075 W. Mercer Way
Mercer Island, Washington 98040-4629

JUN 17 2010

Date


United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

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JUN 17 2010

Date



WILLIAM R. COVEY

Deputy General Counsel for General Law
United States Patent and Trademark Office

on behalf of

David Kappos
Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark Office