

UNITED STATES PATENT AND TRADEMARK OFFICE

In the Matter of:)
)
Shawn G. Rice,) Proceeding No. D2017-32
)
Respondent)
_____)

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

Pursuant to 37 C.F.R. § 11.24, Shawn G. Rice (“Respondent”) is hereby suspended for sixty (60) days from the practice of trademark and other non-patent law before the United States Patent and Trademark Office (“USPTO”) for violation of 37 C.F.R. § 11.804(h).

Background

On January 6, 2017, the Supreme Court of Wisconsin issued an Order in *Office of Lawyer Regulation v. Shawn G. Rice*, Case No. 2014AP2307-D, suspending Respondent for sixty (60) days from the practice of law in that jurisdiction on ethical grounds.

On November 6, 2017, a “Notice and Order Pursuant to 37 C.F.R. § 11.24” (“Notice and Order”) was sent by certified mail (receipt no. 70160910000045132702) notifying 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 Director of the United States Patent and Trademark Office impose reciprocal discipline upon Respondent identical to the discipline imposed by the Supreme Court of Wisconsin in *Office of Lawyer Regulation v. Shawn G. Rice*, Case No. 2014AP2307-D. The Notice and Order provided Respondent an opportunity to file, within forty (40) days, a response opposing the imposition of reciprocal discipline identical to that imposed by the Supreme Court of Wisconsin in *Office of Lawyer Regulation v.*

Shawn G. Rice, Case No. 2014AP2307-D, based on one or more of the reasons provided in 37 C.F.R. § 11.24(d)(1). The Notice and Order was delivered to Respondent on November 9, 2017. Respondent has not filed a response to the Notice and Order.

Analysis

In light of Respondent's failure to file a response, it is hereby determined that there is no genuine issue of material fact under 37 C.F.R. § 11.24(d) and Respondent's suspension from the practice of trademark and other non-patent law before the USPTO for sixty (60) days is the appropriate discipline.

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

1. Respondent is suspended from the practice of trademark and other non-patent law before the USPTO for a period of sixty (60) days, effective the date of this Final Order;
2. The OED Director publish the following Notice in the *Official Gazette*:

NOTICE OF SUSPENSION

This notice concerns Shawn G. Rice of Grafton, Wisconsin, who is authorized to practice before the Office in trademark and non-patent matters. In a reciprocal disciplinary proceeding, the Director of the United States Patent and Trademark Office ("USPTO") has ordered that Mr. Rice be suspended for 60 days from practice before the USPTO in trademark and other non-patent matters for violating 37 C.F.R. § 11.804(h), predicated upon being suspended for 60 days from the practice of law by a duly constituted authority of a state. Mr. Rice is not authorized to practice before the USPTO in patent matters.

In an order filed January 6, 2017, the Supreme Court of Wisconsin accepted Mr. Rice's admission that he violated Wisconsin Supreme Court Rule 20:8.4(c) by preparing and executing, without authorization, numerous forms, checks and other documents relating to a trust created by his wife's parents for her and her children's benefit. Mr. Rice stipulated that he had arranged for checks and disbursements from the trust account, without authorization, in an aggregate amount of several hundred thousand dollars.

This action is taken pursuant to the provisions of 35 U.S.C. § 32 and 37 C.F.R. § 11.24. Disciplinary decisions are available for public review at the Office of Enrollment and Discipline's FOIA Reading Room located at: <http://e->

foia.uspto.gov/Foia/OEDReadingRoom.jsp.

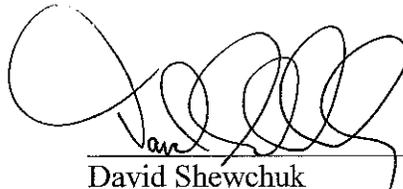
3. The OED Director give notice pursuant to 37 C.F.R. § 11.59 of the public discipline and the reasons for the discipline to disciplinary enforcement agencies in the state(s) where Respondent is admitted to practice, to courts where Respondent is known to be admitted, and to the public;

4. Respondent shall comply with the duties enumerated in 37 C.F.R. § 11.58;

5. The USPTO dissociate Respondent's name from any Customer Numbers and the public key infrastructure ("PKI") certificate associated with those Customer Numbers; and

6. Respondent shall not apply for a USPTO Customer Number, shall not obtain a USPTO Customer Number, nor shall he have his name added to a USPTO Customer Number, unless and until he is reinstated to practice before the USPTO.

5 Jan 2018
Date



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

on behalf of

Joseph Matal
Performing the Functions and Duties of
the Under Secretary of Commerce for Intellectual
Property and Director of the United States Patent
and Trademark Office