

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

In the Matter of)
)
Thomas K. Ziegler,)
)
Respondent.)
)
)
)

Proceeding No.: D00-09

FINAL ORDER

The Director of Enrollment and Discipline (OED Director) and Thomas K. Ziegler, Respondent, having submitted a settlement agreement in the above proceeding that meets the requirements of 37 C.F.R. § 10.133(g), it is:

1. ORDERED that Respondent is suspended from practice before the United States Patent and Trademark Office (“USPTO,” or “Office”) for 179 days;
2. ORDERED that the OED Director will publish the following Notice in the Official Gazette:

Notice of Suspension

Thomas K. Ziegler, of Boca Raton, Florida, a patent attorney, whose registration number is 27,988, has been suspended for 179 days beginning (30 days from the date the USPTO Director signs the final order) from practice before the United States Patent and Trademark Office in patent and non-patent law cases pursuant to the provisions of 35 U.S.C. § 32, and 37 C.F.R. § 10.133(g).
3. ORDERED that the OED Director give notice to the Attorney Grievance Commission in Michigan that Respondent has been suspended by the USPTO Director pursuant to 35 U.S.C. § 32 based only on the facts and discipline imposed by the Michigan Supreme Court on November 30, 1999. 37 C.F.R. § 10.159(a);
4. ORDERED that during the suspension, Respondent shall not engage in the unauthorized practice of patent, trademark and other non-patent law before the USPTO. 37 C.F.R. § 10.158(a);
5. ORDERED that within 30 days of the USPTO Director signing a final order, Respondent shall notify all bars of which he is a member and all clients having

immediate or prospective business before the Office in separate written communications of the suspension, and shall file a copy of each written communication with the OED Director within the same 30-day period. 37 C.F.R. § 1.158(b)(1);

6. ORDERED that within 30 days of the USPTO Director signing a final order, Respondent shall surrender each client's active USPTO case files to (1) each client or (2) another practitioner designated by each client, and shall file proof thereof with the OED Director within the same 30-day period. 37 C.F.R. § 10.158(b)(2);
7. ORDERED that during the period Respondent is suspended any communication relating to a client matter that is addressed to Respondent and/or received by him shall be immediately forwarded to the client or the practitioner designated by the client, and that Respondent will take no other legal action in the matter, enter any appearance, or provide any legal advice concerning the matter that is the subject of the communication. 37 C.F.R. §§ 10.158(a), (b)(2), (b)(6);
8. ORDERED that within 30 days of the USPTO Director signing a final order, Respondent shall return to any client having immediate or prospective business before the Office any unearned legal funds, including any unearned retainer fee, and any securities and property of the client, and shall file a proof thereof with the OED Director no later than filing his petition for reinstatement. 37 C.F.R. §§ 10.158(b)(8), 10.160(d);
9. ORDERED that upon the USPTO Director signing a final order of suspension, Respondent shall promptly take steps to comply with the provisions of 37 C.F.R. §§ 10.158(b)(3), (b)(4), (b)(5), (b)(6), and (b)(7), and further ORDERED that within 30 days of taking steps to comply with § 10.158(b)(4), Respondent shall file with the OED Director an affidavit describing the precise nature of the steps taken, and still further ORDERED that Respondent shall submit proof of compliance with §§ 10.158(b)(3), (b)(5), (b)(6), and (b)(7) with the OED Director upon filing a petition for reinstatement under 37 C.F.R. § 10.160;
10. ORDERED that upon the USPTO Director signing a final order of suspension, Respondent shall promptly take steps to comply with the provisions of 37 C.F.R. §§ 10.158(c) and (d) if and when Respondent assumes any position as a salaried employee of another practitioner, and shall submit proof thereof with the OED Director upon filing a petition for reinstatement under 37 C.F.R. § 10.160; and
11. ORDERED that Respondent shall notify the OED Director if Respondent is suspended or disbarred from practicing law in another jurisdiction while he is suspended from practice before the USPTO, and Respondent shall submit said notification to the OED Director within 10 business days of being suspended or disbarred. 37 C.F.R. §§ 10.23(c)(5), 10.133(g).

12. ORDERED that after being suspended for 179 days in compliance with 37 C.F.R. § 10.158, Respondent may petition for reinstatement in accordance with 37 C.F.R. § 10.160.

8/29/01
Date

Nicholas P. Godici
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, Office of Enrollment and Discipline

Thomas K. Ziegler