

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

In the Matter of:)
)
Jonathon L. Edington,)
)
Respondent)
)
_____)

Proceeding No. D08-12

FINAL ORDER UNDER 37 C.F.R. § 11.25(b)

Pursuant to 37 C.F.R. § 11.25(b), the Director of the United States Patent and Trademark Office (USPTO) hereby orders 1) the interim exclusion of Jonathon L. Edington (Respondent) from the practice of patent, trademark, and other non-patent law before the USPTO for violation of the ethical standards set out in 37 C.F.R. §§ 10.23(a), 10.23(b)(3), and 10.23(b)(6) and 2) referral of the “Disciplinary Complaint Under 35 U.S.C. § 32 and 37 C.F.R. § 11.25” to a hearing officer for the purpose of conducting a formal disciplinary proceeding.

A “Notice and Order Under 37 C.F.R. § 11.25” mailed January 9, 2009, (Notice and Order) informed Respondent that the Director of the Office of Enrollment and Discipline (OED Director) had filed a “Disciplinary Complaint Under 35 U.S.C. § 32 and 37 C.F.R. § 11.25” (Complaint) requesting that the USPTO Director enter an order excluding Respondent from practice before the USPTO. The request for exclusion of the Respondent in the Complaint was based upon Respondent’s June 15, 2007, plea of guilty to the crime of manslaughter in the first degree under § 53a-55(a)(1) of the Connecticut General Statutes and the August 31, 2007, order of the Superior Court of the State of Connecticut, Judicial

District of Fairfield, sentencing Respondent for his crime. The Notice and Order directed Respondent to file, within 40 days, a response containing information sufficient to establish a genuine issue of material fact based upon any of the grounds permissible under 37 C.F.R. § 11.25(b)(3).

Respondent has not filed a response to the Notice and Order. 37 C.F.R. § 11.25(b). Accordingly, the USPTO Director hereby determines that: 1) there is no genuine issue of material fact under 37 C.F.R. § 11.25(b) and 2) interim exclusion of Respondent from practice before the USPTO and referral of the Complaint to a hearing officer for the purpose of conducting a formal disciplinary proceeding is appropriate.

ACCORDINGLY, it is:

ORDERED that Respondent is hereby excluded on an interim basis from the practice of patent, trademark, and other non-patent law before the USPTO in accordance with 37 C.F.R. § 11.25(b);

ORDERED that the Complaint (a copy of which is attached hereto) is hereby referred, in accordance with 37 C.F.R. § 11.25(b)(5), to the hearing officer identified in the Complaint for the purpose of conducting a formal disciplinary proceeding;

ORDERED that, within thirty (30) days from the date of this Final Order, Respondent's written answer shall be filed with the hearing officer and a copy of the answer shall be served on the OED Director in accordance with the instructions set out in the Complaint;

ORDERED that the OED Director publish the following notice in the Official Gazette:

NOTICE OF EXCLUSION

Jonathon L. Edington of Cheshire, CT, is a registered patent agent whose registration number is 54,080. Following a hearing on the documentary record, the Director of

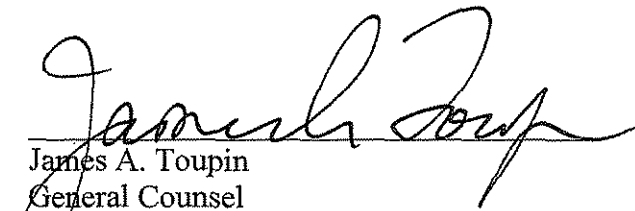
the United States Patent and Trademark Office has ordered 1) Mr. Edington be excluded on an interim basis from the practice of patent, trademark, and non-patent law before the United States Patent and Trademark Office and 2) referral to a hearing officer for the purpose of conducting a formal disciplinary proceeding. The interim exclusion and referral are based upon Mr. Edington's plea of guilty to the crime of manslaughter in the first degree under § 53a-55(a)(1) of the Connecticut General Statutes. The interim exclusion imposed by the Director begins on March 13, 2009. This action is taken pursuant to the provisions of 35 U.S.C. § 32 and 37 C.F.R. § 11.25.

ORDERED that the OED Director shall give notice of this Final Order to 1) appropriate employees of the USPTO; 2) interested departments, agencies, and courts of the United States; and 3) appropriate authorities of any State in which Respondent is known to be a member of the bar;

ORDERED that Respondent comply with 37 C.F.R. § 11.58;

ORDERED that Respondent comply with 37 C.F.R. § 11.25(e) should Respondent seek reinstatement.

13 March 2009
Date


James A. Toupin
General Counsel
United States Patent and Trademark Office
on behalf of


John Doll
Acting Under Secretary of Commerce for Intellectual
Property and Acting Director of the United States Patent and
Trademark Office

Attachment: Copy of "Disciplinary Complaint Under 35 U.S.C. § 32 and 37 C.F.R. § 11.25"

CERTIFICATE OF SERVICE

I certify that the foregoing "Final Order Under 37 C.F.R. § 11.25(b)" and a copy of the "Disciplinary Complaint Under 35 U.S.C. § 32 and 37 C.F.R. § 11.25" was mailed first class certified mail, return receipt requested, this day to the Respondent at the following address which, pursuant to 37 C.F.R. § 11.35, is the last address for the Respondent known to the OED Director:

13 March 2009
Date


United States Patent and Trademark Office
P.O. Box 15667
Arlington, VA 22215