

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

**In the Matter of:** )

**Hume J. Jung,** )

**Respondent** )

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**Proceeding No. D2009-44**

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

Pursuant to 37 C.F.R. § 11.24(d), the suspension of Hume J. Jung (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 December 3, 2009, (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: suspension from the practice of patent, trademark, and other non-patent law before the Office for a period of one year with all but the first 60 days of the suspension stayed. The request for suspension of the Respondent in the Complaint was based upon the July 15, 2008, order of the Supreme Court of California in S163615 (State Bar Court Case No. 03-O-01837) suspending Respondent from the practice of law for a period of one-year, staying the execution of the suspension, actively suspending Respondent for 60 days, and placing Respondent on a two-year period of probation. The

Notice and Order directed that if Respondent seeks to contest imposition of his suspension 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 California would be unwarranted based upon any of the grounds permissible under 37 C.F.R. § 11.24(d)(1).

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) suspension of Respondent from the practice of patent, trademark, and other non-patent law before the USPTO is appropriate.

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

(a) Respondent is suspended from the practice of patent, trademark, and other non-patent law before the Office for a period of one year, beginning on the date of this Final Order indicated below, with all but the first 60 days of the suspension stayed;

(b) Respondent is granted limited recognition to practice before the Office beginning on the date of this Final Order and expiring thirty (30) days after the date of this Final Order;

(c) Respondent is directed, during the time of his limited recognition, to wind up all client business before the Office and to withdraw from employment in all pending proceedings in accordance with 37 C.F.R. § 10.40;

(d) Respondent is directed not to accept any new clients having business before the Office during the 30 days of limited recognition afforded by this Final Order;

(e) the OED Director shall publish this Final Order;

(f) the OED Director shall publish the following notice in the Official Gazette:

NOTICE OF SUSPENSION

Hume J. Jung of Oakland, California, registered patent attorney (Registration Number 43,701). Mr. Jung has been suspended from the practice of patent, trademark, and non-patent law before the United State Patent and Trademark Office for a period of one year, with all but the first 60 days of the suspension being stayed, for violating 37 C.F.R. § 10.23(b)(6) via 37 C.F.R. § 10.23(c)(5) by being suspended by the Supreme Court of California. Mr. Jung was suspended for violating California Rules of Professional Conduct 1-310, 1-300(A), and 1-320(A) predicated upon Mr. Jung: (1) employing a non-lawyer to act as Office manager for a satellite office that Respondent established in Santa Clara, California; (2) paying the non-lawyer a percentage of net profits generated by the satellite office; (3) permitting the non-lawyer to conduct client intakes and oversee the processing and settlement of cases without Respondent's supervision; (4) forming a partnership with a non-lawyer where the activities of that partnership consisted of the practice of law, aiding a non-lawyer in the unauthorized practice of law, and shared legal fees with a non-lawyer. 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>.

(g) Respondent shall comply fully with 37 C.F.R. § 11.58 while suspended;

(h) 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;

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

[signature page follows]

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Date

  
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JAMES A. TOUPIN  
General Counsel  
United States Patent and Trademark Office

on behalf of

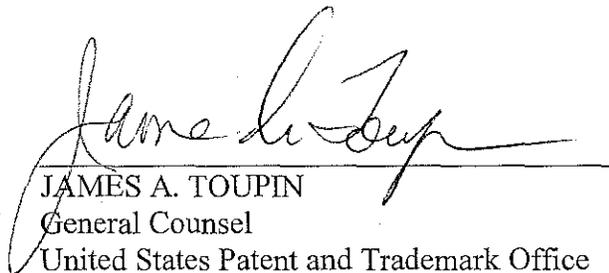
David Kappos  
Under Secretary of Commerce For Intellectual  
Property and Director of the United States Patent  
and Trademark Office

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Date

  
JAMES A. TOUPIN  
General Counsel  
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