

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

In the Matter of:)
)
Samuel B. Silverman,)
)
Respondent)
)
)
)
_____)

Proceeding No. D2010-03

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

Pursuant to 37 C.F.R. § 11.24(d), the public reprimand of Samuel B. Silverman (Respondent) is hereby ordered for violation of the ethical standard set out in 37 C.F.R. § 10.23(b)(6).

A “Notice and Order Under 37 C.F.R. § 11.24” mailed December 11, 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 Director of the United States Patent and Trademark Office (USPTO or Office) impose reciprocal discipline upon Respondent, namely: a public reprimand. The request for the public reprimand of the Respondent in the Complaint was based upon a December 12, 2008, Agreed Judgment of Public Reprimand of the State Bar of Texas in *Commission for Lawyer Discipline v. Samuel Brown Silverman* (File No. D0020834177) ordering the public reprimand of Respondent. The Notice and Order directed that if Respondent seeks to contest imposition of his public reprimand 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 Texas State Bar 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, it is hereby determined that: 1) there is no genuine issue of material fact under 37 C.F.R. § 11.24(d) and 2) a public reprimand of Respondent is appropriate.

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

- (a) Respondent is publicly reprimanded;
- (b) the OED Director shall publish this Final Order;
- (c) the OED Director shall publish the following notice in the *Official Gazette*:

NOTICE OF REPRIMAND

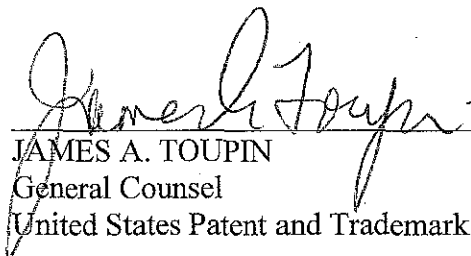
Samuel B. Silverman of Amarillo, Texas, registered patent attorney (Registration Number 38,305). Mr. Silverman has been publicly reprimanded by the United States Patent and Trademark Office for violating 37 C.F.R. § 10.23(b)(6) by having been publicly reprimanded on ethical grounds by a duly constituted authority of a State. In *Commission for Lawyer Discipline v. Samuel Brown Silverman* (File No. D0020834177), the Texas State Bar approved a settlement of a disciplinary complaint filed against Mr. Silverman alleging that he had neglected the matters entrusted to him and failed to respond to his client's telephone calls and written correspondence regarding the status of the matter and failed to return the unearned fees. Under the terms of the settlement, Respondent admitted that he violated Texas Disciplinary Rules of Professional Conduct 1.01(b)(1), 1.01(b)(2), 1.03(a), and 1.15(d) and agreed to be publicly reprimanded. 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>.

- (d) 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.

FEB 19 2010

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

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