

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

In the Matter of:

Gregory P. Barton,

Respondent

Proceeding No. D2010-20

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

Pursuant to 37 C.F.R. § 11.24(d), the public reprimand of Gregory P. Barton (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 Pursuant to 37 C.F.R. § 11.24” mailed March 31, 2010, (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 an October 12, 2008, stipulated order issued by the Oregon State Bar Disciplinary Board (Oregon Supreme Court Case No. 07-134) publicly reprimanding 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 Oregon State Bar Disciplinary Board would be unwarranted based upon any of the grounds permissible under 37 C.F.R. § 11.24(d)(1). The Notice and Order was mailed by first-class certified mail, return receipt requested, to a street address in Portland, Oregon, which was the most recent address provided by Respondent to the Office of Enrollment and Discipline pursuant to 37 C.F.R. § 11.11. The mailing was returned with the explanation that it was “unclaimed.” A service by publication notice pursuant to 37 C.F.R. §§ 11.24(b) and 11.35(b) published in the *Official Gazette* on June 8, 2010, and June 15, 2010, notifying Respondent that he may obtain a copy of, inter alia, the Notice and Order by sending a written request to the USPTO General Counsel.

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

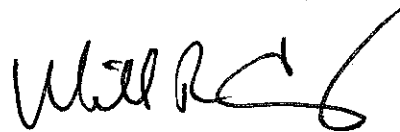
Gregory P. Barton of Portland, Oregon, a registered patent attorney (Registration Number 35,062). Mr. Barton has been publicly reprimanded by the United States Patent and Trademark Office for violating 37 C.F.R. § 10.23(b)(6) by having been publicly reprimanded on ethical grounds by a duly constituted authority of a State. The Oregon State Bar Disciplinary Board publicly reprimanded Mr. Barton for violating Oregon Disciplinary Rule DR 1-102(A)(2) by being convicted of the unlawful possession of marijuana. This action is taken pursuant to the provisions of 35 U.S.C. §§ 2(b)(2)(D) 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.

AUG 30 2010

Date



WILLIAM R. COVEY
Deputy General Counsel for General Law
United States Patent and Trademark Office

on behalf of

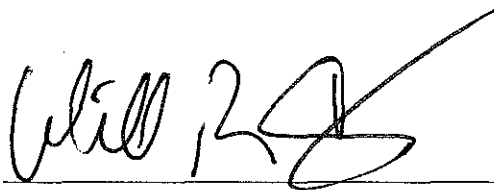
David Kappos
Under Secretary of Commerce For Intellectual
Property and Director of the United States Patent
and Trademark Office

NOTICE OF REPRIMAND

Gregory P. Barton of Portland, Oregon, a registered patent attorney (Registration Number 35,062). Mr. Barton 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. The Oregon State Bar Disciplinary Board publicly reprimanded Mr. Barton for violating Oregon Disciplinary Rule DR 1-102(A)(2) by being convicted of the unlawful possession of marijuana. This action is taken pursuant to the provisions of 35 U.S.C. §§ 2(b)(2)(D) 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>.

AUG 30 2010

Date



William R. Covey
Deputy General Counsel for General Law

on behalf of

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