

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

In the Matter of)	
)	
Anup Tikku,)	Proceeding No. D2011-61
)	
Respondent)	

FINAL ORDER

The Deputy General Counsel for Enrollment and Discipline and Director of the Office of Enrollment and Discipline (“OED Director”) for the United States Patent and Trademark Office (“USPTO” or “Office”) and Anup Tikku (“Respondent”) have submitted a proposed settlement agreement (“Agreement”) to the Under Secretary of Commerce for Intellectual Property and USPTO Director for approval.

The Agreement, which resolves all disciplinary action by the USPTO arising from the stipulated facts set forth below, is hereby approved. This Final Order sets forth the parties’ stipulated facts, legal conclusions, and sanctions.

Jurisdiction

1. At all times relevant hereto, Respondent of San Jose, California, has been an attorney registered (Registration No. 42,185) to practice before the Office and is subject to the USPTO Disciplinary Rules set forth at 37 C.F.R. § 10.20 *et seq.*
2. The USPTO Director has jurisdiction over this matter and the authority to approve the Agreement pursuant to the provisions of 35 U.S.C. § 2(b)(2)(D) and 37 C.F.R. § 11.26.

Stipulated Facts

3. Respondent of San Jose, California, is an attorney registered to practice patent law before the Office (Registration Number 42,185).
4. At all relevant times, Respondent has been licensed to practice law in the state of California.
5. The State Bar Court of California entered a Stipulated Reproval Order on June 20, 2011, publicly reprimanding Respondent. The public reprimand resulted from Respondent’s plea of *nolo contendere* to a violation of California Penal Code section 242/43, subdivision (a) (battery), which was reported to Child Protective Services by a teacher. Respondent had been charged in connection with his conduct in striking his child in such a fashion so as to leave visible bruising after he became frustrated with his child’s refusal to complete a homework assignment. Respondent, as part of his plea, was placed on probation for two years. On June 29, 2011, the

Superior Court of the State of California, County of Santa Clara expunged the conviction and terminated the probation.

Legal Conclusion

6. Based on the foregoing stipulated facts, Respondent acknowledges that his conduct violated 37 C.F.R. § 10.23(b)(6) by engaging in conduct that adversely reflects upon his fitness to practice before the Office.

Agreed Upon Sanction

7. Respondent agrees, and it is ORDERED that:
 - a. Respondent be, and hereby is, publicly reprimanded;
 - b. The OED Director shall publish this Final Order at the Office of Enrollment and Discipline's Reading Room electronically located at:
<http://des.uspto.gov/Foia/OEDReadingRoom.jsp>;
 - c. The OED Director shall publish the following notice in the *Official Gazette*:

Notice of Reprimand

This notice concerns Anup Tikku of San Jose, California, registered patent attorney (Registration Number 42,185). Mr. Tikku has been publicly reprimanded by the United States Patent and Trademark Office ("USPTO" or "Office") for violating 37 C.F.R. § 10.23(b)(6) by engaging in conduct that adversely reflects upon a practitioner's fitness to practice.

The State Bar Court of California issued a Stipulated Order of Repeal dated June 20, 2011, publicly reprimanding Mr. Tikku, an attorney licensed to practice law in the state of California, in connection with his plea of nolo contendere to a violation of California Penal Code section 242/43, subdivision (a) (battery), which was reported to Child Protective Services by a teacher. Respondent had been charged in connection with his conduct in striking his child in such a fashion so as to leave visible bruising, after he became frustrated with his child's refusal to complete a homework assignment. Respondent, as part of his plea, was placed on probation for two years. On June 29, 2011, the Superior Court of the State of California, County of Santa Clara expunged the conviction and terminated the probation.


This action is the result of a settlement agreement between Mr. Tikku and the OED Director pursuant to the provisions of 35 U.S.C. § 2(b)(2)(D) and 37 C.F.R. §§ 11.20, 11.26 and

11.59. Disciplinary decisions involving practitioners are posted at the Office of Enrollment and Discipline's Reading Room located at: <http://des.uspto.gov/Foia/OEDReadingRoom.jsp>.

- d. Nothing in the Agreement or this Final Order shall prevent the Office from considering the record of this disciplinary proceeding, including this Final Order (1) when addressing any further complaint or evidence of the same or similar misconduct concerning Respondent brought to the attention of the Office, and/or (2) in any future disciplinary proceeding concerning Respondent (a) as an aggravating factor to be taken into consideration in determining any discipline to be imposed and/or (b) to rebut any statement or representation by or on Respondent's behalf; and
- e. The OED Director and Respondent bear their own costs incurred to date and in carrying out the terms of this agreement.

FEB - 7 2012

Date



JAMES O. PAYNE
Deputy General Counsel for General Law
United States Patent and Trademark Office

on behalf of

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

cc:

Director of Enrollment and Discipline
United States Patent and Trademark Office

Law Offices of Richard E. Grayson
202 Mamaroneck Ave., Third Floor
White Plains, NY 10601

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JAMES O. PAYNE
Deputy General Counsel for General Law
United States Patent and Trademark Office

on behalf of

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