

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

In the Matter of:

James O. Okorafor,

Respondent

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Proceeding No. D2011-43

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

Pursuant to 37 C.F.R. § 11.24(d), the suspension for two years of James O. Okorafor (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(a), (b)(5), and (b)(6) via 37 C.F.R. § 10.23(e)(5).

On October 17, 2011, a “Notice and Order Pursuant to 37 C.F.R. § 11.24” (Notice and Order) was mailed by certified mail (receipt no. 70111150000146350546) to the Respondent at the last address known to the Deputy General Counsel for Enrollment and Discipline and Director of the Office of Enrollment and Discipline (OED Director). The Notice and Order informed Respondent that the OED Director had filed a “Complaint for Reciprocal Discipline Pursuant to 37 C.F.R. § 11.24” (Complaint) requesting that the USPTO Director impose discipline upon Respondent identical to discipline imposed by the State Bar of Texas in *Commission for Lawyer Discipline v. James O. Okorafor*, H0060724640 [BRIGGS] (Oct. 21, 2010). The Notice and Order provided Respondent an opportunity to file, within forty days, a response opposing, based on one or more of the reasons provided in 37 C.F.R. § 11.24(d)(1), the imposition of reciprocal discipline based

on the Order in *Commission for Lawyer Discipline v. James O. Okorafor* (Oct. 21, 2010). On November 22, 2011, the Notice and Order was returned to the USPTO without any explanation about why it was not delivered to Respondent.

Due to the inability to serve Respondent at his last known address, Respondent was served by publication, pursuant to 37 C.F.R. § 11.35(b), in the *Official Gazette* on December 20, 2011 and December 27, 2011. The service in the *Official Gazette* informed Respondent that the OED Director had initiated a proceeding to impose reciprocal discipline, based on the Order in *Commission for Lawyer Discipline v. James O. Okorafor*, H0060724640 [BRIGGS] (Oct. 21, 2011). The notice in the *Official Gazette* also informed Respondent that, on October 17, 2011, a Notice and Order had been mailed to his last known address, but was returned to the USPTO because it could not be delivered. The notice in the *Official Gazette* further provided directions on how Respondent could request a copy of the Notice and Order and the supporting documents that had been sent to him at his last known address. It has been more than forty days since the second notice was published in the *Official Gazette* (Dec. 27, 2011), yet Respondent has not requested a copy of the Notice and Order and the supporting documents or filed a response to the Notice and Order.

Analysis

In light of Respondent's failure to file a response, it is hereby determined that: (1) there is no genuine issue of material fact under 37 C.F.R. § 11.24(d) and (2) the suspension of Respondent from practice before the USPTO is appropriate.

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

A. Respondent is suspended for two years from the practice of patent, trademark

and other non-patent law before the USPTO effective the date of this Final Order;

- B. The OED Director is directed to publish the following Notice in the Official Gazette:

NOTICE OF SUSPENSION

This concerns James O. Okorafor, of Houston, Texas, a registered patent attorney, registration number 34,525. In a disciplinary proceeding, the Director of the United States Patent and Trademark Office has ordered Mr. Okorafor be suspended from the practice before the United States Patent and Trademark Office in patent, trademark and other non-patent law cases for violating 37 C.F.R. §§ 10.23(a) and (b) via 37 C.F.R. § 23(c)(5) by being suspended for two years from the practice of law in the State of Texas for misconduct that was deceitful, dishonest, and constituted misrepresentations to a third party.

This action is taken pursuant to the provisions of 35 U.S.C. § 32, and 37 C.F.R. § 11.24. 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>.

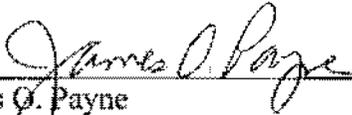
- C. The OED Director is directed to give notice of the final decision to appropriate employees of the Office and to interested departments, agencies, and courts of the United States, and also give notice to appropriate authorities of any State in which the practitioner is known to be a member of the bar;
- D. Respondent is directed to comply with his duties under 37 C.F.R. § 11.58 as a suspended practitioner and submit proof of compliance with 37 C.F.R. § 11.58(b)(3), (b)(5), and (b)(6) with the OED Director upon filing a petition for reinstatement under 37 C.F.R. § 11.60;

E. Direct such other and further relief as the nature of this cause shall require.

Respectfully Submitted,

FEB 15 2012

Date



James G. Payne
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

CERTIFICATE OF SERVICE

I certify that the foregoing Final Order Under 37 C.F.R. § 11.24 was mailed first class certified mail, return receipt requested, this day to the Respondent at the following address provided to OED pursuant to 37 C.F.R. § 11.11:

James O. Okorafor
Law Firm of Okorafor & Associates
Post Office Box 710182
Houston, TX 77271

FEB 15 2012

Date



United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

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<http://des.uspto.gov/Foia/OEDReadingRoom.jsp>.

FEB 15 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