

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

In the Matter of:)
)
)
Stephen R. Robinson,)
)
Respondent)
_____)

Proceeding No. D2012-34

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

Pursuant to 37 C.F.R. § 11.24, the exclusion of Stephen R. Robinson (“Respondent”) is hereby ordered for violation of 37 C.F.R. § 11.804(h).¹

Background

On June 29, 2012, the Supreme Court of Kansas, *In the Matter of Stephen R. Robinson*, Case No. 107, 311, disbarred Respondent from the practice of law on ethical grounds.

On April 4, 2013, a “Notice and Order Pursuant to 37 C.F.R. § 11.24” (“Notice and Order”) mailed by certified mail (receipt no. 70113500000314481206) notified Respondent that the Deputy General Counsel for Enrollment and Discipline and 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 Acting Director of the United States Patent and Trademark Office (“USPTO” or “Office”) impose reciprocal

¹ The Agency initiated disciplinary proceedings against Respondent for violating 37 C.F.R. §§ 10.23(a) and (b) via 37 C.F.R. § 10.23(c)(5) when he was disciplined by a duly constituted authority of a State (here, Kansas). Though new disciplinary rules became effective May 3, 2013, reciprocal discipline against Respondent is unaffected. A disciplinary proceeding initiated prior to the new rules may be continued under the new rules if the conduct at issue would continue to justify disciplinary action under the new rules. *See* 37 C.F.R. § 11.901(a). Respondent’s misconduct survives for disciplinary purposes under the new rules because, under 37 C.F.R. § 11.804(h) of the new rules, it is professional misconduct for a practitioner to be publicly disciplined on ethical or professional misconduct grounds by any duly constituted authority of a State.

discipline upon Respondent identical to the discipline imposed in the June 29, 2012 Order of the Supreme Court of Kansas, *In the Matter of Stephen R. Robinson*, Case No. 107, 311.

The Notice and Order was delivered to Respondent on April 8, 2013.

The Notice and Order provided Respondent an opportunity to file, within forty (40) 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 identical to that imposed by the Supreme Court of Kansas. More than forty days have passed and Respondent has not filed a response to the Notice and Order.

Analysis

In light of Respondent's failure to file a response, it is hereby determined that there is no genuine issue of material fact under 37 C.F.R. § 11.24(d) and exclusion of Respondent is the appropriate discipline.

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

1. Respondent be excluded from the practice of patent, trademark, and other non-patent law before the USPTO effective the date of this Final Order;
2. The OED Director publish the following Notice in the Official Gazette:

Notice of Exclusion

This Notice concerns Stephen R. Robinson of Lawrence, Kansas, who is a registered patent attorney (Registration No. 35,661). In a reciprocal disciplinary proceeding, the Acting Director of the United States Patent and Trademark Office has ordered that Mr. Robinson be excluded from practice before the United States Patent and Trademark Office in patent, trademark, and other non-patent law cases for violating 37 C.F.R. § 11.804(h), by being disbarred from the practice of law in the State of Kansas on ethical grounds.

According to the June 29, 2012 Order of the Supreme Court of Kansas, *In the Matter of Stephen R. Robinson*, Case No. 107, 311, Mr. Robinson was disbarred from practicing law in Kansas for commingling a client's funds, including unearned fees and USPTO filing fees, with his personal account; and converting those funds for his personal use in violation of Kansas Rules of Professional Conduct 1.15 (safekeeping property) and 8.4(c) (engaging in conduct involving

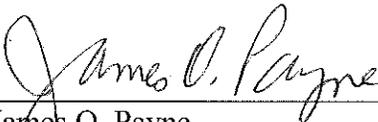
misrepresentation).

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 available at: <http://e-foia.uspto.gov/Foia/OEDReadingRoom.jsp>.

3. The OED Director give notice pursuant to 37 C.F.R. § 11.59 of the public discipline and the reasons for the discipline to disciplinary enforcement agencies in the state(s) where Respondent is admitted to practice, to courts where Respondent is known to be admitted, and to the public;
4. The USPTO dissociates Respondent's name from any Customer Numbers and the public key infrastructure ("PKI") certificate associated with those Customer Numbers;
5. Respondent shall not apply for a USPTO Customer Number, shall not obtain a USPTO Customer Number, nor shall he have his name added to a USPTO Customer Number, unless and until he is reinstated to practice before the USPTO; and
6. Such other and further relief as the nature of this cause shall require.

JUN 11 2013

Date



James O. Payne
Deputy General Counsel for General Law
United States Patent and Trademark Office

on behalf of

Teresa Stanek Rea
Acting Under Secretary of Commerce for
Intellectual Property and Acting Director of the
United States Patent and Trademark Office