

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

In the Matter of:)	
)	
Debra Jean Fickler,)	
)	
Respondent)	Proceeding No. D2015-30
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FINAL ORDER PURSUANT TO 37 C.F.R. § 11.24

Pursuant to 37 C.F.R. § 11.24, the suspension of Debra Jean Fickler (“Respondent”) is hereby ordered for violation of 37 C.F.R. § 11.804(h).

Background

On August 21, 2014, the United States District Court for the Western District of Missouri issued an order in *In the Matter of Debra Jean Fickler*, No. 14-438-D, suspending Respondent for six months from the practice of law in that jurisdiction on ethical grounds.

On June 23, 2015, a “Notice and Order Pursuant to 37 C.F.R. § 11.24” (“Notice and Order”) mailed by certified mail (receipt nos. 70143490000038972364; 70143490000038972357; and 70143490000038972371) notified 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 identical to the discipline imposed by the United States District Court for the Western District of Missouri in *In the Matter of Debra Jean Fickler*, No. 14-438-D. The Notice and Order was delivered to Respondent’s

address of record with OED on June 30, 2015.

The Notice and Order provided Respondent an opportunity to file, within forty (40) days, a response opposing the imposition of reciprocal discipline identical to that imposed by the United States District Court for the Western District of Missouri, based on one or more of the reasons provided in 37 C.F.R. § 11.24(d)(1). 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 suspension of Respondent from the practice of patent, trademark and other non-patent law before the USPTO for six months is appropriate.

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

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

NOTICE OF SUSPENSION

This Notice concerns Debra Jean Fickler of Kansas City, Missouri, who is a registered patent attorney (Registration Number 46,699). In a reciprocal disciplinary proceeding, the Director of the United States Patent and Trademark Office ("USPTO") has ordered that Ms. Fickler be suspended for six months from practice before the USPTO in patent, trademark and other non-patent matters for violating 37 C.F.R. § 11.804(h), predicated upon being suspended from the practice of law by a Federal Court.

Ms. Fickler was suspended from practice before the United States District Court for the Western District of Missouri for failure to prosecute a criminal appeal

and for failure to respond to orders issued by the United States Court of Appeals for the Eighth Circuit.

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. Respondent shall comply with the duties enumerated in 37 C.F.R. § 11.58;
5. The USPTO dissociate Respondent's name from any Customer Numbers and the public key infrastructure ("PKI") certificate associated with those Customer Numbers;
6. Respondent shall not apply for a USPTO Customer Number, shall not obtain a USPTO Customer Number, nor shall she have her name added to a USPTO Customer Number, unless and until she is reinstated to practice before the USPTO; and
7. Such other and further relief as the nature of this cause shall require.

OCT - 7 2015

Date



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

on behalf of

Michelle Lee
Under Secretary of Commerce for Intellectual
Property and Director of the United States Patent
and Trademark Office

cc:

OED Director

Ms. Debra Jean Fickler
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