

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

In the Matter of:

Rodger W. Moore,

Respondent

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Proceeding No. D2016-11

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

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

Background

On June 25, 2015, the Supreme Court of Ohio issued an order in *Cincinnati Bar Association v. Rodger William Moore*, Case No. 2014-1737, suspending Respondent for two years (with one year stayed) from the practice of law in Ohio on ethical grounds.

On January 15, 2016, a “Notice and Order Pursuant to 37 C.F.R. § 11.24” (“Notice and Order”) mailed by certified mail (receipt nos. 70150640000327334942 and 70150640000327334935) 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 Supreme Court of Ohio in *Cincinnati Bar Association v. Rodger William Moore*, Case No. 2014-1737. The Notice and Order was delivered to Respondent on January 20, 2016.

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 Supreme Court of Ohio, 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 trademark and non-patent law before the USPTO for one year, and one year of probation, is the appropriate discipline.

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

1. Respondent is suspended from the practice of trademark and non-patent law before the USPTO for one year, and is placed on probation for one year, 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 Rodger W. Moore of Covington, Kentucky, who was authorized to practice before the Office in trademark and non-patent matter. Mr. Moore is not authorized to practice before the Office in patent matters. In a reciprocal disciplinary proceeding, the Director of the United States Patent and Trademark Office ("USPTO") has ordered that Mr. Moore be suspended from practice before the USPTO in trademark and non-patent matters for one year and placed on probation for one year for violating 37 C.F.R. § 11.804(h), predicated upon being suspended for two years (with one year stayed) from the practice of law by a duly constituted authority of a State.

Mr. Moore was suspended from the practice of law for two years (with one year stayed) by the Supreme Court of Ohio on June 25, 2015, for engaging in illegal acts that adversely reflected on his honesty and trustworthiness, engaging in conduct involving dishonesty, deceit, fraud or misrepresentation, engaging in illegal conduct involving moral turpitude, knowingly making false statements of material fact in connection with a disciplinary matter, and neglecting or refusing to participate in a disciplinary matter. Mr. Moore engaged in seven incidents of

shoplifting between 2001 and 2012 and submitted false statements about those incidents during a disciplinary investigation by the Cincinnati Bar Association.

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; and

4. Respondent shall comply with the duties enumerated in 37 C.F.R. § 11.58.

MAR 16 2016

Date



Nicolas Oettinger
Acting 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

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