

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

In the Matter of:	)	
	)	
Matthew I. Cohen	)	Proceeding No. D2017-07
	)	
Respondent	)	
_____	)	

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

Pursuant to 37 C.F.R. § 11.24(b), Matthew I. Cohen (“Respondent”) is hereby suspended for two (2) years from the practice of patent, trademark, and other non-patent law before the United States Patent and Trademark Office (“USPTO”) for violation of 37 C.F.R. § 11.804(h).

**Background**

On October 20, 2016, the Supreme Court of Pennsylvania in *Office of Disciplinary Counsel v. Matthew I. Cohen*, No. 165 DB 2015, suspended Respondent for two years from the practice of law in that jurisdiction on ethical grounds.

On April 7, 2017, a “Notice and Order Pursuant to 37 C.F.R. § 11.24” (“Notice and Order”) was sent by certified mail (receipt no. 70160910000045134850) notifying 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 impose reciprocal discipline upon Respondent identical to the discipline imposed by the Supreme Court of Pennsylvania in *Office of Disciplinary Counsel v. Matthew I. Cohen*, No.

165 DB 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 Supreme Court of Pennsylvania in *Office of Disciplinary Counsel v. Matthew I. Cohen*, No. 165 DB 2015, based on one or more of the reasons provided in 37 C.F.R. § 11.24(d)(1). After unsuccessfully attempting to deliver the Notice and Order to Respondent via certified mail, the OED Director published the Notice and Order in the Official Gazette. 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 Respondent's suspension from the practice of patent, trademark and other non-patent law before the USPTO for two years is the appropriate discipline.

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

1. Respondent is suspended from the practice of patent, trademark and other non-patent law before the USPTO for a period of two years, 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 Matthew I. Cohen of Philadelphia, Pennsylvania, who is a registered patent attorney (Registration Number 48,133). In a reciprocal disciplinary proceeding, the Director of the United States Patent and Trademark Office ("USPTO") has ordered that Mr. Cohen be suspended for two years 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 for two years by a duly constituted authority of a State.

Mr. Cohen failed to appear for the imposition of an Informal Admonition before

the Disciplinary Board of the Supreme Court of Pennsylvania, District I Office, on August 4, 2015, failed to comply with the condition that he refund his client's monies, and failed to participate in the disciplinary process after he was found to have violated Pennsylvania Rules of Professional Conduct 1.3, 1.4(a)(3), 1.4(a)(4), 1.4(b), 8.4(c), as well as Pennsylvania Rules of Disciplinary Enforcement 203(b)(3) via 217(a), 217(j)(1), 217(j)(2), 217(j)(4)(ii), (iii), (iv), (v) and (vi), and Rule 203(b)(7). The disciplinary matter arose out of a trademark matter in which Mr. Cohen failed to communicate with his client and failed to notify the client that he was ineligible to practice law after he was administratively suspended from the bar of Pennsylvania for failure to comply with continuing legal education (CLE) requirements.

This action is taken pursuant to the provisions of 35 U.S.C. § 32 and 37 C.F.R. § 11.24. Disciplinary decisions are available for public review at the Office of Enrollment and Discipline's FOIA Reading Room located 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;

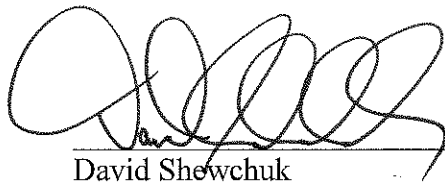
4. Respondent shall comply with the duties enumerated in 37 C.F.R. § 11.58;

5. The USPTO dissociate Respondent's name from any Customer Numbers and the public key infrastructure ("PKI") certificate associated with those Customer Numbers; and

6. 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 she is reinstated to practice before the USPTO.

(Signature page follows)

12 July 2017  
Date



David Shewchuk  
Deputy General Counsel for General Law  
United States Patent and Trademark Office

on behalf of

Joseph Matal  
Performing the Functions and Duties of  
the Under Secretary of Commerce for Intellectual  
Property and Director of the United States Patent  
and Trademark Office

cc:

OED Director

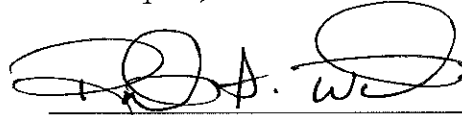
Mr. Matthew I. Cohen  
1500 JFK Boulevard, Suite 200  
Philadelphia, PA 19103

**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:

Mr. Matthew I. Cohen  
1500 JFK Boulevard, Suite 200  
Philadelphia, PA 19103

12 July 2017  
Date



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

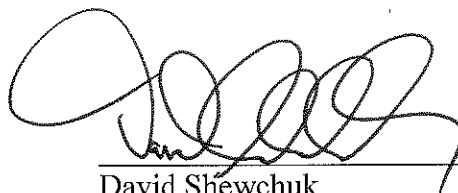
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Mr. Cohen failed to appear for the imposition of an Informal Admonition before the Disciplinary Board of the Supreme Court of Pennsylvania, District I Office, on August 4, 2015, failed to comply with the condition that he refund his client's monies, and failed to participate in the disciplinary process after he was found to have violated Pennsylvania Rules of Professional Conduct 1.3, 1.4(a)(3), 1.4(a)(4), 1.4(b), 8.4(c), as well as Pennsylvania Rules of Disciplinary Enforcement 203(b)(3) via 217(a), 217(j)(1), 217(j)(2), 217(j)(4)(ii), (iii), (iv), (v) and (vi), and Rule 203(b)(7). The disciplinary matter arose out of a trademark matter in which Mr. Cohen failed to communicate with his client and failed to notify the client that he was ineligible to practice law after he was administratively suspended from the bar of Pennsylvania for failure to comply with continuing legal education (CLE) requirements.

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12 July 2017  
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Date



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David Shewchuk  
Deputy General Counsel for General Law  
United States Patent and Trademark Office

on behalf of

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Performing the Functions and Duties of  
the Under Secretary of Commerce for Intellectual  
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and Trademark Office