

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

In the Matter of:)	
)	
James F. McLaughlin,)	Proceeding No. D2017-20
)	
Respondent)	
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FINAL ORDER PURSUANT TO 37 C.F.R. § 11.24

Pursuant to 37 C.F.R. § 11.24, James F. McLaughlin (“Respondent”) is hereby publicly reprimanded for violation of 37 C.F.R. § 11.804(h).

Background

On August 26, 2016, the Connecticut Statewide Grievance Committee issued a decision in *Lebouitz v. McLaughlin*, (No. 16-0027), reprimanding Respondent on ethical grounds in relation to his representation of a client in a patent matter.

On September 27, 2017, a “Notice and Order Pursuant to 37 C.F.R. § 11.24” (“Notice and Order”) was mailed by certified mail (receipt no. 70160910000045132603), 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 and 11.34” (“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 Connecticut Statewide Grievance Committee in *Lebouitz v. McLaughlin*, (No. 16-0027). The Notice and Order was sent to Respondent at the most recent address provided to the OED Director pursuant to 37 C.F.R. § 11.11(a). 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 Connecticut Statewide Grievance Committee in *Lebouitz v. McLaughlin*, (No. 16-0027), based on one or more of the reasons provided in 37 C.F.R. § 11.24(d)(1). The Notice and Order was delivered to Respondent on October 11, 2017.

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 reprimanding Respondent is the appropriate discipline.

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

1. Respondent is hereby publicly reprimanded;
2. The OED Director publish a Notice in the *Official Gazette* that is materially consistent with the following:

NOTICE OF PUBLIC REPRIMAND

This notice concerns James F. McLaughlin of New Milford, Connecticut, who is a registered patent attorney (Registration Number 38,048). In a reciprocal disciplinary proceeding, the Director of the United States Patent and Trademark Office ("USPTO") has ordered that Mr. McLaughlin be reprimanded for violating 37 C.F.R. § 11.804(h), predicated upon receiving a reprimand on ethical grounds by a duly constituted authority of a State in relation to his representation of a client in a patent matter.

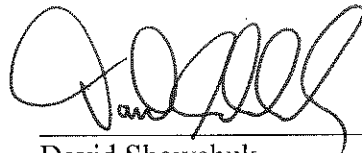
On June 29, 2016, Mr. McLaughlin executed an affidavit in support of a preliminary settlement agreement wherein he acknowledged sufficient evidence to prove by clear and convincing evidence the material facts constituting a violation of Rule 1.3 of the Connecticut Rules of Professional Conduct. Pursuant to his stipulation, the Connecticut Statewide Grievance Committee issued the reprimand on August 26, 2016, in *Lebouitz v. McLaughlin* (No. 16-0027).

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>.

and

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.

15 Nov 2017
Date



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

on behalf of

Joseph D. 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. James F. McLaughlin, Esq.
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