

UNITED STATES PATENT AND TRADEMARK OFFICE

In the Matter of:)
Jonathan Callister,) Proceeding No. D2018-09
Respondent)

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

Pursuant to 37 C.F.R. § 11.24, Jonathan Callister ("Respondent") is hereby suspended for thirty-five (35) days from the practice of 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

By Order dated July 25, 2017, in In the Matter of Discipline of Jonathan Callister, Bar No. 8011, Case No. 70901, the Supreme Court of the State of Nevada suspended Respondent for thirty-five (35) days from the practice of law in that jurisdiction on ethical grounds.

On January 10, 2018 a "Notice and Order Pursuant to 37 C.F.R. § 11.24" ("Notice and Order") was sent by certified mail (receipt no. 70160910000045132865) 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 the State of Nevada in In the Matter of Discipline of Jonathan Callister, Bar No. 8011, Case No. 70901. 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 the State of Nevada in *In the Matter of Discipline of Jonathan Callister, Bar No. 8011*, Case No. 70901, 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 January 19, 2018. 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 trademark and other non-patent law before the USPTO for thirty-five (35) days is the appropriate discipline.

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

1. Respondent is suspended from the practice of trademark and other non-patent law before the USPTO for a period of thirty-five (35), 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 Jonathan Callister of Las Vegas, Nevada, who is authorized to practice before the Office in trademark and non-patent matters. In a reciprocal disciplinary proceeding, the Director of the United States Patent and Trademark Office ("USPTO") has ordered that Jonathan Callister be suspended for thirty-five (35) days from practice before the USPTO in trademark and other non-patent matters for violating 37 C.F.R. § 11.804(h), predicated upon being suspended for thirty-five (35) days from the practice of law by a duly constituted authority of a state. Mr. Callister is not authorized to practice before the Office in patent matters.

The Supreme Court of the State of Nevada suspended Jonathan Callister for offering \$7,000.00 to a third-party fact witness, if the witness would testify that the will he had witnessed was a fake, and for threatening the witness with civil litigation and criminal exposure if the witness would not testify as Mr. Callister wanted. The Supreme Court found that Mr. Callister violated the following Nevada Rules of Professional Conduct: RPC 3.4(b) (fairness to opposing party and counsel: offer of an inducement to a witness that is prohibited by law) and RPC 8.4(d) (misconduct prejudicial to the administration of justice).

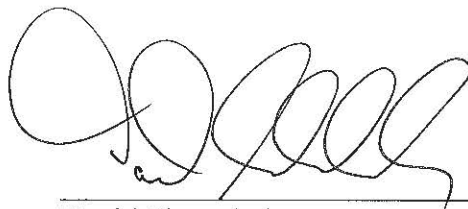
This action is taken pursuant to the provisions of 35 U.S.C. § 32 and 37 C.F.R. § 11.24. Disciplinary decisions are available for public review at the Office of Enrollment and Discipline's FOIA Reading Room located at: <http://e-foia.uspto.gov/Foia/OEDReadingRoom.jsp>.

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; and

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

2/23/18

Date



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

on delegation by
Andrei Iancu
Under Secretary Of Commerce For Intellectual Property
And Director Of The United States Patent And Trademark
Office