

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

In the Matter of:)
)
William G. Shanaberger,)
)
Respondent)
_____)

Proceeding No. D2018-26

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

Pursuant to 37 C.F.R. § 11.24(b), William G. Shanaberger (“Respondent”) is hereby suspended for ninety (90) days from the practice of trademark and other non-patent law before the United States Patent and Trademark Office (“USPTO” or “Office”) for violation of 37 C.F.R. § 11.804(h).

Background

By Order dated May 26, 2017, the State of Michigan Attorney Discipline Board in its Notice of Suspension with Conditions (Case Nos. 16-6-JC; 16-7-GA) suspended Respondent for ninety (90) days from the practice of law in that jurisdiction based on ethical grounds.

On April 12, 2018, a “Notice and Order Pursuant to 37 C.F.R. § 11.24” (“Notice and Order”), was sent by certified mail (receipt no. 70160910000045133334) 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 USPTO impose reciprocal discipline upon Respondent identical to the discipline imposed by the State of Michigan Attorney Discipline Board on May 26, 2017 in its Notice of Suspension with Conditions (Case Nos. 16-6-JC; 16-7-GA). The Notice and Order was delivered to Respondent on April 16, 2018.

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 State

of Michigan, 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 Respondent's suspension from the practice of trademark and other non-patent law before the USPTO for ninety (90) days is the appropriate discipline.

ACCORDINGLY, it is hereby ORDERED that:

1. Respondent be, and hereby is, suspended from the practice of trademark and other non-patent law before the USPTO for ninety (90) days, effective the date of this Final Order;
2. The OED Director publish a notice in the Official Gazette that is materially consistent with the following:

Notice of Suspension

This notice concerns William G. Shanaberger of Royal Oak, Michigan, 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 Mr. Shanaberger be suspended for 90 days from practice before the USPTO in trademark and other non-patent matters for violating 37 C.F.R. § 11.804(h), predicated upon his being suspended for 90 days from the practice of law by a duly constituted authority of a State. Mr. Shanaberger is not authorized to practice before the Office in patent matters.

On May 26, 2017, the State of Michigan Attorney Discipline Board issued a Notice of Suspension with Conditions (Case Nos. 16-6-JC; 16-7-GA), suspending Mr. Shanaberger for 90 days from the practice of law in the State of Michigan. The notice states that Mr. Shanaberger admitted that he 1) was convicted of allowing an unlicensed person to operate a motor vehicle, in violation of MCL 257.325, in *People of the city of Birmingham v William G. Shanaberger*, 48th District Court Case No.15BC01157B; and 2) committed professional misconduct when he filed an answer to an attorney Grievance Commission Request for Investigation in which he failed to fully and fairly detail all of the facts and circumstances leading to his arrest because he was inaccurate in describing his conduct. The notice

further states that, based in part on Mr. Shanaberger's admissions, a Tri-County Hearing Panel of the State of Michigan Attorney Discipline Board found that Mr. Shanaberger failed to disclose a fact necessary to correct a misapprehension known by the person to have arisen in the matter, in violation of MRPC 8.1(a)(2); failed to fully and fairly disclose all facts and circumstances in response to demands for information made in a request for investigation, in violation of MCR 9.113(A); and engaged in conduct that violated a criminal law of a state or of the United States, an ordinance, or a tribal law, in violation of MCR 9.104(5). Mr. Shanaberger was also found to have violated MCR 9.104(1) and (2) and MRPC 8.4(a) and (c).

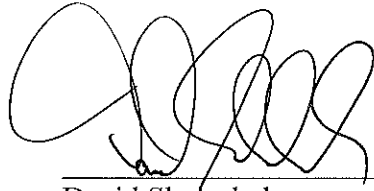
This action is taken pursuant to the provisions of 35 U.S.C. § 32 and 37 C.F.R. § 11.24. Disciplinary decisions are available for public review at the Office of Enrollment and Discipline's FOIA Reading Room, located at: <http://e-foia.uspto.gov/Foia/OEDReadingRoom.jsp>.

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 he is reinstated to practice before the USPTO.

[SIGNATURE ON FOLLOWING PAGE]

5/29/19

Date



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

on delegated authority by

Andrei Iancu
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office

cc:

OED Director

Mr. William G. Shanaberger

