

UNITED STATES PATENT AND TRADEMARK OFFICE

In the Matter of:)
)
Varen C. Belair,)
)
Respondent)
_____)

Proceeding No. D2018-18

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

Pursuant to 37 C.F.R. § 11.24, Varen C. Belair (“Respondent”) is hereby excluded 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

By Order dated March 19, 2018, the Colorado Supreme Court in *The People of the State of Colorado v. Varen Craig Belair*, Supreme Court Case No. 17PDJ060, excluded Respondent from the practice of law in that jurisdiction 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 nos. 70160910000045133310 and 70160910000045133327) 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 USPTO Director impose reciprocal discipline upon Respondent identical to the discipline imposed by the Colorado Supreme Court in *The People of the State of Colorado v. Varen Craig Belair*, Supreme Court Case No. 17PDJ060. 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 Colorado Supreme Court in *The People of the State of Colorado v. Varen Craig Belair*, Supreme Court

Case No. 17PDJ060, based on one or more of the reasons provided in 37 C.F.R. § 11.24(d)(1). The Notice and Order was not able to be delivered to Respondent. Thus, the Notice and Order was published in the Official Gazette on May 29, 2018 and June 5, 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 exclusion from the practice of patent, trademark and other non-patent law before the USPTO is the appropriate discipline.

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

1. Respondent is excluded from the practice of patent, trademark and other non-patent law before the USPTO, effective the date of this Final Order;
2. The OED Director publish the following Notice in the *Official Gazette*:

NOTICE OF EXCLUSION

This notice concerns Varen C. Belair of Plano, Texas, who is a registered patent attorney (Registration Number 49,056). In a reciprocal disciplinary proceeding, the Director of the United States Patent and Trademark Office ("USPTO") has ordered that Mr. Belair be excluded 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 excluded from the practice of law by a duly constituted authority of a State.

The Colorado Supreme Court disbarred Mr. Belair for neglecting matters entrusted to him, engaging in conduct involving dishonesty and misrepresentation, and for failing to cooperate in an Attorney Regulation Counsel Investigation in Colorado Disciplinary Proceedings 16-2462 and 16-3149.

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;

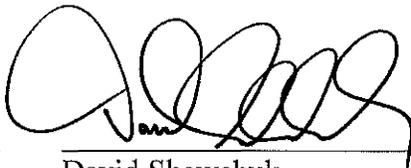
4. Respondent shall comply with the duties enumerated in 37 C.F.R. § 11.58;

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.

7/24/18

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