

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

In the Matter of:)	
)	
Christopher Paul Mitchell,)	Proceeding No. D2018-29
)	
Respondent)	
_____)	

FINAL ORDER PURSUANT TO 37 C.F.R. § 11.25

Pursuant to 37 C.F.R. § 11.25, the interim suspension of Christopher Paul Mitchell (“Respondent”) from the practice of patent, trademark, and other non-patent law before the United States Patent and Trademark Office (“USPTO” or “Office”) is hereby ordered for violation of 37 C.F.R. § 11.804(b). It is further ordered that a “Disciplinary Complaint Pursuant to 35 U.S.C. § 32 and 37 C.F.R. 11.25” be referred to a hearing officer for the purpose of conducting a formal disciplinary proceeding.

Background

On March 1, 2018, the Circuit Court of the City of Fredericksburg, Virginia, issued an order in *Commonwealth of Virginia v. Christopher Paul Mitchell*, CR17-001108-00, finding Respondent guilty of one felony count of Leaving the Scene of an Accident Involving Personal Injury or Death in violation of Va. Code Ann. § 46.2-894 (2006).

On June 14, 2018, a “Reissued Notice and Order Pursuant to 37 C.F.R. § 11.25” (“Reissued Notice and Order”), mailed by certified mailed (receipt no.70170660000095939426), notified Respondent that the Director of the Office of Enrollment and Discipline (“OED Director”) had filed a “Request for Notice, Order, Interim Suspension, and Referral for Further Proceedings Pursuant to 37 C.F.R. § 11.25” with a “Disciplinary Complaint Pursuant to 35

U.S.C. § 32 and 37 C.F.R. 11.25” (“Complaint”), requesting that the Director of the USPTO impose an interim suspension upon Respondent predicated on evidence that Respondent committed a serious crime, which was a felony offense. The Reissued Notice and Order was delivered to Respondent on June 25, 2018.

The Reissued Notice and Order provided Respondent an opportunity to file, within forty (40) days, a response opposing the imposition of discipline. Respondent filed a timely response to the Reissued Notice and Order on July 24, 2018.

Analysis

In his response, Respondent stipulates that he “is not aware of any information supporting a genuine issue of material fact with respect to paragraphs (1), (2), or (3) on page two of the Notice and Order.” (Ex. 1). Given Respondent’s response on the defenses set forth in the Reissued Notice and Order, it is hereby determined that there is no genuine issue of material fact under 37 C.F.R. § 11.25 and an interim suspension of Respondent from the practice of patent, trademark, and other non-patent law before the USPTO is appropriate.

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

1. Respondent be suspended on an interim basis from the practice of patent, trademark, and other non-patent law before the USPTO effective the date of this Final Order;
2. Respondent is granted limited recognition to practice before the Office commencing on the date of this Order and expiring thirty (30) days after the date this Order is signed, with such limited recognition being granted for the sole purpose of facilitating Respondent’s compliance with the provisions of 37 C.F.R. § 11.58(b);

3. The Complaint (a copy of which is attached hereto as Ex. 2) is referred, in accordance with 37 C.F.R. § 11.25(b)(5), to a hearing officer at the U.S. Department of Housing and Urban Development for the purpose of conducting a formal disciplinary proceeding;

4. Pursuant to 37 C.F.R. § 11.36, within thirty (30) days from the date of this Final Order, Respondent's written answer to the Complaint shall be filed with the hearing officer addressed as follows:

If sent by mail:	Docket Clerk HUD Office of Hearings and Appeals 451 7 th Street, S.W. Room B-133 Washington, D.C. 20410
------------------	--

If hand-delivered (e.g., via Federal Express or other delivery service):	Docket Clerk HUD Office of Hearings and Appeals 409 3d Street, S.W. Suite 201 Washington, D.C. 20024
--	--

and Respondent must also file a PDF version of the answer with the hearing office via email to:



and a copy of the answer shall be served on the OED Director by mail to:

Mail Stop 8
Office of the Solicitor
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

5. The OED Director shall publish the following Notice in the *Official Gazette*:

Notice of Interim Suspension

This notice concerns Christopher Paul Mitchell, who is a registered patent attorney (Registration Number 54,946). Mr. Mitchell has been suspended from practice before the United States Patent and

Trademark Office in patent, trademark, and other non-patent matters on an interim basis pursuant to 37 C.F.R. § 11.25(b) by the United States Patent and Trademark Office for having pled guilty to one felony count of Leaving the Scene of an Accident Involving Personal Injury or Death, in violation of Va. Code Ann. § 46.2-894 (2006) by Order of the Circuit Court of the City of Fredericksburg, Virginia, dated March 1, 2018, in *Commonwealth of Virginia v. Christopher Paul Mitchell*, CR17-001108-00.

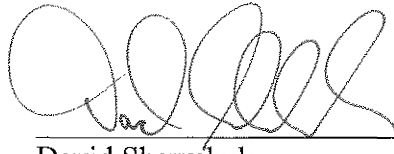
This action is taken pursuant to the provisions of 35 U.S.C. § 32 and 37 C.F.R. §§ 11.25 and 11.59. Disciplinary decisions are available for public review at the Office of Enrollment and Discipline's FOIA Reading Room, located at: <http://e-foia.uspto.gov/Foia/OEDReadingRoom.jsp>.

6. The OED Director gives notice of this Final Order to i) appropriate employees of the USPTO; ii) interested departments, agencies, and courts of the United States; and iii) appropriate authorities of any state in which Respondent is known to be a member of the bar;
7. Respondent shall comply with 37 C.F.R. § 11.58;
8. The USPTO dissociate Respondent's name from any Customer Numbers and the public key infrastructure ("PKI") certificate associated with those Customer Numbers;
9. 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; and
10. If Respondent seeks a review of this suspension, any review shall not operate to postpone or otherwise hold in abeyance the suspension.

[SIGNATURE ON FOLLOWING PAGE]

7/31/18

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

Ms. Heather Bupp
5 Turnham Court
North Potomac, MD 20878
Counsel for Respondent