

UNITED STATES PATENT AND TRADEMARK OFFICE

In the Matter of: )  
 )  
Robert Ryan Morishita, ) Proceeding No. D2018-38  
 )  
Respondent )  
\_\_\_\_\_ )

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

Pursuant to 37 C.F.R. § 11.24, Robert Ryan Morishita (“Respondent”) is hereby excluded from the practice of patent, trademark, and other non-patent law before the United States Patent and Trademark Office (“USPTO” or “Office”). Respondent’s reciprocal discipline is predicated on his violation of 37 C.F.R. § 11.804(h), having been disciplined by a duly constituted authority of a state.

**Background**

On September 5, 2018, a “Notice and Order Pursuant to 37 C.F.R. § 11.24” (“Notice and Order”) was sent by certified mail (receipt nos. 70180680000076616127, 70180680000076616134, 70180680000076616141, and 70180680000076616158) 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 re Discipline of Robert Ryan Morishita, Bar No. 6752*, (Case No. 74280). 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 re Discipline of*

*Robert Ryan Morishita, Bar No. 6752, (Case No. 74280)*, based on one or more of the reasons provided in 37 C.F.R. § 11.24(d)(1). The Notice and Order was also published for two (2) consecutive weeks in the Official Gazette.

### 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, commencing on the date of this Final Order;
2. The OED Director publish the following Notice in the *Official Gazette*:

### Notice of Exclusion

This notice concerns Robert Ryan Morishita of Las Vegas, Nevada, who is a registered patent attorney (Registration Number 42907). In a reciprocal disciplinary proceeding, the Director of the United States Patent and Trademark Office ("USPTO") has ordered that Mr. Morishita 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 disbarred from the practice of law by a duly constituted authority of a State.

Mr. Morishita was disbarred from the practice of law in Nevada per the March 9, 2018 Order and the April 3, 2018 Judgment of Remittitur of the Supreme Court of the State of Nevada in *In re Discipline of Robert Ryan Morishita, Bar No. 6752, (Case No. 74280)*. Mr. Morishita was found to have violated the following Nevada Rules of Professional Conduct: 1.1 (competence); 1.3 (diligence); 1.4 (communication); 1.5 (fees); RPC 1.15 (safekeeping property); 1.16 (termination of representation) and RPC 8.4(b), (c) and (d) (misconduct). According to the record in Case No. 74280, Mr. Morishita failed to diligently pursue actions on behalf of his clients, knowingly obtained money from his clients under false pretenses, abandoned his law practice without properly terminating representation of

his clients, failed to appropriately handle client files, and failed to cooperate with the bar investigation and proceeding. Mr. Morishita intentionally deceived a set of clients by falsifying a government document and leading the clients to the mistaken belief that their legal matter was still ongoing, and failed to properly handle numerous client files by abandoning them in a storage unit.

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;

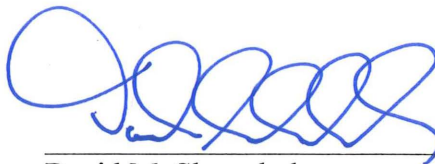
5. The USPTO dissociate Respondent's name from any Customer Numbers and the public key infrastructure ("PKI") certificate associated with those Customer Numbers; and

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 page follows)

23 Jan 2019

Date



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

on delegated authority by

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

cc:  
OED Director

Robert R. Morishita  
*Respondent*