

UNITED STATES PATENT AND TRADEMARK OFFICE

In the Matter of:)
Joseph Taylor Brown,) Proceeding No. D2023-13
Respondent)
_____)

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

Pursuant to 37 C.F.R. § 11.24, Joseph Taylor Brown (“Respondent”) is hereby reprimanded by United States Patent and Trademark Office (“USPTO” or “Office”), for violation of 37 C.F.R. § 11.804(h).

Background

On July 28, 2023, a “Notice and Order Pursuant to 37 C.F.R. § 11.24” (“Notice and Order”) was sent by certified mail (receipt nos. 70001670001371469907 and 70001670001371469914) 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 May 4, 2023 Opinion of the Supreme Court of Virginia in *Joseph Taylor Brown v. Virginia State Bar ex rel Sixth District Committee*, Record No. 220643, affirming the August 25, 2022 Order of the Circuit Court for the County of Spotsylvania in *Virginia State Bar ex rel Sixth District Committee VSB Docket No. 20-060-118813 v. Joseph Brown*, Va. Cir. Ct. Case No. CL21003866-00, reprimanding Respondent regarding the practice of law in that jurisdiction on ethical grounds. 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 May 4,

2023 Opinion of the Supreme Court of Virginia in *Joseph Taylor Brown v. Virginia State Bar ex rel Sixth District Committee*, Record No. 220643, affirming the August 25, 2022 Order of the Circuit Court for the County of Spotsylvania in *Virginia State Bar ex rel Sixth District Committee VSB Docket No. 20-060-118813 v. Joseph Brown*, Va. Cir. Ct. Case No. CL21003866-00, 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 July 31, 2023. 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 reprimanding Respondent is the appropriate discipline.

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

1. Respondent is hereby publicly reprimanded;
2. The OED Director shall electronically publish the Final Order at OED's electronic FOIA Reading Room, which is publicly accessible at: <http://foiadocuments.uspto.gov>;
3. The OED Director publish a Notice in the *Official Gazette* that is materially consistent with the following:

Notice of Public Reprimand

This notice concerns Joseph Taylor Brown of Fredericksburg, Virginia, who is a registered patent attorney (Registration Number 48,536). In a reciprocal disciplinary proceeding, the Director of the United States Patent and Trademark Office ("USPTO") has ordered that Mr. Brown be publicly reprimanded regarding practice before the USPTO in patent, trademark, and other non-patent matters for violating 37 C.F.R. § 11.804(h), predicated upon being reprimanded regarding the practice of law by a duly constituted authority of a State and placed on probation with the possibility of suspension for a year and a day should he not take and pass the MPRE and complete 250 hours of community service.

Mr. Brown was reprimanded and placed on probation by the Circuit Court for the County of Spotsylvania for violating Virginia Rule of Professional Conduct 1.7(a)(2) (conflict of interest between present client and personal interest) by engaging in sexual relations with a client for whom he was counsel of record in a pending divorce proceeding on the basis of infidelity. Mr. Brown was ordered to, *inter alia*, take and pass the MPRE and complete 250 hours of community service as a condition of his probation by March 31, 2023. If Mr. Brown did not fully and timely comply, his license to practice law in Virginia was subject to suspension for a year and a day. Mr. Brown has certified timely competition of the terms of his probation to the Virginia State Bar and the OED Director.

Mr. Brown appealed to the Supreme Court of Virginia, which affirmed the public reprimand in its May 4, 2023 opinion in *Joseph Taylor Brown v. Virginia State Bar ex rel Sixth District Committee*, Record No. 220643, reprimanding Mr. Brown regarding the practice of law in that jurisdiction on ethical grounds.

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: <https://foiadocuments.uspto.gov/oed/>;

and;

4. The OED Director give notice of the public discipline, pursuant to 37 C.F.R. § 11.59, 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.

Users, Shewchuk, David
Digitally signed by Users, Shewchuk, David
Date: 2023.09.13 16:58:59 -04'00'

Date

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

on delegated authority by

Katherine K. Vidal
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Final Order Pursuant to 37 C.F.R. § 11.24 was mailed by first-class certified mail, return receipt requested, on this day to the Respondent at the most recent address provided to the OED Director pursuant to 37 C.F.R. § 11.11(a):

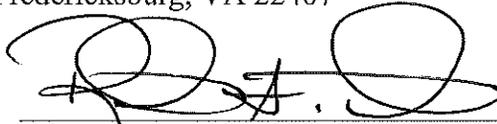
Mr. Joseph Taylor Brown
808 Salem Dr.
Fredericksburg, VA 22407

and to where the OED Director reasonably believes Respondent receives mail:

Mr. Joseph T. Brown
The Law Offices of Joseph T. Brown PLC
4036 Plank Rd.
Fredericksburg, VA 22407

9/15/2023

Date



United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450