

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

IN RE HERBERT COHEN )  
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FINAL ORDER

The Director of Enrollment and Discipline (OED Director) and Herbert Cohen (Respondent) having submitted a settlement of a matter that meets the requirements of 37 C.F.R. § 10.133(g), it is:

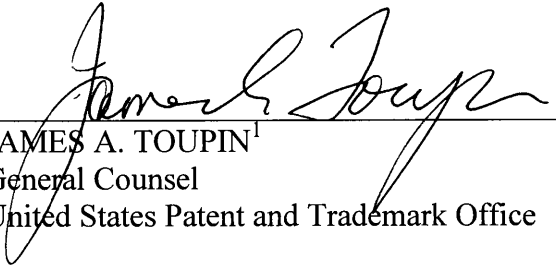
1. ORDERED that Herbert Cohen, of Rockville, Maryland, Registration Number 25,109 be reprimanded for his conduct in connection with representation of two conflicted clients in violation of 37 C.F.R. §§ 10.40(a), 10.66(b) and 10.77(c);
2. ORDERED that the Director of Enrollment and Discipline publish the following notice in the Official Gazette:


NOTICE OF REPRIMAND

Herbert Cohen, of Rockville, Maryland, Registration No. 25,109, has been publicly reprimanded by the Director of the United States Patent and Trademark Office pursuant to 35 U.S.C. § 32 for not complying with 37 C.F.R. §§ 10.40(a), 10.66(b), and 10.77(c). This action is taken pursuant to 35 U.S.C. § 32, and 37 C.F.R. §§ 10.133(g), and 10.159(b).

3. ORDERED that the reprimand be made of record in file D2002-10, a disciplinary file regarding only Respondent;
4. ORDERED that the Director of Enrollment and Discipline give notice to the District of Columbia Bar and Virginia State Bar that the Director of the United States Patent and Trademark Office, pursuant to 35 U.S.C. § 32, has publicly reprimanded Respondent; and
5. ORDERED that the "Proposed Settlement Pursuant To 37 C.F.R. § 10.133(g)," this FINAL ORDER, record, proceeding, and public reprimand be considered not only in dealing with any further complaint or evidence of the same or similar misconduct which may come to the attention of the United States Patent and Trademark Office, but also in any disciplinary proceeding occurring in the future as an aggravating factor to be taken into consideration in determining any discipline to

be imposed, and to rebut any statement or representation by or on Respondent's behalf, in any disciplinary proceeding occurring in the future.

  
JAMES A. TOUPIN<sup>1</sup>  
General Counsel  
United States Patent and Trademark Office

  
Date

cc: Jacob A. Stein  
Stein, Mitchell & Mezines  
1100 Connecticut Avenue, NW  
Washington, DC 20036

Harry I. Moatz  
Office of Enrollment and Discipline

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<sup>1</sup> On January 31, 2002, the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office delegated to the General Counsel the authority under 37 C.F.R. § 10.156 to decide appeals from the initial decisions of administrative law judges, and to issue final decisions in proceedings under 35 U.S.C. § 32.