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

In the Matter of:	)	
	)	
Thomas P. Grodt,	)	
	)	**Proceeding No. D2011-30**
Respondent	)	
	)	
	)	

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

Pursuant to 37 C.F.R. § 11.24(d), the suspension of Thomas P. Grodt, (Respondent) is hereby ordered for violation of the ethical standard set out in 37 C.F.R. § 10.23(b)(6) via 37 C.F.R. § 10.23(c)(5)(i).

Background

On September 6, 2011, in *In the Matter of Thomas P. Grodt*, Case Number LD-2010-0005, the Supreme Court of New Hampshire suspended Respondent from the practice of law in New Hampshire for a period of three years.

On December 15, 2011, a "Notice and Order Under 37 C.F.R. § 11.24" (Notice and Order) mailed by certified mail (receipt no. 70111150000146351420), informed Respondent that the Deputy General Counsel for Enrollment and Discipline and Director of the Office of Enrollment and Discipline (OED DGC) had filed a "Complaint for Reciprocal Discipline Under 37 C.F.R. § 11.24" (Complaint) requesting that the Director of the United States Patent and Trademark Office (USPTO or Office) impose reciprocal discipline upon Respondent identical to the discipline imposed by the Supreme Court of New Hampshire in *In the Matter of Thomas P. Grodt*, Case Number LD-2010-0005 (N.H. Sept. 6, 2011). The Notice and Order was delivered to Respondent on December 19, 2011.

The Notice and Order provided Respondent an opportunity to file, within forty days, a response opposing, based on one or more of the reasons provided in 37 C.F.R. § 11.24(d)(1), the imposition of reciprocal discipline identical to that imposed by the Supreme Court of New Hampshire. 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: (1) there is no genuine issue of material fact under 37 C.F.R. § 11.24(d) and (2) suspension of Respondent from the practice of patent, trademark and non-patent law before the USPTO for three years is appropriate.

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

A. Respondent be suspended from the practice of patent, trademark, and other non-patent law before the USPTO for a period of three years;

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

NOTICE OF SUSPENSION

This concerns Thomas P. Grodt of Londonberry, New Hampshire, a registered patent attorney (Registration No. 41,045). In a reciprocal disciplinary proceeding, the USPTO Director has ordered that Mr. Grodt be suspended from the practice of patent, trademark, and non-patent law before the USPTO for a period of three years. Mr. Grodt was suspended for violating 37 C.F.R. § 10.23(b)(6) via 37 C.F.R. § 10.23(c)(5)(i) when he was suspended from the practice of law in New Hampshire for three years by the Supreme Court of New Hampshire in an order dated September 6, 2011.

The Supreme Court of New Hampshire suspended Mr. Grodt by imposing the entire period of a three-year stayed suspension on the basis that he had not complied with the conditions of the stay. Mr. Grodt's suspension was predicated upon his violation of the following New Hampshire Rules of Professional Conduct: Rule 1.3, by failing to act with reasonable diligence and promptness in representing his clients; Rule 1.4(a)-(c), by failing to forward important documents to his clients, including important pleadings, motions and orders, and by failing to explain to them the legal and practical aspects of their

cases; Rule 8.1(a), by making a false statement of material fact to the Attorney Discipline Office during its investigation of his conduct; Rule 8.4(c), by making false statements to his clients about the mishandling of their cases; and Rule 8.4(a), by violating the Rules of Professional Conduct.

This action is taken pursuant to the provisions of 35 U.S.C. §§ 2(b)(2)(D) and 32, and 37 C.F.R. §§ 11.24 and 11.59. Disciplinary decisions are available for public review at the Office of Enrollment and Discipline's Reading Room located at: **http://des.usp.gov/Foia?OEDReadingRoom.jsp**

C. 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; and

D. Direct such other and further relief as the nature of this cause shall require.

FEB 24 2012

Date

James O. Payne
Deputy General Counsel for General Law
United States Patent and Trademark Office

on behalf of

David Kappos
Under Secretary of Commerce For Intellectual Property and Director of the United States Patent and Trademark Office