

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

In the Matter of: )  
 )  
Fei Qin, ) Proceeding No. D2019-18  
 )  
Respondent )  
\_\_\_\_\_ )

**FINAL ORDER PURSUANT TO 37 C.F.R. § 11.29**

Pursuant to 37 C.F.R. § 11.29, the reciprocal transfer to disability inactive status of Fei Qin (“Respondent”) is hereby ordered.

**Background**

On March 30, 2016, the Supreme Court of Colorado issued an order in *In re Fei Qin*, 16PDJ027 (Colo. O.P.D.J. Mar. 30, 2016), transferring Respondent to disability inactive status for an indefinite period regarding the practice of law in that jurisdiction.

On July 30, 2019, a “Notice and Order Pursuant to 37 C.F.R. § 11.29” (“Notice and Order”), mailed by certified mail (receipt nos. 70172620000001057646 and 70172620000001057653), notified Respondent that the Director of the Office of Enrollment and Discipline (“OED Director”) had filed a “Complaint for Reciprocal Transfer to Disability Inactive Status Pursuant to 37 C.F.R. §§ 11.29 and 11.34” (“Complaint”) <sup>1</sup> requesting that the Director of the United States Patent and Trademark Office (“USPTO”) transfer Respondent to disability inactive status and order that the Respondent shall not be authorized to practice before the USPTO in patent, trademark, and other non-patent law, based on Respondent having been indefinitely suspended due to disability by the Supreme Court of Colorado. The Notice and Order was sent to the Respondent at the most recent address provided to the OED Director

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<sup>1</sup> The Notice and Order explained that the Complaint, while referencing 37 C.F.R. §§ 11.29 and 11.34, would be treated as a compliant request for transfer to disability status under 37 C.F.R. § 11.29.

pursuant to 37 C.F.R. 11.11(a) in Denver, CO, and to a second address in Tucson, AZ, where the OED Director reasonably believes Respondent receives mail. The Notice and Order sent to the Denver, CO, address was returned to the USPTO as undeliverable, but the copy of the Notice and Order mailed to the Tucson, AZ, address was delivered on August 3, 2019.

The Notice and Order provided Respondent an opportunity to file, within thirty (30) days, a response opposing the imposition of reciprocal transfer to disability inactive status, based on one or more of the reasons provided in 37 C.F.R. § 11.29. 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. § 11.29(d) and the reciprocal transfer of Respondent to disability inactive status, precluding him 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 transferred to disability inactive status, precluding him from the practice of patent, trademark, and other non-patent law before the USPTO, until further order of the OED Director, effective the date of this Final Order;
2. The OED Director publish a Notice in the *Official Gazette* that is materially consistent with the following:

### NOTICE OF TRANSFER TO DISABILITY INACTIVE STATUS

This notice concerns Fei Qin of Denver, Colorado, who is a registered patent attorney (Registration Number 73, 164). In a reciprocal proceeding pursuant to 37 C.F.R. § 11.29, the Director of the United States Patent and Trademark Office ("USPTO") has ordered that Mr. Qin be transferred to disability inactive status, predicated upon being transferred to disability inactive status by a duly constituted authority of a State.

On March 30, 2016, the Supreme Court of Colorado transferred Mr. Qin to a disability inactive status regarding the practice of law in the State of Colorado in *In re Fei Qin*, 16PDJ027 (Colo. O.P.D.J. Mar. 30, 2016). While on disability inactive status, Mr. Qin shall not be authorized to practice before the USPTO in patent, trademark, and other non-patent matters.

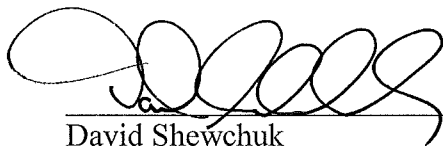
This action is taken pursuant to the provisions of 35 U.S.C. § 32 and 37 C.F.R. § 11.29. Disciplinary decisions and decisions regarding transfer to disability inactive status are available for public review at the Office of Enrollment and Discipline's FOIA Reading Room, located at <https://foiadocuments.uspto.gov/oed/>.

3. The OED Director give notice pursuant to 37 C.F.R. §§ 11.29(h)(2) and 11.59 of Respondent's reciprocal transfer to disability status to the 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]

25 Sept 2019

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

Mr. Fei Qin  
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