

**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. D2019-19
)	
Respondent)	
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FINAL ORDER PURSUANT TO 37 C.F.R. § 11.24

Pursuant to 37 C.F.R. § 11.24, Fei Qin (“Respondent”) is hereby suspended for three months from the practice of patent, trademark, and other non-patent law before the United States Patent and Trademark Office (“USPTO”) for violation of 37 C.F.R. § 11.804(h).

Background

By Order dated September 30, 2016, in *People v. Fei Qin*, 16PDJ017 (Colo. O.P.D.J. Sept. 30, 2016), the Supreme Court of Colorado suspended Respondent for three months from the practice of law in that jurisdiction.

On July 24, 2019, a “Notice and Order Pursuant to 37 C.F.R. § 11.24” (“Notice and Order”) mailed by certified mail (receipt nos. 70172620000001057615 and 70172620000001057622) notified 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 and 11.34” (“Complaint”) requesting that the Director of the USPTO impose reciprocal discipline upon Respondent identical to the discipline imposed by the Supreme Court of Colorado in *People v. Fei Qin*, 16PDJ017 (Colo. O.P.D.J. Sept. 30, 2016). The Notice and Order was sent to the Respondent at the most recent address provided to the OED Director 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 was

delivered to both addresses on July 29, 2019, although the mailing to the Denver, CO address was later returned with the note, “Addressee no longer at address.”

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 Colorado, based on one or more of the reasons provided in 37 C.F.R. § 11.24(d)(1). 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 Respondent’s suspension for three months 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 suspended from the practice of patent, trademark, and other non-patent law before the USPTO for a period of three months, 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 Suspension

This notice concerns Fei Qin of Denver, Colorado, who is a registered patent attorney (Registration Number 73,164). In a reciprocal disciplinary proceeding, the Director of the United States Patent and Trademark Office (“USPTO”) has ordered that Mr. Qin be suspended for three months 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 suspended for three months from the practice of law by a duly constituted authority of a State.

In *People v. Fei Qin*, 16PDJ017 (Colo. O.P.D.J. Sept. 30, 2016), the Supreme Court of Colorado suspended Mr. Qin for three

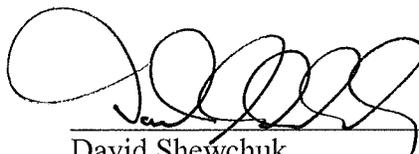
months from the practice of law in Colorado for violation of Colorado Rule of Professional Conduct 8.4(b), which provides that it is professional misconduct for a lawyer to commit a criminal act reflecting adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects. The Supreme Court of Colorado found a violation on the basis of Mr. Qin's conduct underlying convictions for "child abuse, knowingly or recklessly-no injury, under C.R.S. section 18-6-401(1) and 7(a)(VI), a class two misdemeanor" and "assault in the third degree, under C.R.S. section 18-3-204, a class-one misdemeanor."

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]

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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