

UNITED STATES PATENT AND TRADEMARK OFFICE

In the Matter of:)
David J. Edmondson,) Proceeding No. D2023-23
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 David J. Edmondson (“Respondent”) is hereby ordered.

Background

On February 28, 2023, the District of Columbia Court of Appeals issued an order in *In re David J. Edmondson*, No. 23-BS-0114 (D.C. Feb. 28, 2023), suspending Respondent regarding the practice of law in Washington, D.C., based upon an incapacity pursuant to D.C. Bar R. XI, § 13(c).

On August 31, 2023, a “Notice and Order Pursuant to 37 C.F.R. § 11.29” (“Notice and Order”) mailed by certified mail (receipt no. 70220410000250016992) notified Respondent that the Director of the Office of Enrollment and Discipline (“OED Director”) had filed a “Request for Reciprocal Transfer to Disability Inactive Status Pursuant to 37 C.F.R. § 11.29” (“Request”) requesting that the Director of the United States Patent and Trademark Office (“USPTO” or “Office”) transfer Respondent to disability inactive status based on the February 28, 2023 order of the District of Columbia Court of Appeals in *In re David J. Edmondson*, No. 23-BS-0114 (D.C. Feb. 28, 2023), suspending Respondent regarding the practice of law in Washington, D.C., based upon an incapacity pursuant to D.C. Bar R. XI, § 13(c).

The Notice and Order provided Respondent an opportunity to file, within thirty (40) 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.

On October 3, 2023, Respondent filed a response to the Notice and Order stating that he “consents to the OED Director’s Request for Reciprocal Transfer to Disability Inactive Status Pursuant to 37 CFR § 11.29” and that he “further acknowledges that the imposition of a functionally equivalent suspension at USPTO (transfer to disability inactive status) is appropriate.” See “Respondent’s Response to August 30 Notice and Order.”

Analysis

In light of Respondent’s response to the Notice and Order, in which Respondent consents to the transfer to disability inactive status, it is hereby determined that there is no genuine issue of material fact under 37 C.F.R. § 11.29(d) and the transferring of Respondent to disability inactive status, precluding him from the practice of patent, trademark and other non-patent law before the USPTO for an indefinite period, is appropriate.

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

1. Respondent is 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 the following Notice in the *Official Gazette*:

Notice Of Transfer To Disability Inactive Status

This notice concerns David J. Edmondson, a registered patent attorney (Registration Number 35,126) of Washington, D.C. In a reciprocal transfer to disability inactive status proceeding, the Director of the United States Patent and Trademark Office (“USPTO”) has ordered Mr. Edmondson to be transferred to disability inactive status. While on disability inactive status, Mr. Edmondson shall not be authorized to engage in practice before the USPTO in patent, trademark, or other non-patent matters until reinstated to active status.

The USPTO Director's order is based upon a February 28, 2023 order of the District of Columbia Court of Appeals in *In re David J. Edmondson*, No. 23-BS-0114 (D.C. Feb. 28, 2023), suspending Mr. Edmondson based upon an incapacity pursuant to D.C. Bar R. XI, § 13(c) in Washington, D.C.

This action is taken pursuant to the provisions of 35 U.S.C. § 32 and 37 C.F.R. §§ 11.20 and 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. § 11.59 of the transfer and the reasons for the transfer 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 shall dissociate Respondent's name from any Customer Number(s) and USPTO verified Electronic System account(s), if any; 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.

Users, Shewchuk, David
Digitally signed by Users,
Shewchuk, David
Date: 2023.10.03 16:45:55
-04'00'

Date

David M. Shewchuk
Deputy General Counsel for General Law
United States Patent and Trademark Office

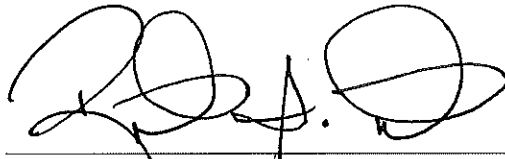
on delegated authority by
Katherine K. Vidal
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Final Order Pursuant to 37 C.F.R. § 11.29 was mailed by first-class certified mail, return receipt requested, on this day to counsel for Respondent:

Mr. Daniel Schumack
Schumack + Guggenheim PLLC
3900 Jermantown Rd.
Suite 300
Fairfax, VA 22030-4900

10/4/2023
Date



United States Patent and Trademark Office
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Alexandria, VA 22313-1450