

UNITED STATES PATENT AND TRADEMARK OFFICE

In the Matter of:)
)
Kristofer E. Halvorson)
)
Respondent)
_____)

Proceeding No. D2020-06

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

Pursuant to 37 C.F.R. § 11.24, Kristofer E. Halvorson (“Respondent”) is hereby suspended for two (2) years from the practice of patent, trademark, and other non-patent law before the United States Patent and Trademark Office (“USPTO” or “Office”). Respondent’s reciprocal discipline is predicated on his violation of 37 C.F.R. § 11.804(h), having been disciplined by a duly constituted authority of a state.

Background

On January 10 2020, a “Notice and Order Pursuant to 37 C.F.R. § 11.24” (“Notice and Order”) was sent by certified mail (receipt no. 70161970000031995204) notifying 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” (“Complaint”) requesting that the Director of the United States Patent and Trademark Office impose reciprocal discipline upon Respondent identical to the discipline imposed by the Presiding Disciplinary Judge of the Supreme Court of Arizona in *In re Halvorson*, Case No. PDJ 2018-9085. 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 Presiding Disciplinary Judge of the Supreme Court of Arizona in *In re Halvorson*, Case No. PDJ 2018-9085, based on one or more of the reasons

provided in 37 C.F.R. § 11.24(d)(1). Respondent received the Notice and order on January 14, 2020 but 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 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 two (2) years, commencing on the date of this Final Order;
2. Respondent shall remain suspended from the practice of patent, trademark, and other non-patent law before the USPTO until the OED Director grants a petition requesting Respondent's reinstatement pursuant to 37 C.F.R. § 11.60;
3. The OED Director publish the following Notice in the *Official Gazette*:

Notice of Suspension

This notice concerns Kristofer E. Halvorson of Tempe, Arizona, who is a registered patent attorney (Registration Number 39,211). In a reciprocal disciplinary proceeding, the Director of the United States Patent and Trademark Office ("USPTO") has ordered that Mr. Kristofer E. Halvorson be suspended from practice before the USPTO in patent, trademark, and other non-patent matters for a period of two (2) years for violating 37 C.F.R. § 11.804(h), predicated upon being suspended on ethical grounds from the practice of law by a duly constituted authority of a State.

Specifically, the Supreme Court of Arizona suspended Mr. Halvorson on ethical grounds from the practice of law in Arizona for two (2) years for conduct that violated Arizona's Rules of Professional Conduct 5.5 and 8.1, and Rule 54(d), Ariz. S. Ct. predicated on practicing law while suspended and failing to respond to a lawful demand for information from the Arizona Bar.

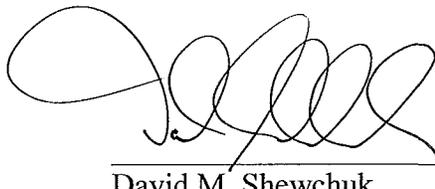
This action is taken pursuant to the provisions of 35 U.S.C. § 32 and 37 C.F.R. § 11.24. Disciplinary decisions are available for public review at the Office of Enrollment and Discipline's FOIA Reading Room, located at: <https://foiadocuments.uspto.gov/oed/>;

4. 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.

5. Respondent shall comply with the duties enumerated in 37 C.F.R. § 11.58; and

6. The USPTO shall dissociate Respondent's name from any Customer Number(s) and USPTO verified Electronic System account(s), if any.

28 Feb 2020
Date



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

on delegated authority by

Andrei T. Iancu
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office