

Joint Stipulated Facts

Background Regarding Respondent and His Practice

3. On July 16, 2013, Respondent was admitted to practice law in the State of Washington.
4. The USPTO registered Respondent as a patent practitioner on August 19, 2013, and assigned him registration number 71,759.
5. Respondent is the principal of a law firm he founded in 2018 known as Wen IP LLC.
6. Effective August 3, 2019, the USPTO amended its rules of practice to require that trademark applicants not domiciled within the United States be represented by an attorney who is licensed to practice law in a jurisdiction of the United States (also known as the “U.S. Counsel Rule”). *See* 37 C.F.R. § 2.11(a); Requirement of U.S. Licensed Attorney for Foreign Trademark Applicants and Registrants, 84 Fed. Reg. 31,498 (July 2, 2019) (Final Rule).
7. Respondent learned of the U.S. Counsel Rule before its effective date.
8. Respondent received more than 100 trademark applicant client referrals from each of eight different foreign entities (“foreign referring entities”) since the August 3, 2019 effective date of the U.S. Counsel Rule.
9. Three foreign referring entities from which Respondent received a significant amount of trademark work include Jinhua Jipu Intellectual Property Agency Studio (“Jinhua”), Tom Xing (“Xing”), and One Stop Cross Border Electricity Suppliers Service (“One Stop”).
10. Respondent’s trademark applicant clients varied in geographic location, and many were located in China.
11. While the scope of Respondent’s trademark services varied from client to client and foreign referring entity, he typically was retained to file a new application or take over a previously filed application. Respondent’s trademark work included drafting and filing new trademark

applications, drafting responses to Office Actions, filing statements of use, filing extensions, and submitting assignments. Occasionally, he became involved in Trademark Trial and Appeal Board cancellation or opposition proceedings.

Trademark Filings

12. Respondent used the USPTO's E-SIGN-ON signature method to sign hundreds of trademark filings. Respondent typically spent inadequate time reviewing such filings, including responses to Office Actions, prior to signing.

13. Respondent's rapid and cursory review resulted in trademark filings having errors and improprieties, including the following: missing specimens; specimens that were not bona fide; specimens that did not reflect the goods at issue; signatures that did not match the designated signatory names; misspelling of key information; missing material information; and misinformation regarding whether an applicant was represented by counsel.

14. Respondent did not verify with the foreign referring entities whether the applicants had sent bona fide specimens to the foreign referring entities.

15. Respondent impermissibly signed the name of another person, a trademark attorney who was identified as the named signatory, on filings for different trademark applications, including declarations appurtenant to the documents filed.

16. Respondent did not inform USPTO Trademark Operations that he had signed the name of the other person on trademark filings.

17. Respondent did not have an adequate system to track deadlines for responses to Office Actions in pending trademark matters in which he was the attorney of record. Instead, he relied on the foreign referring companies to communicate with his trademark applicant clients about the Office Actions.

18. When Respondent received an Office Action, he generally looked at it and gave the foreign referring entity an opinion regarding success in overcoming the Office Action. However, where he identified the Office Action as a simple Office Action, he merely forwarded it to the foreign referring entity and typically did not follow up if he did not receive a response from the foreign referring entity.

19. Regardless of whether Respondent received a response from a foreign referring entity in a given instance involving an Office Action, he did not ascertain whether the foreign referring entity had communicated with the trademark applicant about the Office Action. Respondent assumed that no response from the foreign referring entity meant that the trademark applicant did not want to respond to the Office Action.

20. If Respondent received Notices of Abandonment, he did not confer with the trademark applicants to determine whether the abandonment was authorized or otherwise communicate with the trademark applicants about Notices of Abandonment. Instead, he merely forwarded Notices of Abandonment to the foreign referring company.

21. An authorized person must sign a Change of Address or Representation (“CAR”) form. If the CAR form is being used to revoke the power of attorney for all previously appointed attorneys (*i.e.*, the primary attorney of record and all other appointed attorneys, if any), the CAR form must be signed by the individual applicant/registrant or by a person authorized to legally bind a juristic applicant/registrant (*e.g.*, an officer of a corporation or a partner in a partnership). In this instance, the form may not be signed by the original attorney of record or the new attorney of record.

22. Respondent impermissibly signed numerous CAR forms in order to revoke existing power of attorneys for previously appointed attorneys of record for applicants in pending trademark applications.

23. Respondent opened or sponsored several discrete USPTO.GOV accounts, including for many of the foreign referring entities.

24. Respondent created a unique USPTO.GOV account for an employee of Jinhua.

25. Respondent created a unique USPTO.GOV account for One Stop.

26. Jinhua and One Stop filed trademark documents using the USPTO.GOV accounts that Respondent had created for them.

27. Using the DIRECT signature method, Jinhua and One Stop inserted Respondent's signature and used his U.S. attorney credentials for these trademark filings.

28. Jinhua filed at least 87 improperly signed trademark documents signing Respondent's signature and using his attorney credentials.

29. One Stop filed more than 250 improperly signed trademark applications signing Respondent's signature and using his attorney credentials. One Stop also filed more than 250 improperly signed filings after the trademark application was filed (e.g., Office Action responses or Statements of Use) signing Respondent's signature and using his attorney credentials.

30. Respondent did not review these filings before they were filed by Jinhua and One Stop.

31. On or about March 29, 2022, Respondent sent a letter via e-mail to the USPTO's Deputy Commissioner for Trademark Examination Policy with the subject "Credential Takeover," in which Respondent reported Jinhua's and One Stop's unauthorized use of his signature and his attorney credentials.

32. During OED's investigation of Respondent, Respondent indicated that Jinhua and One Stop had signed his name and used his credentials without his knowledge or consent, and that he first learned of the use of his name by Jinhua and One Stop on March 23, 2022. Respondent also

acknowledged to OED that he had no excuse for not timely discovering the improper activity by Jinhua and One Stop.

33. Respondent should have known about the improper activity by Jinhua and One Stop prior to March 23, 2022.

34. Jinhua paid Respondent for the 87 improperly signed filings that Respondent identified in the March 29, 2022 letter to the Deputy Commissioner for Trademark Examination Policy.

35. The USPTO sent to Respondent's email address a filing receipt for each of the 87 improperly signed Jinhua filings.

36. The USPTO sent to Respondent's email address filing receipts for the hundreds of improperly signed One Stop filings.

37. The Internet Protocol ("IP") addresses for the computer(s) associated with the Jinhua and One Stop filings do not match the IP address associated with Wen IP LLC.

38. In 2020 and 2021, the USPTO sent to Respondent's email address official correspondence pertaining to many of the improperly signed Jinhua filings.

39. In 2020 and 2021, the USPTO sent to Respondent's email address official correspondence pertaining to many of the improperly signed One Stop filings.

40. Subsequent to One Stop filing improperly signed applications, Respondent participated in the prosecution of many such applications.

41. In 2020, Respondent authorized, via telephone, at least three separate USPTO Examiner Amendments pertaining to improperly signed One Stop applications.

42. In 2020, Respondent authorized, via email, at least eight separate USPTO Examiner Amendments pertaining to improperly signed One Stop applications.

43. In January 2021, Respondent filed at least one Request for Reconsideration of a Final Office Action with respect to an improperly signed One Stop application.

44. In 2020 and 2021, the USPTO's TTAB initiated at least two proceedings concerning One Stop applications that had been improperly signed. The TTAB sent notice of the proceedings to Respondent's email address.

45. From September 14, 2020 to February 14, 2022, someone other than Respondent entered Respondent's signature on more than 50 trademark filings that Respondent subsequently did not identify in his March 29, 2022 letter to the USPTO's Deputy Commissioner for Trademark Examination Policy. The USPTO sent the filing receipts for these additional improperly signed trademark filings by email to Respondent's email address.

Patent Filings

46. In addition to trademark work, Jinhua and Xing also referred patent work to Respondent.

47. Respondent, himself, impermissibly signed inventors' names to oaths of inventorship for patent applications he filed.

48. During OED's investigation of Respondent, Respondent estimated the total number of inventor oaths that he had impermissibly signed to be approximately 450. This total includes approximately 200 impermissibly signed oaths for Xing-referred inventors, approximately 200 impermissibly signed oaths for Jinhua-referred inventors, and approximately 50 impermissibly signed oaths for other inventors.

49. Respondent did not communicate with the inventors prior to signing their names to the oaths.

50. Respondent did not engage in due diligence prior to signing the inventors' names to the oaths. He relied on the foreign referring entities to communicate with the inventors.

51. Respondent signed the inventor oaths in order to speed up the patent filing process.

52. Respondent did not timely inform the Patent Office of the impermissibly signed inventor oaths.

Additional Considerations

53. Respondent has never been the subject of professional conduct discipline by the USPTO, and Respondent represents that he has never been the subject of any discipline by any court or any state bar.

54. Respondent has agreed to the entry of a Final Order that directs him to cooperate fully with the USPTO in any present or future USPTO inquiry made into trademark documents or patent documents improperly filed with the USPTO by entities with whom Respondent works or has worked.

Joint Legal Conclusions

55. Respondent acknowledges that, based on the information contained in the joint stipulated facts above, he committed the following violations of the USPTO Rules of Professional Conduct:

- a. failing to provide competent representation to a client in violation of 37 C.F.R. § 11.101 by (i) not following the requirements of 37 C.F.R. § 11.18, (ii) not following the requirements of the U.S. Counsel Rule, (iii) not following the trademark rules relating to the proper signatory of a CAR form, and (iv) impermissibly signing oaths of inventorship on behalf of inventors;
- b. failing to act with reasonable diligence and promptness in representing a client in violation of 37 C.F.R. § 11.103 by (i) reviewing and signing declarations appurtenant to trademark applications and other trademark documents filed with the Office without first conducting an inquiry reasonable under the circumstances, which resulted in numerous improper and erroneous filings with the Office, and (ii) not docketing deadlines for Office Actions and, instead, assuming that the foreign referring entities actually communicated about Office Actions with the trademark applicant clients;
- c. knowingly violating his duties of candor to a tribunal in violation of 37 C.F.R. §§ 11.303(a), (b), (c) and (d) by (i) signing another person's signature to trademark filings, (ii) not timely informing the USPTO's

Trademark Operations of all of the impermissibly signed trademark filings, (iii) signing inventors' names to oaths of inventorship and filing the oaths with the Office in approximately 450 patent applications knowing that the inventor did not sign the oath, and (iv) not timely informing the Patent Office of the impermissibly signed declarations;

- d. failing to meet his duties and responsibilities regarding non-practitioner assistants in violation of 37 C.F.R. §§ 11.503(a) and (b) by providing Jinhua and One Stop access to USPTO.GOV accounts and thereafter not adequately supervising or monitoring their activities, where each was signing Respondent's signature and using his attorney credentials to file numerous trademark applications or other trademark documents with the Office;
- e. assisting another person in the unauthorized practice of law in violation of 37 C.F.R. § 11.505 by providing Jinhua and One Stop USPTO.GOV accounts which they used to file trademark applications or other trademark documents with the Office, signing Respondent's name and using his credentials;
- f. engaging in conduct involving dishonesty, fraud, deceit or misrepresentation in violation of 37 C.F.R. § 11.804(c) by (i) signing another person's signature to trademark filings, (ii) signing declarations without performing an inquiry reasonable under the circumstances, leading to misrepresentations about specimens and other aspects in trademark filings, and (iii) signing inventors' names to oaths of inventorship and filing the oaths with the Office in approximately 450 patent applications knowing that the inventor did not sign the oath and without engaging in any meaningful due diligence to determine if the inventor was, in fact, the inventor; and
- g. engaging in conduct prejudicial to the administration of justice in violation of 37 C.F.R. § 11.804(d) by (i) signing another person's signature to trademark filings, (ii) allowing Jinhua and One Stop to sign his signature and use his attorney credentials to file trademark applications or other trademark documents with the Office, (iii) failing to comply with 37 C.F.R. § 11.18 by not conducting a reasonable inquiry prior to signing trademark documents filed with the USPTO on behalf of his clients, (iv) signing inventors' names to oaths of inventorship and filing the oaths with the Office in approximately 450 patent applications knowing that the inventor did not sign the oath, (v) not engaging in any meaningful due diligence to determine whether the inventor was, in fact, the inventor, and (vi) not timely informing the Patent Office of the impermissibly signed declarations.

Agreed Upon Sanction

56. Respondent freely and voluntarily agrees, and it is hereby ORDERED that:

a. Respondent shall be, and hereby is, suspended from practice before the Office in patent, trademark, and non-patent law for sixteen (16) months commencing on the date of this Final Order;

b. Respondent shall remain suspended from practice before the USPTO until the OED Director grants a petition requesting Respondent's reinstatement to practice before the USPTO pursuant to 37 C.F.R. § 11.60;

c. Pursuant to 37 C.F.R. § 11.58(f), Respondent is granted limited recognition for a period of thirty (30) days to conclude work on behalf of clients on any matters pending before the USPTO. If such work cannot be concluded, Respondent shall so advise the clients so that the clients may make other arrangements;

d. Effective the date of the expiration of the 30-day period of limited recognition afforded to Respondent under 37 C.F.R. § 11.58(f), the USPTO is authorized to terminate, suspend, or otherwise deactivate all USPTO.gov accounts which Respondent has represented are USPTO.gov accounts that he opened, sponsored, had access to, or used in connection with his trademark practice, including, but not necessarily limited to, the following accounts:

(1) the USPTO.gov account opened in the name "Bin Chen" with the email address [REDACTED];

(2) the USPTO.gov account opened in the name "Summer Zhang" with the email address [REDACTED];

(3) the USPTO.gov account opened in the name "Zhiyong Wang" with the email address [REDACTED];

(4) the USPTO.gov account opened in the name "Zhihua Han" with the email address [REDACTED];

(5) the USPTO.gov account opened in the name "Zhijun Huang" with the email address [REDACTED];

(6) the USPTO.gov account opened in the name "Bin Chen" with the email address [REDACTED];

(7) the USPTO.gov account opened in the name "Michael Ji" with the email address [REDACTED]; and

(8) the USPTO.gov account opened in the name "James Xu" with the email address [REDACTED];

e. Within 14-days of the entry of this Final Order, Respondent shall:

(1) conduct a thorough search for any other USPTO.gov accounts and any related USPTO accounts that Respondent has ever opened, sponsored, had access to, or used in connection with any trademark matter or patent matter, and

(2) provide OED with a written list of any such other account(s) that shall include all name(s), email(s), and address(es) associated with the account(s);

f. Immediately upon expiration of the 30-day period of limited recognition afforded to Respondent under § 11.58(f), Respondent is prohibited from using, accessing, or assisting others in using or accessing any USPTO.gov account(s) or other USPTO filing systems for preparing or filing documents with the USPTO. However, if Respondent is acting as a paralegal for a supervising practitioner under the limited circumstances set forth in 37 C.F.R. § 11.58(h), he is permitted to access and use the supervising practitioner's USPTO.gov account(s) under the direct supervision of the supervising practitioner;

g. Effective the date of the expiration of the 30-day period of limited recognition afforded to Respondent under 37 C.F.R. § 11.58(f), the USPTO is authorized to dissociate Respondent from, and to terminate, suspend, or otherwise deactivate any USPTO.gov account(s) that Respondent opened, sponsored, had access to, or used in connection with his trademark practice, regardless of how the USPTO learned of such accounts;

h. Effective the date of the expiration of the 30-day period of limited recognition afforded to Respondent under 37 C.F.R. § 11.58(f), the USPTO is authorized to dissociate Respondent from USPTO.gov accounts and related accounts that Respondent used in connection with his patent practice;

i. Until a petition seeking Respondent's reinstatement to practice before the USPTO is granted pursuant to 37 C.F.R. § 11.60, Respondent is prohibited from, and the USPTO may act to disallow Respondent from:

(1) opening or activating any USPTO.gov account(s) to be used for preparing or filing documents with the USPTO,

(2) applying for, or attempting to apply for, any USPTO.gov account(s) to be used for preparing or filing documents with the USPTO,

(3) verifying, or attempting to verify, any other person's credentials in connection with USPTO.gov account(s) to be used for preparing or filing documents with the USPTO, and

(4) sponsoring or attempting to sponsor USPTO.gov account(s) to be used for preparing or filing documents with the USPTO;

j. Nothing herein shall prevent Respondent from having access to Fee Processing Next Generation System accounts;

k. Notwithstanding the granting of any petition requesting Respondent's reinstatement to practice before the USPTO pursuant to 37 C.F.R. § 11.60, nothing herein shall be deemed or construed as requiring the USPTO to re-start, re-activate, or unsuspend any USPTO.gov account terminated, suspended, or otherwise deactivated pursuant to this Final Order; furthermore, such accounts shall not be automatically re-started, re-activated, or unsuspended. Instead, Respondent shall be responsible for:

(1) contacting and working with the appropriate USPTO business unit for re-starting, re-activating, or unsuspending any USPTO.gov account terminated, suspended, or otherwise deactivated pursuant to this Final Order, or

(2) acquiring or creating a new USPTO.gov account, in accordance with the USPTO policies, practices, and rules concerning USPTO.gov accounts existing at such time;

l. Respondent, as a condition of being reinstated, shall provide to the OED Director a sworn affidavit or verified declaration attesting, and evidence demonstrating, that Respondent successfully completed two (2) hours of continuing legal education credit on ethics, two (2) hours of continuing legal education credit on law office management for solo or small practitioners, and two (2) hours of continuing legal education credit on federal trademark law;

m. Respondent shall serve a probationary period that commences on the date this Final Order and terminates twenty-six (26) months after a decision granting a petition seeking Respondent's reinstatement to practice before the USPTO pursuant to 37 C.F.R. § 11.60;

n. Throughout the term of the probationary period, Respondent shall:

(1) continue in good faith to look for other USPTO.gov account(s) that he opened, sponsored, had access to, or used in connection with any USPTO matter, and

(2) immediately provide OED with a written list of any such account(s), which shall include all name(s), email(s), and address(es) associated with the account(s);

o. On at least a monthly basis throughout the term of the probationary period, Respondent shall:

(1) search the USPTO's Trademark Electronic Search System ("TESS") for applications identifying him as the attorney of record, and

(2) promptly inform the USPTO in writing of any filings identifying him as the

attorney of record that were not made by him or with his knowledge and consent;

p. Respondent, on a quarterly basis throughout the term of the probationary period, shall submit a written report to the OED Director stating that he has completed the searches described in the preceding subparagraph;

q. Respondent shall cooperate fully with the USPTO in any present or future USPTO inquiry made into improper filings of trademark documents or patent documents by entities or persons with whom he works or has worked;

r. (1) In the event the OED Director is of the opinion that Respondent, during the probationary period, failed to comply with any provision of the Agreement, this Final Order, or any disciplinary rule of the USPTO Rules of Professional Conduct, the OED Director shall:

(i) issue to Respondent an Order to Show Cause why the USPTO Director should not order that Respondent be immediately suspended for up to an additional eight (8) months for the violations set forth in the Joint Legal Conclusions, above;

(ii) send the Order to Show Cause to Respondent at the last address of record Respondent furnished to the OED Director pursuant to 37 C.F.R. § 11.11(a); and

(iii) grant Respondent fifteen (15) days to respond to the Order to Show Cause;

(2) In the event that after the 15-day period for response and after the consideration of the response, if any, received from Respondent, the OED Director continues to be of the opinion that Respondent, during the probationary period, failed to comply with any provision of the Agreement, this Final Order, or any disciplinary rule of the USPTO Rules of Professional Conduct, the OED Director shall:

(i) deliver to the USPTO Director or his designee: (A) the Order to Show Cause; (B) Respondent's response to the Order to Show Cause, if any; and (C) argument and evidence causing the OED Director to be of the opinion that Respondent failed to comply with any provision of the Agreement, this Final Order, or any disciplinary rule of the USPTO Rules of Professional Conduct during the probationary period; and

(ii) request that the USPTO Director immediately suspend Respondent for up to an additional eight (8) months for the violations set forth in the Joint Legal Conclusions, above;

s. Nothing herein shall prevent the OED Director from seeking discipline for any misconduct that formed the basis for an Order to Show Cause issued pursuant to the preceding subparagraph;

t. In the event the USPTO Director suspends Respondent pursuant to subparagraph r., above, and Respondent seeks a review of the suspension, any such review of the suspension shall not operate to postpone or otherwise hold in abeyance the suspension;

u. Respondent may satisfy his obligations under 37 C.F.R. § 11.58(c)(3)(i) regarding providing written notice of the order of suspension to clients (*e.g.*, trademark applicants, parties before the USPTO Trademark Trial and Appeal Board, patent applicants, parties before the USPTO Patent Trial and Appeal Board, and other persons having prospective or immediate business before the Office in trademark or patent matters) who are domiciled in a foreign country by emailing a copy of this Final Order that has been correctly translated into the client's respective native language to:

(1) the email address for each client as set forth in the "Applicant's Information" portion of each client's trademark application (if applicable), but only if such email address is an email address belonging to the client and one that Respondent reasonably believes to which the client has direct access (*e.g.*, not the email address belonging to a foreign referring entity),

(2) an email address belonging to the client and one that Respondent reasonably believes to which the client has direct access (*e.g.*, not the email address belonging to a foreign referring entity), or

(3) to the foreign referring entity who referred the client to Respondent, but only if:

(i) Respondent takes reasonable measures to ensure that the foreign referring entity thereafter promptly forwards Respondent's email to the client with this Final Order attached and Respondent is copied on the forwarded email,

(ii) Respondent takes reasonable measures to learn from the foreign referring entity that the client actually received the email and Final Order forwarded to the client,

(iii) Respondent's affidavit submitted pursuant to 37 C.F.R. § 11.58(d) sets forth the details of his reasonable measures that are required by subparagraphs u(3)(i) and (ii) above, and

(iv) Any petition for reinstatement filed by or on behalf of Respondent sets forth the details of his reasonable measures that are required by subparagraphs u(3)(i) and (ii) above;

v. Nothing in this Final Order shall prevent the Office from considering the record of this disciplinary proceeding, including this Final Order:

(1) when addressing any further complaint or evidence of the same or similar misconduct concerning Respondent brought to the attention of the Office; and/or

(2) in any future disciplinary proceeding against Respondent (i) as an aggravating factor to be taken into consideration in determining any discipline to be imposed, and/or (ii) to rebut any statement or representation by or on Respondent's behalf; and/or

(3) in connection with any request for reconsideration submitted by Respondent pursuant to 37 C.F.R. § 11.60;

w. The OED Director shall electronically publish this Final Order at OED's electronic FOIA Reading Room, which is publicly accessible at: <http://foiadocuments.uspto.gov>;

x. OED Director shall publish a notice in the *Official Gazette* that is materially consistent with the following:

Notice of Suspension and Probation

This notice concerns Zihua "Josh" Han of Mercer Island, Washington, a registered practitioner (Registration No. 71,759) and an attorney licensed in the state of Washington. The Director of the United States Patent and Trademark Office ("USPTO") has suspended Dr. Han for sixteen (16) months from practice before the USPTO in patent, trademark, and other non-patent matters. Dr. Han is also serving a probationary period that started on the date of the Final Order suspending him and will continue for a period of twenty-six (26) months from the date on which a petition requesting his reinstatement to practice before the USPTO is granted.

Regarding his trademark practice, Dr. Han served as attorney of record on hundreds of trademark applications for a large volume of foreign-domiciled trademark applicants, pursuant to the agency's U.S. Counsel Rule (*see* Requirement of U.S. Licensed Attorney for Foreign Trademark Applicants and Registrants, 84 Fed. Reg. 31498 (July 2, 2019)). Dr. Han received already-prepared trademark applications from foreign-domiciled companies and firms and did not conduct an adequate review of such applications before signing them and authorizing their filing with the USPTO. He signed declarations under 18 U.S.C. § 1001 attesting that his clients' specimens showed the marks as used in commerce without conducting an inquiry reasonable under the circumstances. Dr. Han signed the name of another trademark practitioner on trademark documents filed with the USPTO and did not promptly notify the USPTO of that fact. Separately, he impermissibly signed numerous Change of Address or Representation forms. He also provided non-practitioners access to USPTO.gov accounts that he opened or sponsored and did not

supervise those non-practitioners, which resulted in the non-practitioners engaging in the unauthorized practice of law (e.g., by preparing hundreds of trademark documents using Dr. Han's attorney credentials and signing his name thereto without Dr. Han conducting any review of the applications).

Regarding his patent practice, Dr. Han impermissibly signed inventors' names to oaths of inventorship for hundreds of patent applications that he filed and did not promptly notify the USPTO of that fact.

As a result of the above misconduct, Dr. Han violated the following provisions of the USPTO Rules of Professional Conduct: 37 C.F.R. §§ 11.101 (practitioner shall provide competent representation to a client), 11.103 (practitioner shall act with reasonable diligence and promptness in representing a client), 11.303(a)(1) (practitioner shall not knowingly make a false statement of fact to a tribunal or fail to correct a false statement of material fact made to the tribunal by the practitioner), 11.303(b) (practitioner shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal), 11.303(c) (practitioner's duty of candor extends to the conclusion of the proceeding), 11.303(d) (practitioner shall inform the tribunal of all material facts known to the practitioner that will enable the tribunal to make an informed decision, whether or not the facts are adverse), 11.503(a) (practitioner shall take reasonable efforts to ensure that a non-practitioner assistant's conduct is compatible with the professional obligations of the practitioner), 11.503(b) (practitioner shall make reasonable efforts to ensure that a nonpractitioner assistant's conduct is compatible with the professional obligations of the practitioner), 11.505 (practitioner shall not assist another in practicing law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction), 11.804(c) (practitioner shall not engage in conduct involving dishonesty), and 11.804(d) (practitioner shall not engage in conduct that is prejudicial to the administration of justice).

Dr. Han agreed to cooperate fully with the USPTO in any present or future USPTO inquiry made into improper filings of trademark documents or patent documents by entities or persons with whom he works or has worked, and the Final Order incorporates his agreement by ordering him to do so.

This action is the result of a settlement agreement between Dr. Han and the OED Director pursuant to the provisions of 35 U.S.C. §§ 2(b)(2)(D) and 32 and 37 C.F.R. §§ 11.19, 11.20, and 11.26. Disciplinary decisions involving practitioners are posted for public reading at the OED Reading Room, available at: <http://foiadocuments.uspto.gov>;

y. Respondent, by his agreement, has waived all rights to:

- (1) seek reconsideration of this Final Order under 37 C.F.R. § 11.56,
- (2) have this Final Order reviewed under 37 C.F.R. § 11.57, and
- (3) otherwise to appeal or challenge this Final Order in any manner;

z. Within a reasonable period after the entry of this Final Order, the OED Director shall file a motion dismissing the pending disciplinary action without prejudice; and

aa. The OED Director and Respondent shall each bear their own costs incurred to date in carrying out the terms of the Agreement and this Final Order.

Users,
Shewchuk,
David

Digitally signed by
Users, Shewchuk, David
Date: 2023.01.06
16:34:44 -05'00'

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

Date

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