

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

In the Matter of)	
)	
Puja Jabbour,)	Proceeding No. D2023-33
)	
Respondent)	
_____)	

FINAL ORDER

Pursuant to 37 C.F.R. § 11.27(b), the Director of the United States Patent and Trademark Office (“USPTO” or “Office”) received for review and approval from the Director of the Office of Enrollment and Discipline (“OED Director”) an Affidavit of Resignation Pursuant to 37 C.F.R. § 11.27 executed by Puja Jabbour (“Respondent”) on August 28, 2023. Respondent submitted the Affidavit of Resignation to the USPTO for the purpose of being excluded on consent pursuant to 37 C.F.R. § 11.27.

For the reasons set forth herein, Respondent’s Affidavit of Resignation shall be approved, and Respondent shall be excluded on consent from practice before the Office in all matters commencing on the date of this Final Order.

Jurisdiction

Respondent is an attorney admitted to practice in Georgia. Respondent has practiced before the Office in trademark matters, but she is not registered and not otherwise eligible to represent other persons before the Office in patent matters. Respondent is a “practitioner” pursuant to 37 C.F.R. § 11.1. Respondent is subject to the USPTO Rules of Professional Conduct, 37 C.F.R. § 11.101 *et seq.*

Pursuant to 35 U.S.C. §§ 2(b)(2)(D) and 32 and 37 C.F.R. § 11.27, the USPTO Director has the authority to approve Respondent's Affidavit of Resignation and to exclude Respondent on consent from the practice of all matters before the Office.

Respondent's Affidavit of Resignation

Respondent acknowledges in her August 28, 2023 Affidavit of Resignation that:

1. Her consent is freely and voluntarily rendered in the making of the Affidavit, and she is not being subjected to coercion or duress.
2. She is aware that, pursuant to 37 C.F.R. § 11.22, the Director of the Office of Enrollment and Discipline ("OED Director") opened an investigation of allegations that she violated the USPTO Rules of Professional Conduct.
3. She is aware that the investigation is pending and concerns, *inter alia*, the following allegations involving her alleged misconduct:
 - a. Respondent is an attorney who was licensed to practice law in the State of Georgia in January, 2021.
 - b. In early 2021, after obtaining her license to practice law, Respondent opened a part-time, solo law practice, Jabbour Law Firm, LLC d/b/a Legalities Law.
 - c. Beginning in June, 2021, Respondent worked part-time with a solo trademark practitioner. In that capacity, she was trained in preparation of trademark applications, including obtaining client signatures, submitting valid specimens, and preparing other trademark documents for submission to the USPTO. Respondent learned of the USPTO signature rules in the course of her employment with the solo trademark practitioner.
 - d. In June 2021, Respondent learned of the so-called "U.S. Counsel Rule," which requires any foreign-domiciled trademark applicant or registrant to be represented before the USPTO by an attorney who is an active member in good standing of the bar of the highest court of any of the 50 states of the U.S., the District of Columbia, or any Commonwealth or territory of the United States.
 - e. In April, 2022, Respondent was approached by Logicize IP LLP ("Logicize"), a company based in New Delhi, India. Logicize contacted Respondent after

finding Respondent's profile on the website Upwork.com.

- f. During Respondent's initial conversation with Logicize, Logicize told her that Logicize had customers in India and China who were seeking U.S. trademarks so that they could sell their products on the Amazon brand registry. Logicize explained to Respondent that it was seeking a U.S. attorney to handle 50 to 100 U.S. trademark filings each month, including new applications and other filings. Logicize also told Respondent that Logicize was seeking a replacement for a different U.S. attorney with whom it had recently parted ways.
- g. Respondent was not previously familiar with Logicize, but she arranged for a family member who lives in Delhi to visit Logicize's offices at its listed address. The family member confirmed that Logicize was, in the family member's opinion, a "real law firm."
- h. In Respondent's second meeting with Logicize, Logicize stated that it wanted her to handle 250 trademark applications per month, an increase from the 50 to 100 trademark applications per month initially proposed. Respondent expressed concerns about the potential workload.
- i. In April, 2022, Logicize and Respondent entered into an agreement wherein she was retained to review and submit—but not draft—trademark applications and to perform other trademark services (e.g., trademark renewals) for Logicize customers. Under the terms of the agreement, Respondent would be paid \$2,000 per month for such services plus an additional \$25 for each "activity" in excess of 250 "cumulative transactions" for the month. The agreement provided that any "drafting" services, such as preparing responses to Office actions, would be covered by a separate engagement letter and fee agreement.
- j. USPTO records show that, between April 22, 2022, and August 29, 2022, Respondent appeared as the attorney of record on 950 trademark applications filed on behalf of foreign-domiciled applicants who were customers of Logicize.
- k. In general, Respondent began working on a Logicize trademark matter when Logicize notified her that one or more new matters had been uploaded to a shared Google drive. The shared Google drive contained a spreadsheet listing all of her Logicize trademark applications and clients. The spreadsheet was constantly updated by Logicize staff and Respondent (e.g., to indicate the status of the matters or to add new matters to the list).
- l. When she looked in the Google drive, Respondent typically found a "raw file" consisting of (a) client intake forms, which had been filled out by the client or Logicize personnel; (b) specimen(s), including at least one link to a webpage where the goods at issue were offered for sale to the public; and (c) a signed power of attorney form.

- m. Respondent would review this “raw file” and determine whether there were any errors or omissions in the information collected by Logicize, including the specimens. Respondent communicated the results of her review to Logicize by making notes in the tracking spreadsheet saved on the Google drive. If Respondent concluded that there were deficiencies in the application, she would note the deficiency in the shared Google spreadsheet.
- n. If Respondent did not find any issues with the “raw file,” she would note that the application was “approved” and the application form would be created.
- o. At some point in the course of Respondent’s relationship with Logicize, the volume of work became too great for her to handle on her own; therefore, she hired a non-practitioner assistant who was located near Delhi, India, to assist her.
- p. The non-practitioner assistant was responsible for creating applications after Respondent approved “raw files” based on information uploaded to the Google drive. He would then forward the applications to Respondent for review.
- q. After the applications were approved, Respondent met virtually with the trademark applicants and had the applicants sign an electronic version of the application, which Respondent saved in PDF format. The applications were not then submitted but, instead, saved on the TEAS system without the applicants’ signatures, commonly known as “OBJ” files. After receiving notice from Logicize that its credit card had a sufficient credit limit to pay the filing fees, the application would be accessed on TEAS and then Respondent or her non-practitioner assistant would: (a) impermissibly sign the applicants’ name to the applications; (b) enter the credit card data to pay the filing fees; and (c) submit the applications to the USPTO.
- r. Overall, Respondent and her non-practitioner assistant impermissibly signed and submitted 530 trademark applications or other filings to the USPTO that were not signed by the named signatory.
- s. Respondent did not inform any of the trademark applicant clients of the 530 applications of the actual or potential adverse consequences to their intellectual property rights in their trademarks based on the impermissible signing of their trademark applications.
- t. Respondent did not inform the USPTO’s Office of the Deputy Commissioner for Trademark Examination Policy of the impermissible signing of 530 trademark applications or declarations filed with the Office for which she was the attorney of record for the trademark applicant.

4. Respondent is aware that the OED Director is of the opinion that, based on the information obtained in OED File No. [REDACTED], she violated at least the following provisions of the USPTO Rules of Professional Conduct:

- a. Not providing competent representation to a client by, *inter alia*, (i) not applying the USPTO trademark signature rules, which resulted in violations of those rules in trademark filings on behalf of Logicize trademark customers, (ii) not using other signature methods, which could have allowed for submission of trademark applications signed in accordance with the signature rules, and (iii) not informing her trademark applicant clients of the actual or potential adverse consequences to their intellectual property rights in their trademarks based on the impermissible signing of their trademark applications, in violation of 37 C.F.R. § 11.101 of the USPTO Rules of Professional Conduct;
- b. Not acting with reasonable diligence and promptness in representing a client by, *inter alia*, (i) failing to take reasonable steps to ensure that her clients' trademark filings were reviewed, signed and filed in accordance with the U.S. Counsel Rule and the trademark signature rules, resulting in the filing with the Office of 530 improperly signed trademark applications and declarations, and (ii) not informing her trademark applicant clients of the actual or potential adverse consequences to their intellectual property rights in their trademarks based on the impermissible signing of their trademark applications and/or declarations, in violation of 37 C.F.R. § 11.103 of the USPTO Rules of Professional Conduct;
- c. Not carrying out her responsibilities over non-practitioner assistants by, *inter alia*, not adequately supervising her non-practitioner assistant and/or Logicize and thus allowing her non-practitioner assistant and/or Logicize to enter impermissibly applicants' signatures on approximately 300 trademark applications and file the improperly signed documents with the Office, in violation of 37 C.F.R. §§ 11.503 (a) and (b) of the USPTO Rules of Professional Conduct;
- d. Engaging in conduct involving misrepresentation by, *inter alia*, impermissibly entering the direct signature of applicants, or allowing her non-practitioner assistant and/or Logicize to enter the direct signature of applicants on 530 trademark applications, including declarations, and filing the improperly signed documents with the Office, in violation of 37 C.F.R. § 11.804(c) of the USPTO Rules of Professional Conduct;
- e. Engaging in conduct prejudicial to the administration of justice, including adversely affecting the integrity of the federal trademark examination and registration process, by, *inter alia*, (i) entering the direct signature of applicants, and allowing her non-practitioner assistant and/or Logicize to enter the direct signatures of applicants, on 530 trademark applications, including declarations, and filing the improperly signed documents with the Office and (ii) not informing

the USPTO's Office of the Deputy Commissioner for Trademark Examination Policy of the impermissible signing of 530 trademark applications or declarations filed with the Office for which she was the attorney of record for the trademark applicant, in violation of 37 C.F.R. § 11.804(d) of the USPTO Rules of Professional Conduct; and/or

- f. Engaging in other conduct that adversely reflects on a practitioner's fitness to practice before the USPTO by engaging the acts and omissions addressed in subparagraphs a. through e., above, in violation of 37 C.F.R. § 11.804(i) of the USPTO Rules of Professional Conduct, to the extent that such conduct does not violate the specific provision(s) of the USPTO Rules of Professional Conduct referenced in such subparagraphs.

5. Without admitting to violating any of the provisions of the USPTO Rules of Professional Conduct investigated by the OED Director in OED File No. [REDACTED], Respondent acknowledges that, if and when she applies for reinstatement under 37 C.F.R. § 11.60 to practice before the USPTO, the OED Director will conclusively presume, for the purpose of determining the application for reinstatement, that:

- a. the allegations regarding her are true, and
- b. she could not have successfully defended herself against the allegations embodied in the opinion of the OED Director that she violated 37 C.F.R. §§ 11.101, 11.103, 11.503 (a) and (b), 11.804(c), 11.804(d), and 11.804(i).

6. Respondent has fully read and understands 37 C.F.R. §§ 11.5(b), 11.27, 11.58, 11.59, and 11.60, and is fully aware of the legal and factual consequences of consenting to exclusion from practice before the USPTO in all matters.

7. Respondent consents to being excluded from practice before the USPTO in all matters.

Exclusion on Consent

Based on the foregoing, the USPTO Director has determined that Respondent's Affidavit of Resignation complies with the requirements of 37 C.F.R. § 11.27(a). Accordingly, it is hereby ORDERED that:

1. Respondent's Affidavit of Resignation shall be, and hereby is, approved;
2. Respondent shall be, and hereby is, excluded on consent from practice before the Office in all matters commencing on the date of this Final Order;
3. The OED Director shall electronically publish the Final Order at the Office of Enrollment and Discipline's electronic FOIA Reading Room, which is publicly accessible at <https://foiadocuments.uspto.gov/oed/>;
4. The OED Director shall publish a notice in the *Official Gazette* that is materially consistent with the following:

Notice of Exclusion on Consent

This notice concerns Puja Jabbour, an attorney admitted to practice law in Georgia, who has practiced before the Office in trademark matters. The Director of the United States Patent and Trademark Office ("USPTO" or "Office") has accepted Ms. Jabbour's affidavit of resignation and ordered her exclusion on consent from practice before the Office in all matters. Ms. Jabbour is not registered and not otherwise eligible to represent other persons before the Office in patent matters.

Ms. Jabbour voluntarily submitted her affidavit at a time when a disciplinary investigation was pending against her. The investigation concerned, *inter alia*, her alleged misconduct under sections 11.101, 11.103, 11.503(a) and (b), 11.804(c), 11.804(d), and 11.804(i) of the USPTO Rules of Professional Conduct in connection with her representation of foreign-domiciled trademark applicants before the USPTO.

5. Respondent shall comply fully with 37 C.F.R. § 11.58;
6. Respondent may satisfy her 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, and other persons having prospective or immediate business before the Office in trademark matters) who are domiciled in a foreign country by emailing a copy of the Final Order approving this Agreement 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 her reasonable measures that are required by this subparagraph, and (iv) any petition for reinstatement filed by or on behalf of Respondent sets forth the details of her reasonable measures that are required by this subparagraph;

7. Respondent shall be granted limited recognition pursuant to 37 C.F.R. § 11.58(f) for thirty (30) days starting on the date of the Final Order approving this Agreement so that Respondent may endeavor to conclude work on behalf of clients on any matters pending before the Office and, if such work cannot be concluded within such thirty (30) days, Respondent shall so advise each such client so that the client may make other arrangements;

8. 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 hereby authorized to disable or suspend any USPTO.gov accounts registered to Respondent as of the date of the Final Order approving this Agreement (including all accounts that Respondent has ever established,

sponsored, or used in connection with any trademark matter); Respondent shall not apply for a USPTO verified Electronic System account, shall not obtain a USPTO verified Electronic System account, nor shall she have her name added to a USPTO verified Electronic System account, unless and until she is reinstated to practice before the USPTO;

9. Immediately upon expiration of the 30-day period of limited recognition afforded to Respondent under § 11.58(f), Respondent is prohibited from using, assessing, 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;

10. Until a petition seeking Respondent's reinstatement to practice before the USPTO is granted pursuant to 37 C.F.R. § 11.60, Respondent shall be prohibited, and the USPTO is authorized to disallow Respondent, from the following: (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;

11. Notwithstanding the granting of any petition requesting Respondent's reinstatement to practice before the USPTO pursuant to 37 C.F.R. § 11.60, nothing in the Final Order approving this Agreement requires the USPTO to re-enable or unsuspend any USPTO.gov account disabled or suspended pursuant to the Final Order approving the Agreement. Any such accounts shall not be automatically re-enabled or unsuspended, and, instead Respondent shall be responsible for (1) contacting and working with the appropriate USPTO business unit for re-

enabling or unsuspending any USPTO.gov account disabled or suspended in the Final Order approving the Agreement, 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;

12. Respondent shall comply fully with 37 C.F.R. § 11.60 upon any request for reinstatement.

Users, Shewchuk, David
Digitally signed by Users, Shewchuk, David
Date: 2023.09.06
09:33:53 -04'00'

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

CERTIFICATE OF SERVICE

I hereby certify the foregoing FINAL ORDER was sent via email on this day to Respondent via counsel as follows:

Emil Ali
McCabe Ali LLP
emil@mccabeali.com

9/6/2023

Date



United States and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450