

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

In the Matter of)	
)	
Francis Huisuk Koh,)	Proceeding No. D2024-7
)	
Respondent)	
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FINAL ORDER

The Director of the Office of Enrollment and Discipline (“OED Director”) for the United States Patent and Trademark Office (“USPTO” or “Office”) and Mr. Francis Huisuk Koh (“Respondent”) have submitted a Proposed Settlement Agreement (“Agreement”) to the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office (“USPTO Director”) for approval.

The Agreement, which resolves all disciplinary action by the USPTO arising from the stipulated facts set forth below, is hereby approved. This Final Order sets forth the parties’ stipulated facts, legal conclusions, and sanctions

Jurisdiction

1. Respondent is an attorney who is licensed to practice law by the District of Columbia, the Commonwealth of Virginia, and the State of Maryland, and he is in “active” and good standing status in each of these three jurisdictions. As such, Respondent is authorized to practice before the USPTO in trademark and other non-patent matters. *See* 37 C.F.R. § 11.14(a). At all times relevant hereto, Respondent was engaged in practice before the Office in trademark matters.

2. Respondent is subject the USPTO Rules of Professional Conduct, 37 C.F.R.

§ 11.101 *et seq.*

3. The USPTO Director has jurisdiction over this matter pursuant to 35 U.S.C. §§ 2(b)(2)(D) and 32 and 37 C.F.R. §§ 11.19, 11.20, 11.26, 11.32, and 11.39.

Background

The U.S. Counsel Rule

4. Effective August 3, 2019, any foreign-domiciled trademark applicant or registrant must be represented before the USPTO by an attorney who is licensed to practice law in the United States. *See* 37 C.F.R. § 2.11(a); *see also Requirement of U.S. Licensed Attorney for Foreign Trademark Applicants and Registrants*, 84 Fed. Reg. 31498 (July 2, 2019) (“the U.S. Counsel Rule”).

5. In part, the U.S. Counsel Rule was intended to (1) increase compliance with U.S. trademark law and USPTO regulations, (2) improve the accuracy of trademark submissions to the USPTO, and (3) safeguard the integrity of the U.S. trademark register. *See* 84 Fed. Reg. 31498.

Certifications to the USPTO when Presenting Papers

6. A practitioner makes important certifications via 37 C.F.R. § 11.18 whenever presenting (*e.g.*, by signing, filing, submitting, or later advocating) any paper to the USPTO. Specifically, the practitioner certifies that all statements made on his or her own knowledge are true, and that all statements based on the practitioner’s information and belief are believed to be true. *See* 37 C.F.R. § 11.18(b)(1).

7. The practitioner also certifies that:

[t]o the best of the party’s knowledge, information and belief, formed after an inquiry reasonable under the circumstances (i) the paper is not being presented for any improper purpose, such as to harass someone or to cause unnecessary delay or needless increase in the cost of any proceeding before the Office; (ii) the other legal

contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law; (iii) the allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery; and (iv) the denials of factual contentions are warranted on the evidence, or if specifically so identified, are reasonably based on a lack of information or belief.

37 C.F.R. § 11.18(b)(2).

8. Accordingly, a practitioner who presents any paper to the USPTO certifies that he has conducted an inquiry reasonable under the circumstances that supports the factual assertions set forth in the paper. *See* 37 C.F.R. § 11.18(b)(2)(iii).

USPTO Signature Rules for Trademark Matters

9. The USPTO trademark signature rules require that (a) all signatures on trademark documents be signed by a proper person, (b) trademark documents be personally signed by the signatory named on the document, and (c) a person electronically signing a document must personally enter any combination of letters, numbers, spaces, and/or punctuation marks that he or she has adopted as a signature and that combination be placed between two forward slash (“/”) symbols in the signature block on the electronic submission. *See* 37 C.F.R. §§ 2.193(a), (c), and (e); and 37 C.F.R. § 11.18(a).

10. The Trademark Manual of Examining Procedure (“TMEP”) provides additional clear and straightforward guidance to practitioners regarding the USPTO trademark electronic signature rules’ requirement that the named signatory sign the document:

All documents must be personally signed. 37 C.F.R. §§ 2.193(a)(1), (c)(1), 11.18(a).

The person(s) identified as the signatory must manually enter the elements of the electronic signature.

Another person (*e.g.*, paralegal, legal assistant, or secretary) may not sign the name of a qualified practitioner or other authorized signatory.

Just as signing the name of another person on paper does not serve as the signature of the person whose name is written, typing the electronic signature of another person is not a valid signature by that person.

TMEP § 611.01(c) (case citations omitted) (line spacing added).

11. If the signature on a trademark application or other submission fails to comply with 37 C.F.R. § 2.193(a) or (e) because it was entered by someone other than the named signatory or not signed by a proper person, then the submission is improperly executed, cannot be relied upon to support registration, and normally renders the application void. *See* 84 Fed. Reg. at 31498 (stating that “[i]f signed by a person determined to be an improper person, the registration may be invalid.”). *See also In re Yusha Zhang*, 2021 TTAB LEXIS 465, *10, *13 (Dir. USPTO Dec. 10, 2021); *In re Dermahose Inc.*, 82 USPQ2d 1793 (TTAB 2007); *Ex parte Hipkins*, 20 USPQ2d 1694, 1696-97 (BPAI 1991); *In re Cowan*, 18 USPQ2d 1407, 1409 (Comm’r Pats. 1990). When trademark filings are impermissibly signed and filed with the USPTO, the integrity of the federal trademark registration process is adversely affected.

Joint Stipulated Facts

12. Respondent is licensed to practice law in Virginia and two other jurisdictions.

13. Respondent is the sole owner and operator of Koh Law Firm, which lists addresses in Bethesda, Maryland; Rockville, Maryland; and Washington, D.C.

14. Respondent has been practicing law since November 2001, primarily focusing on domestic areas of law. He has been practicing trademark law since 2019.

15. At relevant times, Respondent maintained business relationships with numerous China-located trademark service companies including ShenZhen Tengfei Intellectual Property Services Limited; Qizhen (Zhejiang) Intellectual Property Agency Co., Ltd.; DS Spring, Limited; Shenzhen Centripetal Force Property Co., Ltd.; Zhan West; Sellergrowth Network Technology Co., Ltd.; Shenzhen Maidetong Business Technology Co. Ltd.; Shenzhen Centripetal Force

Intellectual Property Co., Ltd.; Shenzhen SingNow Business Consulting Co., Ltd.; Shenzhen Haizhijing Intellectual Property Co., Ltd.; Shenzhen Jie Yin Intellectual Property Agency; Shenzhen YiCheng IP Agency; Yoomarks; Xiamen Asin Intellectual Property Co., Ltd.; Asin; Suzhou Toulun Business Co. Ltd.; Shenzhen KXO IP Agency; and Dingchuang Enterprize Management Consulting Co., Ltd.

16. In connection with his business relationships with the aforementioned China-located companies, Respondent became the attorney of record on over 28,000 trademark applications filed with the Office between August 2019 and September 2023 on behalf of foreign-domiciled trademark applicants. The period from approximately 2020 to 2022 is when the Respondent dealt with around 15,000 trademark applications, which raised concerns with the OED. The applications were either filed by Respondent or filed by other trademark practitioners for whom he was later substituted as counsel of record for the applicant.

17. Respondent represents that, in most cases, he made approximately \$20 to \$50 per application depending upon the trademark service company.

18. Respondent represents that he personally signed and filed all trademark documents on which he is the named signatory. Respondent represents that he has not authorized any other person to sign his name to a trademark document filed with the USPTO.

19. Respondent represents that he relied on the aforementioned China-located companies to communicate with trademark applicants and obtain information from them —e.g., assertions of use in commerce and the authenticity of specimens— on which Respondent later relied when presenting trademark applications and other trademark documents to the Office

20. The OED Director reasonably believes that Respondent, as a solo trademark practitioner, was presented with significant challenges in carrying out his ethical obligations to

his clients and the USPTO when serving as the U.S. Counsel for foreign-domiciled trademark applicants in approximately 15,000 trademark matters during the period of 2020-2022. OED asserts that it uncovered evidence showing that Respondent did not always conduct an adequate review of trademark documents filed with the USPTO where Respondent was the attorney of record at the time of the filing. For example, USPTO records reflect that Respondent may have spent only a few minutes preparing, signing, and filing responses to Office Action.

21. The Respondent represents that in hindsight, at times, unintentionally, he did not consistently fulfill his obligations under 37 C.F.R. § 11.18 to conduct a thorough and reasonable inquiry before presenting documents to the USPTO because he was misled by the applicant and/or agency representing the applicant.

Additional Considerations

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

23. Respondent cooperated with OED's investigation, including entering into tolling agreements so as to allow the parties to discuss settlement of this matter.

Joint Legal Conclusions

24. Respondent acknowledges that, based on the information contained in the Joint Stipulated Facts, above, Respondent's acts and/or omissions violated the following provisions of the USPTO Rules of Professional Conduct:

- a. 37 C.F.R. § 11.101 (practitioner shall provide competent representation) by, *inter alia*, representing foreign domiciled trademark applicants before the USPTO when Respondent did not know or understand his obligations under 37 C.F.R. § 11.18 to conduct an inquiry reasonable under the circumstances to support the factual contentions in declarations attached to applications bearing his signature prior to presenting papers to the USPTO;
- b. 37 C.F.R. § 11.103 (diligence) by, *inter alia*, (i) failing to take reasonable steps to ensure that his foreign-domiciled clients' trademark filings were prepared in

accordance with the laws, rules, and regulations applicable to representing others before the USPTO in trademark matters and (ii) reviewing and signing certifications in trademark documents filed with the Office without first conducting an inquiry reasonable under the circumstances in violation of 37 C.F.R. § 11.18;

- c. 37 C.F.R. § 11.503(b) (responsibilities regarding non-practitioner assistance) by authorizing or otherwise allowing non-practitioners to gather information for trademark applications to be filed with the Office without adequate supervision to ensure that such information was credible and reliable;
- d. 37 C.F.R. § 11.804(c) (engaging in misrepresentation) by signing documents presented to the Office and impliedly falsely certifying that he conducted an inquiry reasonable under the circumstances when he did not conduct an inquiry reasonable under the circumstances to support the factual contentions in declarations attached to applications bearing his signature as required by 37 C.F.R. § 11.18;
- e. 37 C.F.R. § 11.804(d) (engaging in conduct prejudicial to the administration of the USPTO trademark registration system) by, *inter alia*, (i) failing to take reasonable steps to ensure that his foreign-domiciled clients' trademark filings were prepared in accordance with the laws, rules, and regulations applicable to representing others before the USPTO in trademark matters and (ii) reviewing and signing certifications in trademark documents filed with the Office without first conducting an inquiry reasonable under the circumstances in violation of 37 C.F.R. § 11.18; and
- f. 37 C.F.R. § 11.804(i) (engaging in other conduct that adversely reflects on a practitioner's fitness to practice before the USPTO) by serving as the U.S. counsel for foreign domiciled trademark applicants in approximately 15,000 trademark matters as a solo practitioner.

Agreed-Upon Sanction

25. Respondent has freely and voluntarily agreed, and it is hereby ORDERED that:
- a. Respondent is suspended from practice before the Office for a period of six (6) months;
 - b. Respondent is to remain suspended from practice before the USPTO until the OED Director grants a petition requesting Respondent's reinstatement pursuant to 37 C.F.R. § 11.60;

c. Respondent shall comply fully with 37 C.F.R. § 11.58;

d. Respondent may satisfy his obligations under 37 C.F.R. § 11.58(c)(3)(i) for those clients who are domiciled in a foreign country and have immediate or prospective business before the Office in patent, trademark, or other non-patent matters (e.g., trademark applicants, parties before the USPTO Trademark Trial and Appeal Board, patent applicants, parties before the USPTO Patent Trial and Appeal Board) by emailing, in the client's native language, the requisite 37 C.F.R. § 11.58 notices and information (including a copy of the Final Order that has been correctly translated into the client's native language) to:

1. the email address for each client and, if applicable, the email address as set forth in the "Applicant's Information" portion of each client's trademark application, 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 (*i.e.*, 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 (*i.e.*, not the email address belonging to a foreign-domiciled third person or a foreign domiciled entity who referred the matter to Respondent); or
3. the foreign-domiciled third person or a foreign-domiciled entity who referred the matter to Respondent, but only if:
 - A. Respondent takes reasonable measures to ensure that the foreign-domiciled third person or a foreign-domiciled entity thereafter promptly forwards Respondent's email to the client with the translated

Final Order attached and Respondent is copied on the forwarded email;

- B. Respondent takes reasonable measures to learn from the foreign-domiciled third person or a foreign-domiciled entity that the client actually received the Respondent's email and translated Final Order forwarded to the client;
- C. Respondent's affidavit submitted pursuant to 37 C.F.R. § 11.58(d) sets forth the details of his/her reasonable measures that are required by subparagraphs (3)(A) and (B) immediately above; and
- D. any petition for reinstatement filed by or on behalf of Respondent sets forth the details of his reasonable measures that are required by subparagraphs (3)(A) and (B) immediately above;

e. 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;

f. 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, used in connection with any trademark matter);

g. Respondent shall not apply for a USPTO verified Electronic System account, shall not obtain a USPTO verified Electronic System account, nor shall he have his name added to a USPTO verified Electronic System account, unless and until he is reinstated to practice before the USPTO;

h. 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;

i. 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;

j. Nothing herein shall obligate the USPTO to take action, *sua sponte*, to re-activate any USPTO.gov account disabled or suspended pursuant to this order; rather, it is Respondent's sole responsibility to initiate any such re-activation of any such USPTO.gov account;

k. Respondent shall cooperate fully with the USPTO in any present or future USPTO inquiry made into improper filings by ShenZhen Tengfei Intellectual Property Services Limited; Qizhen (Zhejiang) Intellectual Property Agency Co., Ltd.; DS Spring, Limited;

Shenzhen Centripetal Force Property Co., Ltd.; Zhan West; Sellergrowth Network Technology Co., Ltd.; Shenzhen Maidetong Business Technology Co. Ltd.; Shenzhen Centripetal Force Intellectual Property Co., Ltd.; Shenzhen SingNow Business Consulting Co., Ltd.; Shenzhen Haizhijing Intellectual Property Co., Ltd.; Shenzhen Jie Yin Intellectual Property Agency; Shenzhen YiCheng IP Agency; Yoomarks; Xiamen Asin Intellectual Property Co., Ltd.; Asin; Suzhou Toulun Business Co. Ltd.; Shenzhen KXO IP Agency; Dingchuang Enterprize Management Consulting Co., Ltd.; or any other third party entities (e.g., foreign representatives or foreign associates) with whom Respondent worked, or was solicited to work, in connection with trademark documents submitted to the USPTO.

l. Respondent shall serve a probationary period that commences on the date the Final Order is signed and terminates twelve (12) months after a decision by the OED Director granting a petition seeking Respondent's reinstatement to practice before the USPTO in trademark matters and other non-patent matters;

m. (1) If the OED Director is of the good faith opinion that Respondent, during Respondent's probationary period, failed to comply with any provision of this Agreement, the Final Order (including compliance with 37 C.F.R. § 11.58), or any provision of the USPTO Rules of Professional Conduct, the OED Director shall:

(A) issue to Respondent an Order to Show Cause why the USPTO Director should not enter an order immediately suspending the Respondent for up to and additional six (6) months for the violations set forth in the Joint Legal Conclusions, above;

(B) send the Order to Show Cause to Respondent at the last address of record Respondent furnished to the OED Director;

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

and

(2) in the event that after the 15-day period for response and consideration of the response, if any, received from Respondent, the OED Director continues to be of the opinion that Respondent, during Respondent's probationary period, failed to comply with the USPTO Rules of Professional Conduct, the OED Director shall:

(A) deliver to the USPTO Director: (i) the Order to Show Cause; (ii) Respondent's response to the Order to Show Cause, if any; and (iii) argument and evidence supporting the OED Director's position; and

(B) request that the USPTO Director enter an order immediately suspending Respondent for up to an additional six (6) months for the violations set forth in the Joint Legal Conclusions above;

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

o. In the event the Respondent seeks a review of any action taken pursuant to subparagraph m, above, such review shall not operate to postpone or otherwise hold in abeyance the suspension;

p. While Respondent is on probation, Respondent shall, at least on a bi-weekly basis, (i) search the USPTO's online trademark search system (currently located at <https://tmsearch.uspto.gov/search/search-information>) for applications identifying him as the attorney of record; and (ii) promptly inform in writing the USPTO Office of Trademark Examination Policy of each trademark document filing identifying him as the attorney of record that was made without his knowledge or consent;

q. While Respondent is on probation, Respondent shall, at least on a bi-monthly basis submit a written report to the OED Director stating that he has completed a monthly search of the online trademark search system, and, as applicable, (i) stating that he identified no applications or other trademark filing in which he was named as the attorney of record that were not made by him or without his knowledge and consent; or (ii) providing copies of correspondence sent to the USPTO Office of Trademark Examination Policy as described in the preceding subparagraph;

r. As a condition of being reinstated to practice before the USPTO, Respondent shall provide to the OED Director a declaration, affidavit, or statement in compliance with 28 U.S.C. § 1746 signed by Respondent stating that he has successfully completed four (4) hours of continuing legal education credit on ethics/professional responsibility;

s. As a condition of being reinstated, Respondent shall provide to the OED Director a declaration, affidavit, or statement in compliance with 28 U.S.C. § 1746 signed by Respondent stating that he has reviewed thoroughly all provisions of the Trademark Manual of Examining Procedure, including but not limited to, the provisions of the USPTO's signature requirements;

t. Nothing in the Final Order shall prevent the Office from considering the record of this disciplinary proceeding, including the Final Order: (1) when addressing any further complaint or evidence of 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;

u. The OED Director electronically publish the Final Order at the OED's electronic FOIA Reading Room, which is publicly accessible through the Office's website at:

<https://foiadocuments.uspto.gov/oed/>;

v. The 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 Mr. Francis Huisuk Koh of Bethesda, Maryland, an attorney licensed to practice law in Virginia, Maryland, and the District of Columbia, who engaged in practice before the United States Patent and Trademark Office ("USPTO") or "Office") in trademark matters. The USPTO Director has suspended Mr. Koh from practice before the Office for a period of six (6) months and placed him on probation for violating 37 C.F.R. §§ 11.101, 11.103, 11.503(a), 11.804(c), 11.804(d), and 11.804(i) of the USPTO Rules of Professional Conduct.

Mr. Koh is the sole owner and operator of Koh Law Firm. At relevant times, Mr. Koh maintained business relationships with numerous China-located trademark service companies including ShenZhen Tengfei Intellectual Property Services Limited; Qizhen (Zhejiang) Intellectual Property Agency Co., Ltd.; DS Spring, Limited; Shenzhen Centripetal Force Property Co., Ltd.; Zhan West; Sellergrowth Network Technology Co., Ltd.; Shenzhen Maidetong Business Technology Co. Ltd.; Shenzhen Centripetal Force Intellectual Property Co., Ltd.; Shenzhen SingNow Business Consulting Co., Ltd.; Shenzhen Haizhijing Intellectual Property Co., Ltd.; Shenzhen Jie Yin Intellectual Property Agency; Shenzhen YiCheng IP Agency; Yoomarks; Xiamen Asin Intellectual Property Co., Ltd.; Asin; Suzhou Toulan Business Co. Ltd.; Shenzhen KXO IP Agency; and Dingchuang Enterprize Management Consulting Co., Ltd. In connection with his business relationships with the aforementioned China-located companies, Mr. Koh became the attorney of record on over 28,000 trademark applications filed with the Office between August 2019 and September 2023 on behalf of foreign-domiciled trademark applicants. The applications were either filed by Mr. Koh or filed by other trademark practitioners for whom he was later substituted as counsel of record for the applicant. Mr. Koh represents that, in most cases, he made twenty dollars (\$20) per application. Mr. Koh represents that he relied on the aforementioned China-located companies to communicate with trademark applicants and obtain information from them —e.g., assertions of use in commerce and the authenticity of specimens— on which Mr. Koh later relied when presenting trademark applications and other trademark documents to the Office. The

OED Director reasonably believes that Mr. Koh, as a solo trademark practitioner, was presented with significant challenges in carrying out his ethical obligations to his clients and the USPTO when serving as the U.S. Counsel for foreign-domiciled trademark applicants in approximately 15,000 trademark matters during the period of 2020 through 2022.

Mr. Koh represents that in hindsight, unintentionally, he did not always comply with his obligations under 37 C.F.R. § 11.18 to conduct an inquiry reasonable under the circumstances before presenting documents to the USPTO.

The USPTO Director has issued numerous Final Orders imposing discipline on practitioners who violated the USPTO Rules of Professional Conduct based on not complying with the agency's trademark signature rules, not adequately supervising non-attorney assistants, and/or not complying with their obligations under § 11.18 to conduct an inquiry reasonable under the circumstances in support of factual assertions made in documents presented to the USPTO, including:

In re Kroll, Proceeding No. D2014-14 (USPTO Mar. 4, 2016)
In re Swyers, Proceeding No. D2016-20 (USPTO Jan. 26, 2017)
In re Meikle, Proceeding No. D2019-17 (USPTO Mar. 21, 2019)
In re Crabtree, Proceeding Nos. D2018-31 & -47 (USPTO Apr. 25, 2019)
In re Sapp, Proceeding No. D2019-31 (USPTO May 15, 2019)
In re Sweeney, Proceeding No. D2019-33 (USPTO June 19, 2019)
In re Mar, Proceeding No. D2019-11 (USPTO Aug. 2, 2019)
In re Rajan, Proceeding No. D2019-30 (USPTO Sep. 5, 2019)
In re Caraco, Proceeding No. D2019-50 (USPTO Sep. 12, 2019)
In re Caldwell, II, Proceeding No. D2020-12 (USPTO Mar. 17, 2020)
In re Bashtanyk, Proceeding No. D2020-09 (USPTO Apr. 17, 2020)
In re Lou, Proceeding No. D2021-04 (USPTO May 12, 2021)
In re Mincov, Proceeding No. D2020-30 (USPTO Aug. 23, 2021)
In re David, Proceeding No. D2021-08 (USPTO Sep. 24, 2021)
In re Li, Proceeding No. D2021-16 (USPTO Oct. 7, 2021)
In re Hom, Proceeding No. D2021-10 (USPTO Dec. 17, 2021)
In re Yang, Proceeding No. D2021-11 (USPTO Dec. 17, 2021)
In re Pasquine, Proceeding No. D2019-39 (USPTO Mar. 28, 2022)
In re Wan, Proceeding No. D2022-04 (USPTO Apr. 1, 2022)
In re Hao, Proceeding No. D2021-14 (USPTO Apr. 27, 2022)
In re Zhang, Proceeding No. D2022-16 (USPTO July 11, 2022)
In re Liu, Proceeding No. D2022-03 (USPTO Aug. 9, 2022)
In re Han, Proceeding No. D2022-23 (USPTO Jan. 6, 2023)
In re Chew, Proceeding D2023-08 (USPTO Jan. 20, 2023)
In re McNally, Proceeding D2023-22 (USPTO Apr. 7, 2023)
In re Wu, Proceeding No. D2023-24 (USPTO Apr. 7, 2023)
In re Li, Proceeding No. D2023-19 (USPTO Apr. 19, 2023)

In re Kanakia, Proceeding D2023-25 (USPTO May 8, 2023)
In re Song, Proceeding No. D2023-10 (USPTO May 1, 2023)
In re Gallagher, Proceeding No. D2023-08 (USPTO June 23, 2023)
In re Jabbour, Proceeding No. D2023-33 (USPTO Sep. 6, 2023)
In re Wang, Proceeding No. D2023-38 (USPTO Nov. 21, 2023)
In re Huang, Proceeding No. D2023-37 (USPTO Jan. 8, 2024)

Therefore, attorneys who represent applicants, registrants, or others before the USPTO in trademark matters are reasonably expected to know (a) the provisions of the USPTO Rules of Professional Conduct implicated by such representation, and (b) the potential disciplinary consequences when such provisions of the USPTO Rules of Professional Conduct are violated.

This action is the result of a settlement agreement between Mr. Koh 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 Office of Enrollment and Discipline Reading Room accessible at:
<https://foiadocuments.uspto.gov/oed>;

w. Based on Respondent's agreement to do so, Respondent waives all rights to seek reconsideration of the Final Order under 37 C.F.R. § 11.56, waives the right to have the Final Order reviewed under 37 C.F.R. § 11.57, and waives the right otherwise to appeal or challenge the Final Order in any manner; and

x. Each party shall each bear their own costs incurred to date and in carrying out the terms of this Agreement and any Final Order.

Users, Shewchuk, David
David

Digitally signed by
Users, Shewchuk, David
Date: 2024.02.07
16:31:35 -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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing Final Order was sent, on this day, to the parties in the manner indicated below-

Via email and first-class mail to:

Francis H. Koh
Koh Law Firm, LLC.
4800 Hampden Lane, Suite 200
Bethesda, MD 20814
[REDACTED]

Respondent

Via e-mail:

John Ferman
John.Ferman@uspto.gov
[REDACTED]
Counsel for the OED Director

2/9/2024
Date



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