

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

In the Matter of)	
)	
Vincent P. Loccisano,)	Proceeding No. D2024-26
)	
Respondent)	
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FINAL ORDER PURSUANT TO 37 C.F.R. § 11.26

The Director of the Office of Enrollment and Discipline (“OED Director”) for the United States Patent and Trademark Office (“USPTO” or “Office”) and Vincent P. Loccisano (“Respondent”) have submitted a Proposed Settlement 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. At all times relevant hereto, Respondent of Wellesley, Massachusetts, is a registered patent attorney (Registration Number 55,397). Respondent is subject to the USPTO Rules of Professional Conduct, 37 C.F.R. § 11.101 *et seq.*

2. 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, and 11.26.

Legal Background

3. On November 8, 2023, Respondent was publicly disciplined on ethical grounds by the Commonwealth of Massachusetts Board of Bar Overseers of the Supreme Judicial Court predicated on Respondent's stipulating that he violated Massachusetts Rules 8.4(c) (lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation) and 8.4(h) (lawyer shall not engage in conduct reflecting adversely on his or her fitness to practice law).

Joint Stipulated Facts

4. The USPTO registered Respondent as an attorney (Registration No. 55,397) on February 9, 2004.

5. On November 8, 2023, in *Bar Counsel v. Vincent P. Loccisano Esq.*, Public Reprimand No. 2023-13 (Mass. 2023), Respondent was publicly reprimanded for making false statements in a real estate transaction in which he acted in his personal capacity as a trustee, not as counsel for a party.

6. According to *Bar Counsel v. Vincent P. Loccisano Esq.*, Public Reprimand No. 2023-13 (Mass. 2023):

- a. Respondent as the sole trustee of a family trust purchased real estate property located in Massachusetts. The seller also owned an interest in an abutting parcel. Respondent offered to purchase the seller's interest in the abutting parcel at a rate that was purportedly less than a "handshake" agreement between Respondent and seller.
- b. Over the next four years, Respondent made additional offers to purchase the interest in the abutting parcel that were declined.
- c. Respondent falsely told the seller there was an abandoned rusty oil tank on the parcel and the seller was responsible for one third of the cost of the removal. Respondent also falsely informed seller that the tank may have caused contamination and that there would be a cost for remediation.
- d. Respondent provided seller a fraudulently produced stock image of an oil tank from the internet.

- e. Respondent falsely told seller's broker that he was not the owner, but only the trustee acting on behalf of beneficiaries of the land that was previously purchased.
- f. Respondent also provided false statements to the Chief of the Aquinnah Fire Department about access and ownership of the purchased property.

Additional Considerations

7. Respondent has acknowledged his ethical lapses, demonstrated genuine contrition, and accepted responsibility for his acts and omissions.

Joint Legal Conclusions

8. Respondent acknowledges that, based on the information contained in the joint stipulated facts, above, that Respondent's acts and omissions violated 37 C.F.R. § 11.804(h) by being publicly disciplined on ethical or professional misconduct grounds by a duly constituted authority of a State.

Agreed-Upon Sanction

9. Respondent freely and voluntarily agreed, and it is hereby ORDERED that:
- a. Respondent be, and hereby, is publicly reprimanded;
 - b. The OED Director shall 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/>;
 - c. The OED Director shall publish a notice in the *Official Gazette* that is materially consistent with the following:

Notice of Public Reprimand

This notice concerns Vincent P. Loccisano of Wellesley, Massachusetts, who is a registered patent attorney (Registration Number 55,397). The USPTO Director publicly reprimanded Mr. Loccisano for violating 37 C.F.R. § 11.804(h) predicated on by being publicly disciplined on ethical or professional misconduct grounds by a duly constituted authority of a

State in *Bar Counsel v. Vincent P. Loccisano Esq.*, Public Reprimand No. 2023-13 (Mass. 2023).

Respondent was publicly reprimanded for making false statements in a real estate transaction in which he acted in his personal capacity as a trustee, not as counsel for a party.

This action is the result of a settlement agreement between Vincent P. Loccisano 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/>;

d. Nothing in this Agreement or 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 the same or similar misconduct concerning Respondent brought to the attention of the Office and (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;

e. Respondent, by his agreement, has waived all rights to seek reconsideration of the Final Order under 37 C.F.R. § 11.56, waived the right to have the Final Order reviewed under 37 C.F.R. § 11.57, and waived the right otherwise to appeal or challenge the Final Order in any manner; and

f. 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: 2024.09.30
10:41:17 -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 mailed by email on this day to Respondent via counsel as follows:

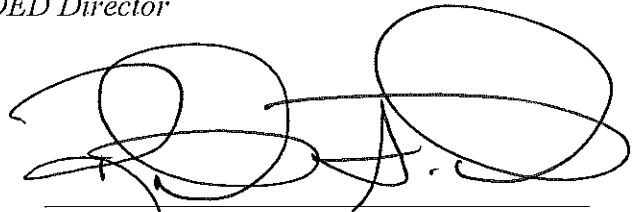
Michael McCabe
McCabe Ali LLP
mike@mccabeali.com
Counsel for Respondent

and to the OED Director via email at:

Sydney Johnson
Sydney.johnson@uspto.gov
[REDACTED]
Counsel for OED Director

9/30/2024

DATE



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