

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

In the Matter of)	
)	
Zhigang Ma,)	Proceeding No. D2026-12
)	
Respondent)	
_____)	

FINAL ORDER PURSUANT TO 37 C.F.R. § 11.26

The Acting Deputy General Counsel for Enrollment and Discipline and the Acting Director of the Office of Enrollment and Discipline (“OED Director”) for the United States Patent and Trademark Office (“USPTO” or “Office”) and Mr. Zhigang Ma (“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’ joint stipulated facts, joint legal conclusions, and agreed-upon sanctions found in the Agreement.

Jurisdiction

1. At all times relevant hereto, Respondent of Northville, Michigan, has been a registered patent attorney (Registration No. 57,188). As a registered practitioner, 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.

Joint Stipulated Facts

3. Respondent is a registered patent attorney (Reg. No. 57,188) and is licensed to practice law in Michigan.
4. At the request of a Chinese-located entity, HOYI IP¹ Respondent became the practitioner of record in one hundred and thirty-six (136) pending patent applications on behalf of China-domiciled applicants. Powers of attorney appointing Respondent as the practitioner of record in these applications were filed with the USPTO between March 8, 2023 and August 22, 2023.

¹ loosely translated as 霍伊知识产权

4. From July 26, 2023 to September 13, 2023, while Respondent was the practitioner of record for the applicants, the USPTO issued show cause orders in the 136 applications. The show cause orders stated that the USPTO had reason to believe that Mark Wang of W&K IP inserted the S-signature of registered practitioner Jie Yang on filings made in the applications. Mark Wang is not authorized to practice before the USPTO in patent matters. The show cause orders required the applicants to show cause as to why the USPTO should not terminate the proceedings in each of the 136 patent applications.
5. Respondent had not been involved in the prosecution activities referenced in the show cause orders, which occurred prior to Respondent becoming the practitioner of record in the applications.
6. As the practitioner of record in the 136 applications, Respondent received the show cause orders for all 136 patent applications.
7. After reviewing the show cause orders and first learning about the activities of Mark Wang and W&K IP, Respondent informed HOYI IP that he did not want to respond to the show cause orders in any of the 136 patent applications; however, he did not withdraw or otherwise have reason to believe another practitioner would handle the matter.
8. Respondent did not file a "Request for Withdrawal as Attorney or Agent and Change of Correspondence Address" form (*see generally* 37 C.F.R. § 1.36(b)) because he did not want to ruin his business relationship with HOYI IP.
9. From August 2023 to November 2023, while Respondent was the practitioner of record for the applicants, replies to the show cause orders were filed in each of the 136 patent applications.
10. Respondent asserts that he was neither involved in, nor had any knowledge of, the preparation, signing, or filing of the replies.
11. In 91 of the 136 replies submitted, an officer or manager of a juristic entity applicant, instead of a registered patent practitioner, signed the reply. The signing of the replies by such persons violated 37 C.F.R. § 1.33(b)(3), and, on October 1, 2024, the USPTO issued final orders terminating the proceedings in each of the 136 patent applications.
12. Respondent now candidly and freely acknowledges that he should have withdrawn as practitioner of record and taken the appropriate steps to do so.

Additional Considerations

13. Respondent has not previously been the subject of any USPTO disciplinary matter, and he represents that he has not been disciplined by any other jurisdiction.
14. Respondent has acknowledged his ethical lapses, demonstrated genuine contrition, and accepted responsibility for his acts and omissions.

15. Respondent certified that, on November 24, 2025, he watched the April 16, 2025 recording of “USPTO Hour: Patents priorities for FY2025 and fraud and threat mitigation,” which is available for public viewing via the USPTO’s website.

16. Respondent certified that he has reviewed (a) the applicable provisions of the USPTO Manual on Patent Examining Procedure (“MPEP”) concerning withdrawal as the practitioner of record from patent matters (e.g. MPEP § 2223) and (b) § 11.116 of the USPTO Rules of Professional Conduct concerning declining or terminating representation and withdrawing from representing clients.

17. Throughout the investigation, Respondent was exceptionally forthcoming and fully cooperative with OED’s investigation, including agreeing to an interview with OED and by providing *sua sponte* informative, supplemental responses to his original responses to requests for information.

Joint Legal Conclusions

18. Respondent acknowledges that, based on the information contained in the Joint Stipulated Facts, above, his acts and omissions violated the following provisions of the USPTO Rules of Professional Conduct:

- a. 37 C.F.R. § 11.116 (withdrawal of representation) by not taking reasonable steps to withdraw from representation in 136 pending patent applications; and
- b. 37 C.F.R. § 11.804(d) (practitioner must not engage in conduct adversely affecting the integrity of the USPTO patent application process) by failing to withdraw from representation in accordance with § 11.116 of the USPTO Rules of Professional Conduct and/or the USPTO patent rules (e.g., violating 37 C.F.R. § 1.36(b)).

Agreed-Upon Sanction

19. Respondent freely and voluntarily agreed, and it is hereby ORDERED that:

- a. Respondent shall be and is hereby publicly reprimanded;
- b. Respondent shall be placed on probation for six (6) months beginning with the date of the Final Order;
- c. (1) if the OED Director is of the good-faith opinion that Respondent, during his probationary period, failed to comply with any provision of the Agreement, the Final Order, any of the conditions of his probation, 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 thirty (30) days 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 pursuant to 37 C.F.R. § 11.11(a);

(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 good-faith opinion that Respondent, during Respondent's probationary period, failed to comply with the USPTO Rules of Professional Conduct, the Final Order, any conditions of his probation, or any provisions of the Agreement, 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 thirty (30) days for the violations set forth in the Joint Legal Conclusions above;

- d. 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;
- e. In the event the Respondent seeks a review of any action taken pursuant to subparagraph c., above, such review shall not operate to postpone or otherwise hold in abeyance any suspension;
- f. 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/>;
- g. The OED Director shall publish a notice in the *Official Gazette* that is materially consistent with the following:

Notice of Reprimand and Probation

This notice concerns Mr. Zhigang Ma of Northville, Michigan, who is a registered patent attorney (Registration No. 57,188). The Director of the United States Patent and Trademark Office ("USPTO") has publicly reprimanded Mr. Ma and placed him on probation six (6) months beginning on the date of the Final Order for violating 37 C.F.R. §§ 11.116(c) (withdrawal from representation) and 11.804(d) (conduct prejudicial to the integrity of the

USPTO patent application process). The violations are predicated on Mr. Ma's not withdrawing from 136 pending patent applications in which he was the practitioner of record after deciding not to represent the clients after the USPTO issued show cause orders to his clients in the 136 patent applications.

At the request of a China-based entity, HOYI IP (loosely translated as 霍伊知识产权) Mr. Ma took over representation of the applicants in the 136 patent applications that were pending before the USPTO. A few months after Mr. Ma took over representation, show cause orders were issued in each of the 136 patent applications. The show cause orders stated that the USPTO had reason to believe that a person not authorized to practice in patent matters before the USPTO had inserted the S-signature of a registered practitioner on filings made in the applications. The show cause orders required the applicants to show cause as to why the USPTO should not terminate proceedings in the 136 patent applications. Mr. Ma informed HOYI IP that he did not want to respond to the show cause orders in the 136 patent applications; however, he did not withdraw or otherwise have reason to believe another practitioner would handle the matter.

There was no indication of the involvement of a registered patent practitioner in the preparation, review, or filing of the responses to the show cause orders in any of the 136 patent applications. Improperly signed responses to the show cause orders were filed while Mr. Ma was still the practitioner of record for applicants, and, ultimately, the USPTO issued decisions terminating proceedings in all of the 136 patent applications.

Mr. Ma acknowledged his ethical lapses, demonstrated genuine contrition, and accepted responsibility for his acts and omissions. Mr. Ma was exceptionally forthcoming and fully cooperative with OED's investigation, including agreeing to an interview with OED and providing *sua sponte* informative, supplemental responses to his original responses to requests for information. Mr. Ma has not previously been the subject of any USPTO disciplinary matter, and he represents that he has not been disciplined by any other jurisdiction.

This action is the result of a settlement agreement between Mr. Ma and the Acting 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/>;

- h. Respondent shall cooperate fully with the USPTO in any present or future inquiry into any third-party entities (e.g., foreign representatives or foreign associates, including, but not limited to W&K IP and HOYI IP) or person(s) who (i) were involved in reviewing; preparing; signing; filing; or arranging for the reviewing, preparing,

signing, or filing of any of the responses to the show cause orders issued in the above-mentioned 136 patent applications or (ii) in any other matter concerning W&K IP, HOYI IP, or any other domestically-located or foreign-located entity from whom Respondent is solicited for trademark or patent services or from whom Respondent receives trademark or patent work;

- i. Nothing in the Proposed Settlement 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; (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;
- j. 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
- k. The parties shall bear their own costs incurred to date and in carrying out the terms of the Proposed Settlement Agreement and this Final Order.

Users, Choe,
Tricia

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Choe, Tricia
Date: 2026.01.29 08:12:00
-05'00'

Tricia Choe
Associate General Counsel for General Law
United States Patent and Trademark Office

Date

on delegated authority by

John A. Squires
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 first-class certified mail, return receipt requested:

Mr. Zhigang Ma
16485 Mulberry Way
Northville, Michigan 48168
Respondent

Via email:

John Ferman
John.Ferman@uspto.gov
Counsel for the OED Director

1/29/2020
Date



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