

UNITED STATES PATENT AND TRADEMARK OFFICE

In the Matter of:)
)
Rodger William Moore,)
)
Respondent)
_____)

Proceeding No. D2020-13

FINAL ORDER PURSUANT TO 37 C.F.R. § 11.24

Pursuant to 37 C.F.R. § 11.24, Rodger William Moore (“Respondent”) is hereby excluded from the practice of trademark and other non-patent matters before the United States Patent and Trademark Office (“USPTO” or “Office”). Respondent’s reciprocal discipline is predicated on his violation of 37 C.F.R. § 11.804(h), having been disciplined by a duly constituted authority of a state.

Background

On March 16, 2020, a “Notice and Order Pursuant to 37 C.F.R. § 11.24” (“Notice and Order”) was sent by certified mail (receipt nos. 70183090000157595581 and 70183090000157595598) notifying Respondent that the Director of the Office of Enrollment and Discipline (“OED Director”) had filed a “Complaint for Reciprocal Discipline Pursuant to 37 C.F.R. § 11.24” (“Complaint”) requesting that the Director of the United States Patent and Trademark Office impose reciprocal discipline upon Respondent identical to the discipline imposed by the Supreme Court of Ohio in *Cincinnati Bar Association v. Rodger William Moore*, Case No. 2018-1758. The Notice and Order provided Respondent an opportunity to file, within forty (40) days, a response opposing the imposition of reciprocal discipline identical to that imposed by the Supreme Court of Ohio

in *Cincinnati Bar Association v. Rodger William Moore*, Case No. 2018-1758, based on one or more of the reasons provided in 37 C.F.R. § 11.24(d)(1). The Notice and Order was also published in the Official Gazette for two consecutive weeks, on August 4, 2020 and August 11, 2020. Respondent did not file a response to the Notice and Order.

Analysis

In light of Respondent's failure to file a response, it is hereby determined that there is no genuine issue of material fact under 37 C.F.R. § 11.24(d) and Respondent's exclusion from the practice of trademark and other non-patent matters before the USPTO is the appropriate discipline.

ACCORDINGLY, it is hereby **ORDERED** that:

1. Respondent is excluded from the practice of trademark and other non-patent matters before the USPTO, commencing on the date of this Final Order;
2. Respondent shall remain excluded from the practice of trademark and other non-patent matters before the USPTO until the OED Director grants a petition requesting Respondent's reinstatement pursuant to 37 C.F.R. § 11.60;
3. The OED Director publish the following Notice in the *Official Gazette*:

Notice of Exclusion

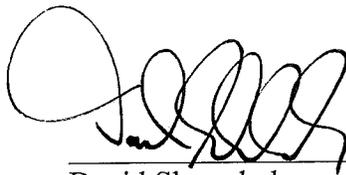
This notice concerns Rodger William Moore of Alexandria, Kentucky, who at all times relevant, was a suspended practitioner, *see In re Moore*, Proceeding No. D2016-11 (USPTO Mar. 16, 2016), and not authorized to practice before the United States Patent and Trademark Office ("USPTO"). In a reciprocal disciplinary proceeding, the Director of the USPTO has ordered that Mr. Moore be excluded from practice before the USPTO in trademark and other non-patent matters for violating 37 C.F.R. § 11.804(h), predicated upon being permanently disbarred from the practice of law by a duly constituted authority of a State. Mr. Moore is not registered and not otherwise authorized to practice before the USPTO in patent matters.

The Supreme Court of Ohio adopted the Board of Professional Conduct of the Supreme Court's January 30, 2019 findings that Mr. Moore charged a clearly excessive fee after agreeing to represent a client for free, engaged in dishonest conduct in his efforts to collect that fee, and engaged in conduct that was prejudicial to the administration of justice, in violation of Ohio Rules of Professional Conduct 1.5(a), 8.4(c), and 8.4(d). Because Mr. Moore had a history of dishonest conduct and was willing to engage in fraud and deception to obtain a personal financial advantage at the expense of a vulnerable client, the Supreme Court of Ohio permanently disbarred Mr. Moore from the practice of law in Ohio.

This action is taken pursuant to the provisions of 35 U.S.C. § 32 and 37 C.F.R. § 11.24. Disciplinary decisions are available for public review at the Office of Enrollment and Discipline's FOIA Reading Room, located at: <https://foiadocuments.uspto.gov/oed/>;

4. The OED Director give notice pursuant to 37 C.F.R. § 11.59 of the public discipline and the reasons for the discipline to disciplinary enforcement agencies in the state(s) where Respondent is admitted to practice, to courts where Respondent is known to be admitted, and to the public;
5. Respondent shall comply with the duties enumerated in 37 C.F.R. § 11.58; and
6. The USPTO shall dissociate Respondent's name from any Customer Number(s) and USPTO verified Electronic System account(s), if any.

29 Sept 2020
Date



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

on delegated authority by

Andrei T. Iancu
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office