

UNITED STATES PATENT AND TRADEMARK OFFICE

In the Matter of:)
)
Polly D. O'Hara)
)
Respondent)
_____)

Proceeding No. D2019-55

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

Pursuant to 37 C.F.R. § 11.24, Polly D. O'Hara ("Respondent") is hereby publicly reprimanded for violation of 37 C.F.R. § 11.804(h).

Background

By Order dated January 30, 2019, in *The Florida Bar v. Polly D. O'Hara*, Case No. SC18-1942, the Supreme Court of Florida issued an Order publicly reprimanding Respondent in that jurisdiction on ethical grounds.

On January 10, 2020 a "Notice and Order Pursuant to 37 C.F.R. § 11.24" ("Notice and Order") was sent by certified mail (receipt nos. 70161970000031995211 and 70161970000031995228) 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 Florida in *The Florida Bar v. Polly D. O'Hara*, Case No. SC18-1942. 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 Florida in *The Florida Bar v. Polly D. O'Hara*, Case No. SC18-1942, 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 on March 31, 2020 and April 7, 2020. Respondent has not filed 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 reprimanding Respondent is the appropriate discipline.

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

1. Respondent is hereby publicly reprimanded;
2. The OED Director publish the following Notice in the *Official Gazette*:

Notice of Public Reprimand

This notice concerns Polly D. O'Hara of Lauderdale By The Sea, Florida, who is a registered patent attorney (Registration Number 43,671). In a reciprocal disciplinary proceeding, the Director of the United States Patent and Trademark Office ("USPTO") has ordered that Ms. O'Hara be publicly reprimanded for violating 37 C.F.R. § 11.804(h), predicated upon being publicly reprimanded by a duly constituted authority of a State.

By Order dated January 30, 2019, in *The Florida Bar v. Polly D. O'Hara*, Case No. SC18-1942, the Supreme Court of Florida publicly reprimanded Respondent on ethical grounds in that jurisdiction. According to the January 30, 2019 Order, Ms. O'Hara was publicly reprimanded for failing to respond to inquiries made by The Florida Bar in a timely manner.

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/>;

and

3. 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.



June 3, 2020

Date

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

on delegation by
Andrei Iancu
Under Secretary Of Commerce For Intellectual Property And
Director Of The United States Patent And Trademark Office