

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

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|--------------------|---|------------------------|
| In the Matter of: |) | |
| |) | |
| Timothy David Ray, |) | Proceeding No. D2023-6 |
| |) | |
| Respondent |) | |
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FINAL ORDER PURSUANT TO 37 C.F.R. § 11.24

Pursuant to 37 C.F.R. § 11.24, Timothy David Ray (“Respondent”) is hereby suspended from the practice of trademark and other non-patent law before the United States Patent and Trademark Office (“USPTO” or “Office”), for violation of 37 C.F.R. § 11.804(h).

Background

On February 13, 2023, a “Notice and Order Pursuant to 37 C.F.R. § 11.24” (“Notice and Order”) was sent by certified mail (receipt nos. 70220410000250013939 and 70220410000250013946) 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 March 25, 2022 Order of Suspension of the Supreme Court of Louisiana in *In re Timothy David Ray*, Case No. 2021-B-01439 suspending Respondent from the practice of law in that jurisdiction for one year and one day, and the June 1, 2022 Order of the United States Court of Appeals for the Fifth Circuit suspending Respondent until he petitioned for reinstatement after being reinstated in Louisiana. 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 Louisiana in *In re Timothy David Ray*, Case No. 2021-B-01439, based on one or more of the reasons provided in 37 C.F.R. § 11.24(d)(1).

The Notice and Order was not able to be delivered to Respondent. Thus, the Notice and Order was also published in the Official Gazette on April 4, 2023 and April 11, 2023. 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 Respondent's suspension 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 suspended from the practice of trademark and other non-patent matters before the USPTO for a period of one year and one day;
2. The OED Director shall electronically publish the Final Order at OED's electronic FOIA Reading Room, which is publicly accessible at: <http://foiadocuments.uspto.gov>;
3. The OED Director publish a Notice in the *Official Gazette* that is materially consistent with the following:

Notice of Suspension

This notice concerns Timothy David Ray of New Orleans, Louisiana, who is authorized to practice before the United States Patent and Trademark Office ("USPTO") in trademark and non-patent matters. In a reciprocal disciplinary proceeding, the Director of the USPTO has ordered that Mr. Ray be suspended from practice before the USPTO in trademark and other non-patent matters for one year and one day for violating 37 C.F.R. § 11.804(h) predicated upon being suspended from the practice of law by a duly constituted authority of a State and of the United States. Mr. Ray is not authorized to practice before the USPTO in patent matters.

By Order dated March 25, 2022, in *In re Timothy David Ray*, Case No. 2021-B-01439, the Supreme Court of Louisiana suspended Respondent

from the practice of law in that jurisdiction for one year and one day. By Order dated June 1, 2022, the United States Court of Appeals for the Fifth Circuit suspended Respondent until Respondent petitioned for reinstatement after being reinstated in Louisiana.

While serving as interim Clerk of New Orleans First City Court, Mr. Ray misused public funds under his control, violating Rules 8.4(a) and 8.4(c) of the Louisiana Rules of Professional Conduct, and made false statements regarding the misused public funds, violating Rules 8.4(a), 8.4(c), and 8.4(d) of the Louisiana Rules of Professional Conduct.

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 of the public discipline, pursuant to 37 C.F.R. § 11.59, 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; and

5. Respondent shall comply with the duties enumerated in 37 C.F.R. § 11.58.

Users, Shewchuk, David
Digitally signed by Users,
Shewchuk, David
Date: 2023.06.02 17:02:56
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Date

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

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 pursuant to 37 C.F.R. § 11.24 was mailed by first-class certified mail, return receipt requested, on this day to the Respondent at the address listed by the Louisiana State Bar Association for Respondent:

Mr. Timothy David Ray
1226 Burdette St Fl 2
New Orleans, LA 70118

and to Respondent via e-mail at:

Mr. Timothy David Ray
[REDACTED]
[REDACTED]

6/5/2023

Date



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