

UNITED STATES PATENT AND TRADEMARK OFFICE

In the Matter of:)
)
Jason David Smith,) Proceeding No. D2024-14
)
Respondent)
_____)

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

Pursuant to 37 C.F.R. § 11.24, Jason David Smith (“Respondent”) is hereby excluded from the practice of patent, 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 June 21, 2024, a “Notice and Order Pursuant to 37 C.F.R. § 11.24” (“Notice and Order”) was sent by certified mail (receipt nos. 70220410000250017395 and 70220410000250017401) 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 July 26, 2023 Order of the Supreme Court of the State of Oklahoma in *State of Oklahoma ex rel. Oklahoma Bar Association v. Jason David Smith*, SCBD No. 7326, approving Respondent’s resignation from the practice of law in that jurisdiction based on ethical grounds. 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 the July 26, 2023 Order of the Supreme Court of the State of Oklahoma in *State of Oklahoma ex rel. Oklahoma Bar Association v. Jason David*

Smith, SCBD No. 7326, 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 the Respondent. The Notice and Order was thus also published in the Official Gazette on October 1, 2024 and October 8, 2024. 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 exclusion from the practice of patent, 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 patent, trademark, and other non-patent law before the USPTO;
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* materially consistent with the following:

Notice of Exclusion

This notice concerns Jason David Smith of Jay, Oklahoma, who is a registered patent attorney (Registration Number 50,681). In a reciprocal disciplinary proceeding, the Director of the United States Patent and Trademark Office ("USPTO") has ordered that Mr. Smith be excluded from practice before the USPTO in patent, trademark, and other non-patent matters for violating 37 C.F.R. § 11.804(h), predicated upon being disciplined by a duly constituted authority of a State.

The Supreme Court of the State of Oklahoma approved Respondent's resignation from the practice of law in that jurisdiction based on ethical grounds. *State of Oklahoma ex rel. Oklahoma Bar Association v. Jason David Smith*, SCBD No. 7326 (Jul. 26, 2023). Mr. Smith resigned without

contesting specific allegations that his conduct involved 13 violations of Rules 1.1, 1.3, 1.4, 1.5, 1.15, 8.4(a), (c) and (d) of the Oklahoma 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;

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

6. The USPTO is hereby authorized to disable or suspend any USPTO.gov accounts registered to Respondent as of the date of this Final Order (including, but not limited to, all accounts that Respondent has ever established, sponsored, or used in connection with any patent, trademark, or other matter before the USPTO);

7. Respondent shall not apply for a USPTO verified Electronic System account, shall not obtain a USPTO verified Electronic System account, nor shall he have his name added to a USPTO verified Electronic System account, unless and until he is reinstated to practice before the USPTO;

8. Respondent is prohibited from using, assessing, or assisting others in using or accessing any USPTO.gov account(s) or other USPTO filing systems for preparing or filing documents with the USPTO;

9. Until a petition seeking Respondent's reinstatement to practice before the USPTO is granted pursuant to 37 C.F.R. § 11.60, Respondent shall be prohibited, and the USPTO is authorized to disallow Respondent, from the following: (1) opening or

activating any USPTO.gov account(s) to be used for preparing or filing documents with the USPTO; (2) applying for, or attempting to apply for any USPTO.gov account(s) to be used for preparing or filing documents with the USPTO; (3) verifying, or attempting to verify, any other person's credentials in connection with USPTO.gov account(s) to be used for preparing or filing documents with the USPTO; and (4) sponsoring or attempting to sponsor USPTO.gov account(s) to be used for preparing or filing documents with the USPTO; and

10. Nothing herein shall obligate the USPTO to take action, *sua sponte*, to re-activate any USPTO.gov account disabled or suspended pursuant to this order; rather, it is Respondent's sole responsibility to initiate any such re-activation of any such USPTO.gov account.

Users,

Choe, Tricia

Digitally signed by
Users, Choe, Tricia
Date: 2025.11.20
11:57:33 -05'00'

Date

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

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 Pursuant to 37 C.F.R. § 11.24 was sent, on this day, to Respondent in the manner indicated below:

Via mail by first-class mail, certified receipt requested, and regular first-class mail, to the most recent address provided to the OED Director pursuant to 37 C.F.R. § 11.11(a):

Mr. Jason D. Smith
The Law Offices of Jason David Smith
P.O. Box 1330
306 South 5th Street
Jay, Oklahoma 74346

Via mail by first-class mail, certified receipt requested, and regular first-class mail, to the address where the OED Director reasonably believes Respondent receives mail:

[REDACTED]

Via e-mail to where the OED Director reasonably believes Respondent receives electronic correspondence:

jasonsmithesq@hotmail.com

11/20/2025
Date


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