

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

In the Matter of:)	
)	
Henry A. Weber,)	Proceeding No. D2022-11
)	
Respondent)	
_____)	

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

Pursuant to 37 C.F.R. § 11.24, Henry A. Weber (“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 May 11, 2022, a “Notice and Order Pursuant to 37 C.F.R. § 11.24” (“Notice and Order”) was sent by both certified mail (receipt nos. [REDACTED] and [REDACTED]) and by non-certified first-class mail 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 September 23, 2021 Order of the Supreme Court of the State of Illinois in *In re: Henry A. Weber*, Case No. M.R.030848, disbarring Respondent from the practice of law in that jurisdiction. 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 September 23, 2021 Order of the Supreme Court of the State of Illinois in *In re: Henry A. Weber*, Case No. M.R.030848, based on one or more of the reasons provided in 37 C.F.R. § 11.24(d)(1).

After initial attempts to serve the Notice and Order were unsuccessful, on May 16, 2022 the Notice and Order was also sent to the address at “[REDACTED] [REDACTED] [REDACTED]” by certified mail (receipt no. [REDACTED]). The Notice and Order was delivered to Respondent at that address on May 26, 2022. 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 matters before the USPTO, commencing on the date of this Final Order;
2. Respondent shall remain excluded from the practice of patent, trademark, and other non-patent law 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 shall electronically publish the Final Order at OED’s electronic FOIA Reading Room, which is publicly accessible at: <http://foiadocuments.uspto.gov>;
4. The OED Director publish the following Notice in the *Official Gazette*:

Notice of Exclusion

This notice concerns Henry A. Weber of Lake Forest, Illinois, who is a registered patent attorney (Registration Number 32,499). In a reciprocal disciplinary proceeding, the Director of the United States Patent and Trademark Office ("USPTO") has ordered that Mr. Weber 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 disbarred from the practice of law by a duly constituted authority of a State.

In January of 2020, Mr. Weber was convicted of multiple counts of felony theft of sales tax in the State of Florida. On September 13, 2021, the Supreme Court of the State of Illinois, in *In re Henry A. Weber*, Case No. M.R.030848, disbarred Mr. Weber based on motion of the Illinois Attorney Registration and Disciplinary Committee for the Florida felony convictions as violations of Rule 8.4(b) of the Illinois Rules of Professional Conduct (committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects).

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/>;

5. 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;

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

7. The USPTO shall dissociate Respondent's name from any Customer Number(s) and USPTO verified Electronic System account(s), if any.

(signature page follows)

(signature page for Final Order Pursuant to 37 C.F.R. § 11.24 (Weber) (D2022-11))

Users, Shewchuk, David
David

Digitally signed by Users,
Shewchuk, David
Date: 2022.08.01 08:38:06
-04'00'

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