

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

In the Matter of:

Phillip M. Pippenger, Jr.,

Respondent

Proceeding No. D2014-16

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

Pursuant to 37 C.F.R. § 11.24, the suspension of Phillip M. Pippenger, Jr.
("Respondent") is hereby ordered for violation of 37 C.F.R. § 11.804(h).

Background

On March 14, 2014, the Supreme Court of Illinois issued an order in *In re Phillip McKinney Pippenger*, No. M.R.26586, suspending Respondent for sixty (60) days from the practice of law in Illinois on ethical grounds.

On May 20, 2014, a "Notice and Order Pursuant to 37 C.F.R. § 11.24" ("Notice and Order") mailed by certified mail (receipt nos. 70140510000044240664 and 70140510000044240640) notified 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 ("USPTO" or "Office") impose reciprocal discipline upon Respondent identical to the discipline imposed by the Supreme Court of Illinois in *In re Phillip McKinney Pippenger*, No. M.R.26586. The Notice and Order was delivered to Respondent on May 22, 2014.

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 Illinois, based on one or more of the reasons provided in 37 C.F.R. § 11.24(d)(1). 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 suspension of Respondent from the practice of patent, trademark, and non- patent law before the USPTO for sixty (60) days is appropriate.

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

1. Respondent be suspended from the practice of patent, trademark, and non-patent law before the USPTO for sixty (60) days, effective the date of this Final Order;
2. The OED Director publish the following Notice in the *Official Gazette*:

NOTICE OF SUSPENSION

This Notice concerns Phillip M. Pippenger, Jr. of Chicago, Illinois, who is a registered patent attorney (Registration Number 46,055). In a reciprocal disciplinary proceeding, the Director of the United States Patent and Trademark Office ("USPTO") has ordered that Mr. Pippenger be suspended for sixty (60) days 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 suspended from the practice of law by a duly constituted authority of a State.

On March 14, 2014, the Supreme Court of Illinois entered an order suspending Mr. Pippenger from the practice of law for sixty (60) days in Illinois for violating the following Illinois Rules of Professional Conduct: 1.3 (failure to act with reasonable diligence and promptness in representing a client); 1.4(a)(3) (failure to keep a client reasonably informed about the status of a matter); 8.1(a) (making a statement of material fact known by the lawyer to be false in connection with a lawyer disciplinary matter); 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation); 8.4(d) (engaging in conduct which is prejudicial to the administration of justice). Mr. Pippenger failed to timely file a patent application and a complaint in a civil proceeding. This action is taken pursuant to the provisions of 35 U.S.C. § 32 and 37 C.F.R. § 11.24. Disciplinary

decisions involving practitioners are posted for public reading at the Office of Enrollment and Discipline's Reading Room available at: <http://e-foia.uspto.gov/Foia/OEDReadingRoom.jsp>.

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;

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

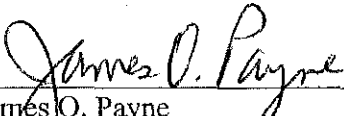
5. The USPTO dissociate Respondent's name from any Customer Numbers and the public key infrastructure ("PKI") certificate associated with those Customer Numbers;

6. Respondent shall not apply for a USPTO Customer Number, shall not obtain a USPTO Customer Number, nor shall he have his name added to a USPTO Customer Number, unless and until he is reinstated to practice before the USPTO; and

7. Such other and further relief as the nature of this cause shall require.

JUL 15 2014

Date


James O. Payne
Deputy General Counsel for General Law
United States Patent and Trademark Office

on behalf of

Michelle K. Lee
Deputy Under Secretary of Commerce for
Intellectual Property and Deputy Director of the
United States Patent and Trademark Office

Cc:

OED Director

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