

UNITED STATES PATENT AND TRADEMARK OFFICE

In the Matter of:

Andrew D. Babcock,

Respondent

Proceeding No. D2023-30

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

Pursuant to 37 C.F.R. § 11.24, Andrew D. Babcock (“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 July 28, 2023, a “Notice and Order Pursuant to 37 C.F.R. § 11.24” (“Notice and Order”) was sent by certified mail (receipt no. 70220410000250017937) 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 November 14, 2022 Order of the State of Michigan Attorney Disciplinary Board in *Grievance Administrator, Attorney Grievance Commission v. Andrew Dag Babcock*, Nos. 21-77-AI; 22-35-JC (Mich. Atty. Discipline Bd. Nov. 14, 2022), 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 November 14, 2022 Order of the State of Michigan Attorney Disciplinary Board in *Grievance Administrator, Attorney Grievance*

Commission v. Andrew Dag Babcock, Nos. 21-77-AI; 22-35-JC (Mich. Atty. Discipline Bd. Nov. 14, 2022), based on one or more of the reasons provided in 37 C.F.R. § 11.24(d)(1).

The Notice and Order was delivered to Respondent on August 7, 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 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;
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 Exclusion

This notice concerns Andrew D. Babcock of Carson City, Michigan, who is a registered patent attorney (Registration Number 44,517). In a reciprocal disciplinary proceeding, the Director of the United States Patent and Trademark Office ("USPTO") has ordered that Mr. Babcock be excluded from practice before the USPTO in patent, trademark, and other non-patent matters for violating 37 C.F.R. § 11.804(h) by being disbarred from the practice of law by a duly constituted authority of a State.

Mr. Babcock has been disbarred from practicing law in Michigan by an order of the State of Michigan Attorney Disciplinary Board in *Grievance Administrator, Attorney Grievance Commission v. Andrew Dag Babcock*, Nos. 21-77-AI; 22-35-JC (Mich. Atty. Discipline Bd. Nov. 14, 2022). This order is predicated on Mr. Babcock's conviction of two counts of first degree criminal sexual conduct with a person under 13 years of age, in

violation of MCL 750.520b(2)(b), and one count of first degree criminal sexual conduct - relationship to victim, in violation of MCL 750.520b(1)(b)(ii), all felonies, in the matter titled *People of the State of Michigan v. Andrew Dag Babcock*, 2nd Circuit Case No. 2020003325-FC.

Based on his convictions, the Attorney Discipline Board for the State of Michigan found that Mr. Babcock engaged in conduct that violated a criminal law of a state or of the United States, an ordinance, or tribal law pursuant to MCR 2.615, in violation of MCR 9.104(5).

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; and

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

Date

Users,
Shewchuk, David

Digitally signed by Users,
Shewchuk, David
Date: 2023.09.18 10:47:41
-04'00'

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

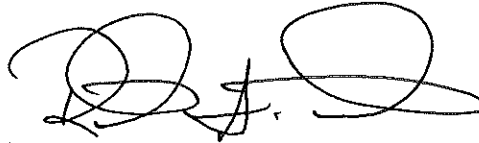
CERTIFICATE OF SERVICE

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 most recent address provided to the OED Director pursuant to 37 C.F.R. § 11.11(a):

Mr. Andrew D. Babcock, #680893
Carson City Correctional Facility
10274 East Boyer Rd.
Carson City, MI 48811-9746

9/18/23

Date



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