

## Notice of Suspension

This notice concerns Sandon M. Duncan of Lake Oswego, Oregon, who is a registered patent practitioner (Registration No. 64,141). In settlement of a disciplinary proceeding, the Director of the United States Patent and Trademark Office (“USPTO” or “Office”) has issued a Final Order suspending Mr. Duncan from practice before the Office in patent, trademark, and other non-patent matters for 60 days *nunc pro tunc* from October 5, 2022, for violating 37 CFR § 11.804(h)(1) (being publicly disciplined on ethical or professional misconduct grounds by any duly constituted authority of a State).


On March 19, 2020, Mr. Duncan unlawfully and knowingly offered and agreed to pay a fee to engage in sexual conduct and sexual contact, a violation of Oregon Revised Statute (“ORS”) 167.008 (commercial sexual solicitation). On December 21, 2020, in the Circuit Court of the State of Oregon for the County of Washington, Mr. Duncan pleaded guilty to one count of violating ORS 167.008, a misdemeanor, for this unlawful conduct.

On June 13, 2022, a trial panel of the Supreme Court of the State of Oregon determined that this crime violated ORS 9.527(2) (commission of a misdemeanor crime involving moral turpitude). The panel also determined Respondent violated Rule 8.4(a)(3) of the Oregon Rules of Professional Conduct (misrepresentation and dishonesty reflecting adversely on fitness to practice law) by engaging in acts of misrepresentation with law enforcement during the investigation that culminated in Respondent pleading guilty to one count of violating ORS 167.008. As a disciplinary sanction, the court ordered that Mr. Duncan be suspended from the practice of law for 60 days.

In reaching this settlement, the OED Director considered that Mr. Duncan has (1) accepted responsibility for his actions; (2) expressed contrition and understands the seriousness of his actions and how his actions violated the USPTO Rules of Professional Conduct; (3) not been previously publicly disciplined; and (4) provided full and fair disclosures to the Office of Enrollment and Discipline during the investigation of this matter.

This action is the result of a settlement agreement between Mr. Duncan and the OED Director pursuant to the provisions of 35 U.S.C. §§ 2(b)(2)(D) and 32, and 37 CFR §§ 11.19, 11.20, and 11.26. Disciplinary decisions involving practitioners are posted for public reading at the OED FOIA Reading Room, available at: <https://foiadocuments.uspto.gov/oed/>. Anyone in possession of any information tending to affect the eligibility of Mr. Duncan to be reinstated to practice before the USPTO should furnish such information to the OED Director in a written communication addressed to the Office of Enrollment and Discipline, Mail Stop OED, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on or before December 5, 2022.

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

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Date

on delegated authority by

Katherine K. Vidal  
Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office