

(a) Unless a practitioner is an attorney, the practitioner shall not hold himself or herself out to be an attorney, lawyer, or member of a bar, or as qualified or authorized to practice general law. Unless authorized by § 11.14(b), a non-lawyer shall not hold himself or herself out as being qualified or authorized to practice before the Office in trademark matters;

(b) A registered practitioner who is an attorney may use the designation "Patents," "Patent Attorney," "Patent Lawyer," "Registered Patent Attorney," or a substantially similar designation;

(c) A registered practitioner who is not an attorney may use the designation "Patents," "Patent Agent," "Registered Patent Agent," or a substantially similar designation;

(d) An individual granted limited recognition may use the designation "Limited Recognition"; and

(e) A lawyer engaged in Admiralty practice may use the designation "Admiralty," "Proctor in Admiralty" or a substantially similar designation.

§ 11.705 Firm names and letterheads.

(a) A practitioner shall not use a firm name, letterhead, or other professional designation that violates § 11.701. A practitioner in private practice may use a trade name if it does not imply a connection with a Government agency or with a public or charitable legal services organization and is not otherwise in violation of § 11.701.

(b) A law firm with offices in more than one jurisdiction may use the same name in each jurisdiction, but identification of the practitioners in an office of the firm shall indicate the jurisdictional limitations of those not licensed to practice in the jurisdiction where the office is located.

(c) The name of a practitioner holding a public office shall not be used in the name of a law firm, or in communications on its behalf, during any substantial period in which the practitioner is not actively and regularly practicing with the firm.

(d) Practitioners may state or imply that they practice in a partnership or other organization only when that is the fact.

§§ 11.706–11.800 [Reserved]

Maintaining the Integrity of the Profession

§ 11.801 Bar admission, registration, and disciplinary matters.

An applicant for registration, or a practitioner in connection with an application for registration, or a practitioner in connection with a

disciplinary matter or reinstatement, shall not:

(a) Knowingly make a false statement of material fact, knowingly fail to disclose a material fact, or knowingly fail to update information regarding a material fact; or

(b) Fail to disclose a fact necessary to correct a misapprehension known by the practitioner or applicant to have arisen in the matter, or knowingly fail to respond reasonably to a lawful demand for information from an admissions or disciplinary authority, except that the provisions of this paragraph (b) do not require disclosure of information otherwise protected by § 11.106.

(c) Conduct that constitutes a violation of paragraphs (a) or (b) of this section includes, but is not limited to, willfully refusing to reveal or report knowledge or evidence to the OED Director contrary to paragraphs (a) or (b) of this section.

§ 11.802 Judicial and legal officials.

(a) A practitioner shall not make a statement that the practitioner knows to be false, or with reckless disregard as to its truth or falsity, concerning the qualifications or integrity of a judge, administrative law judge, administrative patent judge, administrative trademark judge, adjudicatory officer, or public legal officer, or of a candidate for election or appointment to judicial or legal office.

(b) A practitioner who is a candidate for judicial office shall comply with the applicable provisions of the Code of Judicial Conduct.

§ 11.803 Reporting professional misconduct.

(a) A practitioner having knowledge that another practitioner has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that practitioner's honesty, trustworthiness, or fitness as a practitioner in other respects, shall inform the appropriate professional authority.

(b) A practitioner having knowledge that an employee of the Office has committed a violation of applicable Federal statutes, and rules adopted by the Office of Government Ethics that raises a substantial question as to the employee's fitness for office shall inform the appropriate authority. The Office of Enrollment and Discipline is not an appropriate authority for reporting under this section unless an imperative rule of the USPTO Rules of Professional Conduct is violated.

(c) The provisions of this section does not require disclosure of information

otherwise protected by § 11.106, or information gained by a lawyer or judge, administrative law judge, administrative patent judge, or administrative trademark judge while serving as a member of an approved lawyers assistance program to the extent that such information would be confidential if it were communicated subject to the attorney-client privilege. The provisions of this section do not authorize the filing of frivolous complaints.

(d) A practitioner:

(1) Found guilty of a crime or who pleads guilty or *nolo contendere* or enters an Alford plea to a criminal charge in a court of a State, or of the United States, except as to misdemeanor traffic offenses or traffic ordinance violations, not including the use of alcohol or drugs, shall within ten days from the date of such finding or plea advise the OED Director in writing of the finding or plea and file with the OED Director a certified copy of the court record or conviction or docket entry of the finding or plea; or

(2) Found by a court of record or duly constituted authority of the United States to have engaged in inequitable conduct to obtain a patent shall within ten days from the date of such finding advise the OED Director of the finding and file with the OED Director a certified copy of the court record or finding.

(e) A practitioner:

(1) Reprimanded, suspended, disbarred as an attorney, or disbarred on consent from practice as an attorney on any ethical grounds (including ethical grounds not specified in this Part) by any duly constituted authority of a State, or the United States, or who resigns from the bar of any State, or Federal court while under investigation; shall within ten days from the date of such action advise the OED Director in writing of such action and file with the OED Director a certified copy of the order, finding or plea;

(2) Residing in a foreign country or registered under § 11.6(c), who is reprimanded, suspended, disbarred, disbarred on consent from practice as an attorney on any ethical grounds, by any duly constituted authority of a foreign country, including by any foreign patent or trademark office, or who resigns while under investigation by any duly constituted authority of a foreign country, shall within ten days from the date of such action advise the OED Director in writing of such action and file with the OED Director a certified copy of the order, finding or plea; or

(3) Who, as a result of any other event or change, would be precluded from continued registration under §§ 11.6(a),