



**BEFORE THE BOARD OF DISCIPLINARY APPEALS
APPOINTED BY
THE SUPREME COURT OF TEXAS**

**IN THE MATTER OF
DAOYOU TIM LIU
STATE BAR CARD NO. 24076878**

§
§
§

CAUSE NO. 67306

JUDGMENT OF SUSPENSION

On the 27th day of January 2023, the above-styled and numbered reciprocal disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner, the Commission for Lawyer Discipline, appeared by attorney and announced ready. Respondent, Daoyou Tim Liu, appeared *pro se* and announced ready. All questions of fact and all issues of law were submitted to the Board of Disciplinary Appeals for determination. Having considered the pleadings on file, having received evidence, and having heard the argument of the parties, the Board of Disciplinary Appeals is of the opinion that Petitioner is entitled to entry of the following findings, conclusions, and orders:

Findings of Fact. The Board of Disciplinary Appeals finds that:

- (1) Respondent, Daoyou Tim Liu, Bar Card No. 24076878, is an attorney licensed and authorized by the Supreme Court of Texas to practice law in the State of Texas.
- (2) On or about January 12, 2022, a Complaint and Notice of Proceedings Under 35 U.S.C. § 32 was filed in the United States Patent and Trademark Office (USPTO), Before the Administrative Law Judge, United States Department of Housing and Urban Development, in Proceeding No. D2022-03, styled *In the Matter of Daoyou Tim Liu, Respondent*.
- (3) On or about August 9, 2022, an Initial Decision on Default Judgment was issued in the case styled *In the Matter of Daoyou Tim Liu, Respondent*,

Proceeding No. D2022-03, United States Patent and Trademark Office, Before the Administrative Law Judge. Respondent was found to have violated 37 C.F.R. §§ 11.103, 11.303(a)(1), 11.303(a)(3), 11.801(b), 11.804(c), and 11.804(d). As a sanction, Respondent was ordered excluded from practice before the U.S. Patent and Trademark Office in patent, trademark, and other non-patent matters.

- (4) The Initial Decision on Default Judgment entered in the United States Patent and Trademark Office, Before the Administrative Law Judge, became final when Respondent failed to file an appeal to the USPTO Director with thirty days pursuant to 37 C.F.R. § 11.55.
- (5) Respondent, Daoyou Tim Liu, is the same person as the Daoyou Tim Liu who is the subject of the Initial Decision on Default Judgment entered by the United States Patent and Trademark Office, Before the Administrative Law Judge.
- (6) Respondent was personally served with the Petition for Reciprocal Discipline and Order to Show Cause on Petition for Reciprocal Discipline and Hearing Notice on December 12, 2022.
- (7) Respondent failed to file an answer or other responsive pleading to the Petition for Reciprocal Discipline and Order to Show Cause on Petition for Reciprocal Discipline.

Conclusions of Law. Based upon the foregoing findings of facts the Board of Disciplinary Appeals makes the following conclusions of law:

- (1) This Board has jurisdiction to hear and determine this matter. TEX. RULES DISCIPLINARY P. R. 1.06(CC), 7.08(H), 9.01.
- (2) Respondent's answer to the Order to Show Cause on Petition for Reciprocal Discipline was due on January 11, 2023. TEX. RULES DISCIPLINARY P. R. 9.02.
- (3) Despite being duly served, Respondent failed to file an answer within thirty (30) days. TEX. RULES DISCIPLINARY P. R. 9.03.
- (4) Because Respondent failed to answer timely, Rule 9.03 requires that the Board enter a judgment imposing reciprocal discipline. TEX. RULES DISCIPLINARY P. R. 9.03, 17.05.
- (5) Pursuant to BODA Internal Procedural Rule 7.03, the Chair exercised discretion to receive testimony and evidence from Respondent despite his failure to file a timely answer.

- (6) Even if Respondent had timely raised defenses, Respondent's testimony failed to establish any defense under Rule 9.04 by clear and convincing evidence.
- (7) Reciprocal discipline identical, to the extent practicable, to that imposed by the United States Patent and Trademark Office, Before the Administrative Law Judge is warranted in this case.
- (8) Respondent should be actively suspended from the practice of law for a period of five (5) years.

It is, accordingly, **ORDERED, ADJUDGED, and DECREED** that Respondent, Daoyou Tim Liu, State Bar Card No. 24076878, is hereby **SUSPENDED** from the practice of law in Texas for a period of five (5) years beginning March 4, 2023, and extending through March 3, 2028.

It is further **ORDERED, ADJUDGED, and DECREED** that Respondent, Daoyou Tim Liu, during said suspension is prohibited from practicing law in Texas, holding himself out as an attorney at law, performing any legal services for others, accepting any fee directly or indirectly for legal services, appearing as counsel or in any representative capacity in any proceeding in any Texas court or before any administrative body, or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer."

It is further **ORDERED** that Respondent, Daoyou Tim Liu, within thirty (30) days of the date of this judgment, shall notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court, if any, in which Respondent, Daoyou Tim Liu, has any legal matter pending, if any, of his suspension, of the style and cause number of the pending matter(s), and of the name, address, and telephone number of the client(s) Respondent is representing in that court. Respondent is also **ORDERED** to mail copies of all such notifications to the Statewide Compliance Monitor, Office of the Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further **ORDERED** that Respondent, Daoyou Tim Liu, shall file with the State Bar of Texas, Statewide Compliance Monitor, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), within thirty (30) days of the date of this judgment, an affidavit stating that Respondent has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing in that court.

It is further **ORDERED** that Respondent, Daoyou Tim Liu, within thirty (30) days of the date of this judgment, shall notify each of his current clients and opposing counsel, if any, in writing, of his suspension. In addition to such notification, Respondent is **ORDERED** to return all files, papers, unearned fees paid in advance, and all other monies and properties which are in his possession but which belong to current or former clients, if any, to those respective clients or former clients, or to another attorney designated by such client or former client, within thirty (30) days of the date of this judgment, if requested.

It is further **ORDERED** Respondent shall file with the State Bar of Texas, Statewide Compliance Monitor, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), within thirty (30) days of the date of this judgment, an affidavit stating all current clients and opposing counsel have been notified of Respondent's suspension and that all files, papers, monies, and other property belonging to all current clients have been returned as ordered herein. If Respondent should be unable to return any file, papers, money, or other property requested by any client or former client, Respondent's affidavit shall state with particularity the efforts made by Respondent with respect to each particular client and the cause of his inability to return to said client any file, paper, money, or other property.

It is further **ORDERED** that Respondent, Daoyou Tim Liu, within thirty (30) days of the date of this judgment, surrender his Texas law license and permanent State Bar Card to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

It is further **ORDERED** that a certified copy of the Petition for Reciprocal Discipline on file herein, along with a copy of this Judgment, be sent to the Office of the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

It is further **ORDERED** that this Judgment of Suspension shall be made a matter of public record and be published in the *Texas Bar Journal*.

Signed this 2nd day of February 2023.

A handwritten signature in blue ink, appearing to read "Kevin H.", is written above a horizontal line.

CHAIR PRESIDING