



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

IN THE MATTER OF §
AFAMEFUNA IKENNA PRIDE OKEKE, § **CAUSE NO. 71674**
STATE BAR CARD NO. 24120500 §

JUDGMENT DENYING RECIPROCAL DISCIPLINE

On the 24th day of April, 2026, the above-styled and numbered reciprocal disciplinary action was called for hearing before the Board of Disciplinary Appeals. The Commission for Lawyer Discipline, Petitioner, appeared by attorney and announced ready. Respondent, Afamefuna Ikenna Pride Okeke, appeared 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 parties' arguments, the Board of Disciplinary Appeals makes the following findings, conclusions, and orders:

Findings of Fact. The Board of Disciplinary Appeals finds as follows:

- (1) Respondent, Afamefuna Ikenna Pride Okeke, Bar Card No. 24120500, is an attorney licensed and authorized by the Supreme Court of Texas to practice law in the State of Texas.
- (2) On January 6, 2025, the Director of the United States Patent and Trademark Office (USPTO) issued a Final Order in the matter styled *In the Matter of Afamefuna Okeke*, No. D2024-18, approving a proposed settlement agreement based on joint stipulated facts, joint legal conclusions, and an agreed sanction. The Final Order reflects the USPTO's conclusion that:

Respondent acknowledges that, based on the information contained in the Joint Stipulated Facts, above, Respondent's

acts and omissions violated the following provisions of the USPTO Rules of Professional Conduct:

- a. 37 C.F.R. § 11.101 (a practitioner shall provide competent representation) by, *inter alia*, (1) not possessing an adequate understanding of the USPTO trademark signature rules such that his non-practitioner assistants were impermissibly permitted to enter the signatures of the named signatories on trademark documents filed with the USPTO subjecting the marks to potential cancellation; (2) not possessing an adequate understanding of the U.S. Counsel Rule risking the accuracy and integrity of the trademark register; (3) not being familiar with and not understanding the requirements for USPTO.gov accounts or sponsored accounts (*e.g.*, sponsoring USPTO.gov accounts for nonpractitioner assistants) resulting in violation of the user agreement; (4) not adequately supervising non-practitioner assistants for whom he had sponsored USPTO.gov accounts; (5) not making a reasonable inquiry under 37 C.F.R. § 11.18 into how his trademark clients' signatures were entered on documents later filed with the USPTO; and (6) presenting trademark documents to the USPTO that were not signed in compliance with USPTO trademark signature rules;

- b. 37 C.F.R. § 11.103 (not acting with reasonable diligence) by, *inter alia*, (1) not possessing an adequate understanding of the USPTO trademark signature rules while practicing before the Office in trademark matters, such that he allowed non-practitioner assistants to enter the signatures of the named signatories on trademark documents filed with the USPTO; (2) not knowing the U.S. Counsel Rule when representing foreign domiciled client applicants before the Office in trademark matters risking the accuracy and integrity of the trademark register; (3) not being familiar with and not understanding the requirements for USPTO.gov accounts or sponsored accounts (*e.g.*, sponsoring USPTO.gov accounts for non-practitioner assistants) resulting in violation of the terms of the USPTO.gov agreement; (4) not adequately supervising nonpractitioner assistants for whom he had

sponsored USPTO.gov accounts such that he allowed them to enter the signatures of the named signatories on trademark documents filed with the USPTO; (5) not making a reasonable inquiry into how his trademark clients' signatures were entered on documents later filed with the USPTO; (6) presenting trademark documents to the USPTO that were not signed in compliance with USPTO trademark signature rules; and (7) not reviewing trademark documents adequately (*e.g.*, engaging in reviews that were not robust enough) prior to the documents being presented to the USPTO in violation of 37 C.F.R. § 11.18;

- c. 37 C.F.R. §§ 11.503(b) and (c) (responsibilities regarding non-practitioner assistants) by, *inter alia*, (1) not adequately supervising non-practitioner assistants for whom he had sponsored USPTO.gov accounts such that he allowed non-practitioner assistants to enter the signatures of the named signatories on trademark documents filed with the USPTO; (2) not making a reasonable inquiry into how his trademark clients' signatures were entered on documents later filed with the USPTO; and (3) directing, allowing, or otherwise facilitating non-practitioner assistants to enter his trademark client signatures on documents filed with the USPTO;
- d. 37 C.F.R. § 11.505 (assisting in the unauthorized practice of law) by, *inter alia*, not adequately supervising non-practitioner assistants for whom he had sponsored USPTO.gov accounts and not making reasonable inquiry into how his trademark clients' signatures were entered on documents later filed with the USPTO such that non-practitioner assistant entered his trademark client signatures on documents filed with the USPTO;
- e. 37 C.F.R. § 11.804(c) (engaging in conduct involving misrepresentation) by, *inter alia*, presenting trademark documents to the USPTO that were not signed by the named signatory on the document; and
- f. 37 C.F.R. § 11.804(d) (engaging in conduct that is prejudicial to the integrity of the trademark system) by, *inter alia*, (1) not possessing an adequate

understanding of the USPTO trademark signature rules; (2) not possessing an adequate understanding of the U.S. Counsel Rule; (3) not being familiar with and not understanding the requirements for USPTO.gov accounts or sponsored accounts (*e.g.*, sponsoring USPTO.gov accounts for non-practitioner assistants); (4) not adequately supervising non-practitioner assistants for whom he had sponsored USPTO.gov accounts; (5) not making a reasonable inquiry into how his trademark clients' signatures were entered on documents later filed with the USPTO; (6) presenting trademark documents to the USPTO that were not signed in compliance with USPTO trademark signature rules; (7) not reviewing trademark documents adequately (*e.g.*, engaging in reviews that were not robust enough) prior to the documents being presented to the USPTO in violation of 37 C.F.R. § 11.18; (8) directing, allowing, or otherwise facilitating non-practitioner assistants to enter his trademark client signatures on documents filed with the USPTO; and (9) not adequately supervising nonpractitioner assistants for whom he had sponsored USPTO.gov accounts and not making a reasonable inquiry into how his trademark clients' signatures were entered on documents later filed with the USPTO such that non-practitioner assistant entered his trademark client signatures on documents filed with the USPTO.

- (3) Under the Final Order referenced in paragraph (2), above, Respondent was suspended from the practice of law before the USPTO for a period of thirty (30) days and ordered to serve a probationary period of twelve (12) months commencing on the date the Final Order was signed. The term of probation was contingent on Respondent's filing a petition for reinstatement to practice before the USPTO and having said petition granted pursuant to 37 C.F.R. § 11.60. However, if Respondent were to fail to file a petition for reinstatement within twenty-four (24) months of the date the Final Order was signed, his probationary period was to end on January 6, 2027.
- (4) The Final Order entered by the USPTO is final.
- (5) Respondent, Afamefuna Ikenna Pride Okeke, is the same person as the Afamefuna Okeke who is the subject of the Final Order entered by the USPTO.

- (6) Respondent filed a timely answer raising defenses under Texas Rule of Disciplinary Procedure 9.04(C), (D), and (E).

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. 7.08(H).
- (2) When the conduct for which a Texas-licensed lawyer was disciplined occurred in another jurisdiction, including before a federal agency, that jurisdiction's final adjudication as to conduct that violates one or more of the Texas Disciplinary Rules of Professional Conduct is conclusive for purposes of reciprocal discipline, subject to any defenses timely raised under Texas Rule of Disciplinary Procedure 9.04. TEX. RULES DISCIPLINARY P. R. 9.01, 1.06(CC)(2).
- (3) While the Texas Disciplinary Rules of Professional Conduct contain provisions similar to the USPTO professional conduct rules Respondent was found to have violated, the USPTO's Final Order describes each rule violation with reference to conduct that relates directly to procedural requirements unique to trademark applications before the USPTO, including electronic signature requirements under 37 C.F.R. § 2.193 and requirements based on the U.S. Counsel Rule.
- (4) Respondent was not disciplined for conduct that constitutes "Professional Misconduct" as defined by Texas Rule of Disciplinary Procedure 1.06(CC).
- (5) Respondent also proved by clear and convincing evidence one or more of the defenses listed in Texas Rule of Disciplinary Procedure 9.04.
- (6) No reciprocal discipline is warranted in this case. *See* TEX. RULES DISCIPLINARY P. R. 9.01, 9.04.

It is, accordingly, **ORDERED, ADJUDGED, and DECREED** that the Petition for Reciprocal Discipline is **DENIED**.

Signed this 15th day of May 2026.



CHAIR PRESIDING

Board member Fernando Bustos concurs.

Board member Jason Boatright, joined by W.C. Kirkendall, dissents.

Board members Woodrow Halstead and David Iglesias did not participate in this decision.

Fernando Bustos, concurring.

As we have seen in two other cases recently, the United States Patent and Trademark Office (USPTO) disciplined Mr. Okeke for conduct relating to submission of trademark applications in ways that did not comply with requirements unique to the USPTO. *See In the Matter of Hao Ni*, BODA Case No. 71675 (May 15, 2026); *In the Matter of Oldham*, BODA Case No. 70709 (May 9, 2025). For the reasons expressed in my concurrence in the *Ni* case, I concur in the judgment in this case.

With three similar USPTO cases now decided in the same way, I hope the Board is developing a consistent framework for deciding future reciprocal discipline cases based on USPTO orders. When all the discipline imposed by the USPTO is predicated upon violations of requirements unique to the USPTO and not to be found in the Texas Disciplinary Rules of Professional Conduct (TDRPC), be it the electronic signature requirement, the U.S. Counsel Rule, or the USPTO's specific procedures involving accounts for submitting USPTO trademark applications, such conduct does not constitute "Professional Misconduct" as defined by the Texas Rules of Disciplinary Procedure. If the USPTO makes independent findings and conclusions untethered to its unique submission requirements, such as lack of diligence in other respects or fraudulent conduct, reciprocal discipline may be in order because there are analogues under the TDRPC. I share the dissent's concerns about trademark "mills" where attorneys do not personally review the content of applications, have no contact with their clients during representation, and allow unlicensed staff to engage in the practice of law. But where, as here, the USPTO bases the

discipline on conduct that does not violate a Texas ethics rule, we must continue to leave such matters to the USPTO and deny reciprocal discipline.

Jason Boatright, dissenting.

Okeke's conduct was similar to Ni's with one relevant exception. In addition to incompetence, inadequate supervision, and misrepresentation, the CDC has asked us to impose reciprocal discipline on Okeke for assisting in the unauthorized practice of law under Rule 5.05 of the Texas Disciplinary Rules of Professional Conduct ("Disciplinary Rules"). However, Texas trademark rules do not require trademark applicants to be represented by an attorney. *See* TEX. ADMIN. CODE § 93.11. Therefore, directing non-attorney assistants to submit trademark applications does not constitute the unauthorized practice of law in Texas.

But because Okeke directed his assistants to enter his unverified electronic signature on trademark applications in Texas, his conduct *does* amount to misrepresentation, incompetence, and inadequate supervision in violation of Texas Disciplinary Rules for the same reasons Ni's conduct did. *See* TEX. DISCIPLINARY RULES PROF'L CONDUCT R. 1.01(a), .03(a)-(b)(1), 8.04(a)(3). Accordingly, Okeke's conduct is Professional Misconduct in Texas. *See* TEX. RULES DISCIPLINARY P. R. 1.06(CC)(1).

I think it is practicable to impose discipline on Okeke that is identical to the discipline the USPTO imposed on him. The USPTO suspended Okeke for thirty days and placed him on twelve months of probation for violating six USPTO rules. (The USPTO also placed conditions on his probation that are not applicable in Texas.) The facts and law of this case show that three of Okeke's violations—37 C.F.R. §§ 11.101 (competence), .503 (inadequate supervision), and .804(c) and (d) (misrepresentation)—would also violate Texas Disciplinary Rules and constitute

Professional Misconduct. I think it is feasible to impose a thirty-day active suspension and twelve months of probation for violating those three Texas Disciplinary Rules.