



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

IN THE MATTER OF HARRISON BUCKLAND OLDHAM, STATE BAR CARD NO. 24077501	§ § §	CAUSE NO. 70709
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JUDGMENT DENYING RECIPROCAL DISCIPLINE

On the 25th day of April, 2025, 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, Harrison Buckland Oldham, appeared by attorney 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 counsel, 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, Harrison Buckland Oldham, Bar Card No. 24077501, is an attorney licensed and authorized by the Supreme Court of Texas to practice law in the State of Texas.
- (2) On May 29, 2024, the Director of the United States Patent and Trademark Office issued a Final Order in the matter styled *In the Matter of Harrison B. Oldham*, No. D2024-11, approving a proposed settlement agreement based on joint stipulated facts, joint legal conclusions, and an agreed sanction. The Final Order reflects the United States Patent and Trademark Office's (USPTO) 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 in connection with his trademark practice before the USPTO:

- a. 37 C.F.R. § 11.103 (not acting with reasonable diligence and promptness in representing a client) by, *inter alia*, (i) not timely informing trademark clients of the actual or potential adverse consequences to their intellectual property rights due to the impermissible signing of trademark applications; (ii) presenting to the USPTO trademark documents, including sworn declarations, that were not signed by the named signatory or allowing other persons to do so; and (iii) not always conducting a reasonable inquiry under the circumstances as required by 37 C.F.R. § 11.18 and failing to take reasonable steps to ensure that clients' trademark filings were reviewed and filed in accordance with the USPTO trademark signature rules;
- b. 37 C.F.R. § 11.303(a)(1) and (a)(3) (candor toward the tribunal) by, *inter alia*, (i) knowingly presenting to the USPTO trademark documents, including sworn declarations, that were not signed by the named signatory; and (ii) falsely certifying under 37 C.F.R. § 11.18 that the factual assertions presented in trademark documents (*i.e.*, the named signatory signed the document being presented to the USPTO) were true when he knew that the named signatory did not sign certain trademark documents submitted to the USPTO;
- c. 37 C.F.R. § 11.503(a) and (b) (responsibilities over non-practitioner assistants) by, *inter alia*, allowing his non-practitioner assistant(s) to sign Respondent's name to trademark documents presented to the USPTO;
- d. 37 C.F.R. § 11.804(c) (engaging in conduct involving misrepresentation) by, *inter alia*, (i) presenting to the USPTO trademark documents, including sworn declarations, that were not signed by the named signatory; and (ii) allowing false certifications under 37 C.F.R. § 11.18 that the factual assertions presented in

trademark document (*i.e.*, the named signatory signed the document being presented to the USPTO) were true when he knew that the named signatory did not sign certain trademark documents submitted to the USPTO; and

- e. 37 C.F.R. § 11.804(d) (engaging in conduct prejudicial to the integrity of the USPTO trademark registration system) by, *inter alia*, (i) knowingly presenting to the USPTO trademark documents, including sworn declarations, that were not signed by the named signatory; and (ii) allowing false certifications under 37 C.F.R. § 11.18 that the factual assertions presented in trademark documents (*i.e.*, the named signatory signed the document being presented to the USPTO) were true when the named signatory did not sign certain trademark documents submitted to the USPTO.
- (3) Under the Final Order referenced in paragraph (2), above, Respondent was suspended from practice before the USPTO for a period of thirty (30) days followed by a twelve (12) month probation.
 - (4) The Final Order entered by the USPTO is final.
 - (5) Respondent, Harrison Buckland Oldham, is the same person as the Harrison B. Oldham 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).
 - (7) During the hearing before the Board, Respondent presented testimony that he personally reviewed each patent application filed in his name, but on some occasions instructed another individual to affix his digital signature to the application.

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 Respondent's failure to comply with the USPTO's electronic signature requirements in 37 C.F.R. § 2.193.
- (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 9th day of May 2025.



CHAIR PRESIDING

Board members Jason Boatright and David Iglesias dissent.

Board member Andrew Graham did not participate in this decision.