

## ETHICS RULES FOR VISITING SCHOLARS TO THE UNITED STATES PATENT AND TRADEMARK OFFICE

2021

ETHICS GUIDANCE

2021

### **Financial Conflicts of Interest**

- You may not work as a Visiting Scholar on any matter affecting your financial interests or the interests of your spouse or minor child, a member of your household, or a non-Government employer or organization in which you serve as an officer or board member, unless the interest is in:
  - publicly-traded stock that is less than \$15,000,
  - a broadly-diversified mutual fund, or
  - industry sector or geographic sector mutual funds less than \$50,000.
- You are also disqualified from working on policy matters, legislation, and regulations affecting a company as a member of an industry sector or other group, if the interest is in:
  - stock that is not traded on a U.S. exchange,
  - publicly-traded stock greater than \$25,000 in value,
  - stock in a number of companies that totals greater than \$50,000, or
  - industry sector or geographic sector funds greater than \$50,000.

### **Non-Government Employment and Activities**

- You may not engage in any non-Government employment or outside activities incompatible with your position as a Visiting Scholar of USPTO, including:
  - employment with a foreign government or as a registered foreign agent,
  - activities that entail representing others before any Federal agency or Federal court,
  - employment with a company or organization that has interests that can be affected by the performance of your duties (unless such work can be reassigned to another person without significant disruption to USPTO operations), and
  - work that might create an appearance of misuse of your USPTO position.
- Because of these restrictions, you cannot work on patent or trademark cases as an outside activity or serve as an expert witness in Federal court (in most cases).
- Certain Visiting Scholars, depending on their employment status, are barred from holding an interest in a patent. If this restriction may affect you, contact the USPTO Office of General Law for more guidance at 571-272-3000.

### **Personal Conflicts of Interest**

- You may not work on any matter in which one of the parties is (or is representing): anyone with whom you have a business or financial relationship; an organization in which you are active (such as by service on a committee); a close relative; an employer (or prospective employer) of your spouse, parent, or dependent child; a member of your household; or a former employer or client (within one year of the end of such relationship).