

IN RE: JOSEPH STECEWYCZ

NO. BD-2017-023

S.J.C. Judgment of Disbarment entered by Justice Lowy on May 25, 2017.¹

SUMMARY²

The respondent, Joseph Stecewycz, is an attorney duly admitted to the bar of the Commonwealth on December 18, 1992. He was registered as a patent attorney by the United States Patent and Trademark Office (USPTO) on February 9, 1993.

On December 16, 2015, the USPTO issued an initial decision to exclude the respondent from practice before that agency. It issued a final order of exclusion on January 15, 2016. The USPTO decision was based on the respondent's misconduct with respect to several patent applications that clients had hired him to file and prosecute. The respondent breached professional duties owed to his clients by failing to remit to the USPTO filing fees given to him by clients, neglecting clients' patent and trademark applications, and failing to notify his clients of his inaction and the resulting consequences. On multiple occasions, he remitted checks to the USPTO that could not be negotiated because he had not maintained sufficient funds in his account, and failed to respond to important USPTO correspondence warning that his clients' patent applications would be deemed abandoned if no action was taken.

In addition, the respondent failed to cooperate with the disciplinary investigation conducted by the Office of Enrollment and Discipline and refused to acknowledge the wrongful nature of his conduct. The respondent had also committed prior disciplinary offenses resulting in an interim order of a two-year suspension. That order was on appeal at the time of the final order of exclusion, but a final order for a two-year suspension entered on January 17, 2017.

The respondent's conduct violated the USPTO disciplinary rules contained in 37 C.F.R. section 11.101 through 11.901 that are equivalent to Mass. R. Prof. C. 1.4(a) and (b) (duty to adequately communicate with client), 1.1 (duty of competence), 1.3 (duty of diligence), 1.15(b) (segregation of trust property) and (e) (maintaining proper records of trust property), and 8.1(b) (duty to cooperate with lawful demands for information from disciplinary authority).

On February 24, 2017, bar counsel filed with the Supreme Judicial Court a petition for reciprocal discipline, pursuant to S.J.C. Rule 4:01, § 16, and the order of the USPTO. The respondent was duly notified of the petition but failed to file an objection. The respondent was also duly notified of a hearing at the Court on May 25, 2017, but failed to appear.

On May 25, 2017, the Court (Lowy, J) entered an order, disbarring the respondent from the practice of law in Massachusetts, effective immediately.

¹ The complete order of the Court is available by contacting the Clerk of the Supreme Judicial Court for Suffolk County.

² Compiled by the Board of Bar Overseers based on the record filed with the Supreme Judicial Court.