FILED
Apr 27 2026
Disciplinary Board
Docket # 001

DISCIPLINARY BOARD
WASHINGTON STATE BAR ASSOCIATION

In re **ALISTAIR CHAN,** Lawyer (Bar No. 55568).	Proceeding No. 26#00022 ODC File Nos. 25-01353, 26-00246 Resignation Form of Alistair Chan (ELC 9.3(b))

I, Alistair Chan, declare as follows:

1. I am over the age of eighteen years and am competent. I make the statements in this declaration from personal knowledge.

2. I was admitted to practice law in the State of Washington on October 23, 2019.

3. I have voluntarily decided to resign from the Washington State Bar Association (the Association) in Lieu of Discipline under Rule 9.3 of the Washington Supreme Court's Rules for Enforcement of Lawyer Conduct (ELC).

4. Attached hereto as Exhibit A is Disciplinary Counsel's statement of alleged misconduct for purposes of ELC 9.3(b). I am aware of the alleged misconduct stated in Disciplinary Counsel's statement, but rather than defend against the allegations, I wish to permanently resign from membership in the Association.

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5. I consent to entry of an order under ELC 13.9(e) assessing expenses of $1,500 in this matter.

6. I agree to pay restitution in the amount of $2,943.00 to Benjamin Nye.

7. I agree to pay any additional costs or restitution that may be ordered by a Review Committee under ELC 9.3(g).

8. I understand that my resignation is permanent and that any future application by me for reinstatement as a member of the Association is currently barred. If the Washington Supreme Court changes this rule or an application is otherwise permitted in the future, it will be treated as an application by one who has been disbarred for ethical misconduct. If I file an application, I will not be entitled to a reconsideration or reexamination of the facts, complaints, allegations, or instances of alleged misconduct on which this resignation was based.

9. I agree to (a) notify all other states and jurisdictions in which I am admitted, of this resignation in lieu of discipline; (b) seek to resign permanently from the practice of law in Wisconsin, Minnesota, and any other state or jurisdiction in which I am admitted; and (c) provide Disciplinary Counsel with copies of this notification and any response(s). I acknowledge that this resignation could be treated as a disbarment by all other jurisdictions.

10. I agree to (a) notify all other professional licensing agencies in any jurisdiction from which I have a professional license that is predicated on my admission to practice law of this resignation in lieu of discipline; (b) seek to resign permanently from any such license; and (c) provide disciplinary counsel with copies of any of these notifications and any responses.

11. I agree that when applying for any employment, I will disclose the resignation in lieu of discipline in response to any question regarding disciplinary action or the status of my license to practice law.

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12. I understand that my resignation becomes effective on Disciplinary Counsel's endorsement and filing of this document with the Clerk, and that under ELC 9.3(c) Disciplinary Counsel must do so promptly following receipt of this document.

13. When my resignation becomes effective, I agree to be subject to all restrictions that apply to a disbarred lawyer.

14. Upon filing of my resignation, I agree to comply with the same duties as a disbarred lawyer under ELC 14.1 through ELC 14.4.

15. I understand that, after my resignation becomes effective, it is permanent. I will never be eligible to apply and will not be considered for admission or reinstatement to the practice of law nor will I be eligible for admission for any limited practice of law.

16. I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

April 27, 2026, Bainbridge Island, WA
Date and Place

Alistair Chan
Alistair Chan, Bar No. 55568

ENDORSED BY:

F. Rodriguez
Francisco Rodriguez, Disciplinary Counsel
Bar No. 22881

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EXHIBIT
A

DISCIPLINARY BOARD
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In re **ALISTAIR CHAN,** Lawyer (Bar No. 55568).	Proceeding No. ODC File Nos. 25-01353, 26-00246 STATEMENT OF ALLEGED MISCONDUCT UNDER ELC 9.3(b)(1)

The following constitutes a Statement of Alleged Misconduct under Rule 9.3(b)(1) of the Washington Supreme Court's Rules for Enforcement of Lawyer Conduct (ELC).

I. ADMISSION TO PRACTICE

1. Respondent Alistair Chan was admitted to the practice of law in the State of Washington on October 23, 2019.

II. ALLEGED FACTS

2. In 2018, Respondent agreed to file a patent application for Benjamin Nye with the United States Patent and Trademark Office (USPTO).

3. Respondent filed Nye's patent application on December 4, 2018.

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4. In filing the application, Respondent failed to sign a required form.

5. On December 28, 2018, USPTO sent Respondent a Notice to File Missing Parts of Nonprovisional Application notifying Respondent of the unsigned form and giving Nye two months to rectify the issue and avoid a determination that the application was abandoned.

6. Respondent did not inform Nye of the Notice to File Missing Parts.

7. Respondent failed to respond to the USPTO notice.

8. On August 29, 2019, USPTO sent Respondent a Notice of Abandonment stating that the application had been abandoned due to the failure to reply to the Notice to File Missing Parts.

9. Respondent did not notify Nye that the application had been abandoned.

10. On July 1, 2020, Nye sent Respondent an email inquiring about the status of the application.

11. Respondent then investigated the status of the application and found that it had been abandoned. In an email reply to Nye on July 1, 2020, Respondent apologized and stated that Respondent would "immediately revive the application at my time and expense ($500 revival petition fee)."

12. Respondent did not immediately file a petition for revival.

13. On August 6, 2020, Nye sent Respondent an email requesting confirmation that the patent application process was underway again.

14. Respondent did not respond to Nye's email.

15. Nye subsequently called and left a message for Respondent.

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16. On August 28, 2020, in response to Nye's phone message, Respondent sent Nye an email stating in part: "I don't know why, but the Revival has not yet been completed. I will attend to it shortly."

17. Respondent's statement that Respondent did not know why the revival had not been completed was false. Respondent knew at that time that Respondent had not yet filed a petition for revival of the application.

18. On October 25, 2020, Nye sent Respondent an email asking about the status of the application. Respondent did not respond.

19. Respondent did not file a petition for revival of the application until April 7, 2021. When filing the petition, Respondent did not pay the required fees.

20. On April 7, 2021, after filing the petition, Respondent sent Nye an email requesting that Nye provide the filing fees. Nye responded the next day that Nye had already paid the filing fees in 2018. Respondent did not reply to Nye's email.

21. On June 15, 2021, USPTO issued a decision dismissing the petition for revival due to nonpayment of the required petition fee, a fee Respondent had agreed to pay on Nye's behalf. Although USPTO did not reach the merits of the petition, USPTO noted that the petition did not include the required signed statement containing information sufficient to establish that the delay in seeking to revive the petition was unintentional.

22. Respondent did not inform Nye that the petition for revival had been dismissed.

23. On October 13, 2021, Nye sent Respondent an email asking about the status of the patent application.

24. Respondent replied via email the following day, stating that the "application is pending awaiting Examiner review."

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25. This statement was false. At that time, the status of the application was abandoned and the petition for revival had been denied.

26. Nye subsequently tried to communicate with Respondent about the status of the application without success.

27. On March 7, 2023, Nye sent Respondent an email stating: "I have not heard from you. I am assuming you took my money and ran? How about just letting me know since there is nothing I can do to get my money back anyway." Respondent did not reply to Nye's email.

28. On January 11, 2025, Nye sent Respondent an email requesting a refund. Respondent did not reply.

29. On August 9, 2025, Nye sent Respondent an email informing Respondent that Nye had filed a grievance.

30. Respondent replied the same day offering to correct the issues with the patent application and asking if the grievance could be "revoked."

31. During the Office of Disciplinary Counsel's investigation of Nye's grievance, Respondent disclosed that patent applications Respondent had filed on behalf of at least six other clients had been deemed abandoned by USPTO due to Respondent's failure to respond to USPTO notices.

III. ALLEGED MISCONDUCT.

32. By failing to act with reasonable diligence in pursuing patent applications on behalf of Nye and other clients, Respondent violated RPC 1.3.

33. By failing to keep Nye reasonably informed about the status of Nye's patent application and failing to explain the issues that arose with the application to the extent necessary

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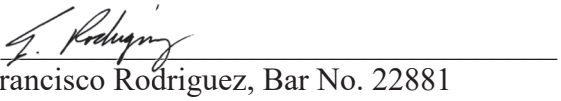
for Nye to make informed decisions regarding the representation, Respondent violated RPC 1.4(a) and RPC 1.4(b).

34. By making false statements to Nye, Respondent violated RPC 8.4(c).

DATED this 17th day of April, 2026.



Francisco Rodriguez, Bar No. 22881
Senior Disciplinary Counsel

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