

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against GREGG ALAN PEACOCK,
a Minnesota Attorney,
Registration No. 28757X.

**PETITION FOR
DISCIPLINARY ACTION**

TO THE SUPREME COURT OF THE STATE OF MINNESOTA:

The Director of the Office of Lawyers Professional Responsibility, hereinafter Director, files this petition upon the parties' agreement pursuant to Rules 10(a) and 12(a), Rules on Lawyers Professional Responsibility. The Director alleges:

The above-named attorney, hereinafter respondent, was admitted to practice law in Minnesota on October 30, 1998. Respondent currently practices law in Minneapolis, Minnesota.

Respondent has committed the following unprofessional conduct warranting public discipline:

FIRST COUNT

1. Respondent worked as an associate in a large firm that specializes in intellectual property matters. Respondent had a long term relationship with a corporate client handling patent prosecutions and other matters.

2. In 2006, the client retained respondent to file a provisional patent application with the U.S. Patent and Trademark Office (PTO) and a Patent Cooperation Treaty (PCT) for an invention (hereinafter "2006 invention"). In late 2007 or early 2008,

the client hired respondent to file a patent application on another invention (hereinafter "2007 invention").

3. Respondent failed to timely file the patent applications on either the 2006 or 2007 inventions.

4. On May 8, 2009, a legal assistant for in-house counsel for the client contacted respondent by e-mail and requested a status update on the 2007 invention. Respondent responded by falsely stating that the provisional patent application for the 2007 invention had been filed in June 2008. In truth, respondent had not performed any legal work on the provisional patent application for the 2007 invention for over a year.

5. That same day, the client's legal assistant requested a copy of the application and instructed respondent to file a PCT application based on the provision file. In order to conceal his neglect and false statements, respondent fabricated a document on his computer designed to look as though the provisional application had been filed in June 2008. On May 11, 2009, respondent forwarded the fabricated provisional application to the client's legal assistant.

6. That same day, a different legal assistant for in-house counsel for the client contacted respondent about a document, commonly referred to as "prior art" in the patent field, that was relevant to the applications for the 2006 invention. Respondent again falsely responded to the legal assistant that the patent applications for the 2006 invention had been filed, when in fact respondent had similarly neglected the matter. Respondent created false dates and numbers of the applications and e-mailed them to the legal assistant in order to conceal his neglect.

7. On or about May 13, the legal assistant requested copies of the patent applications for the 2006 invention. Respondent again fabricated documents on his computer to appear as though the applications had been filed for the 2006 invention in November 2006 and 2007, for the provisional and PCT applications respectively. Respondent provided the fabricated documents to the client.

8. Shortly thereafter, members of respondent's law firm detected discrepancies between respondent's fabricated documents and information that should have been available on publicly accessible databases.

9. Thereafter, respondent was confronted by members of his firm. Respondent initially refused to disclose his fabrication but after several confrontations informed his firm of his neglect, false statements to the client and subsequent fabrication.

10. Respondent's conduct violated Rules 1.3, 4.1, 8.4(c), Minnesota Rules of Professional Conduct (MRPC).

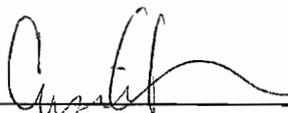
WHEREFORE, the Director respectfully prays for an order of this Court imposing appropriate discipline, awarding costs and disbursements pursuant to the Rules on Lawyers Professional Responsibility, and for such other, further or different relief as may be just and proper.

Dated: June 25, 2009.



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