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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding no.	91213597
Party	Plaintiff Caterpillar, Inc.
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Date	09/14/2022
Attachments	2022.09.14 Caterpillar Rebuttal NOR 9 and exhs.pdf(5819991 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

<p>CATERPILLAR INC.,</p> <p style="text-align: center;">Opposer,</p> <p style="text-align: center;">v.</p> <p>TIGERCAT INTERNATIONAL INC.,</p> <p style="text-align: center;">Applicant.</p>	<p style="text-align: center;">Opposition No. 91213597</p> <p style="text-align: center;">Application Serial No. 85/814,584 Mark: TIGERCAT Application date: January 3, 2013</p>
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OPPOSER’S REBUTTAL NOTICE OF RELIANCE NO. 9 UNDER 37 CFR § 2.122(e)

Pursuant to Trademark Rule 2.122(e) and TBMP § 704.08, Opposer Caterpillar Inc. submits of record in connection with this opposition proceeding a representative sample of unsolicited articles from printed publications available to the general public in libraries, on the NEXIS database, and/or in publications of general circulation. *See In re Cell Therapeutics, Inc.*, 67 USPQ2d 1795, 1798 (TTAB 2003).

This evidence is relevant to the continuing strength and fame of the CAT mark and shows the nature and extent of the public exposure that Opposer’s CAT brand has received over many years. The evidence rebuts Tigercat’s attempt to show that the CAT mark is not strong and/or famous.

Exhibit No.	Publication	Date	PUBLICATION TITLE
Exhibit 1	CNBC	2019.10.23	CATERPILLAR’S AUTONOMOUS VEHICLES MAY BE USED BY NASA TO MINE THE MOON AND BUILD A LUNAR BASE
Exhibit 2	Equipment World	2018.10.26	WHY CAT CHANGED ITS MACHINE BRANDING - AND THE STORY BEHIND THAT RED HEXAGON

Exhibit 3	Forbes	2019.10.07	CATERPILLAR OR DEERE: WHICH HEAVY-EQUIPMENT MANUFACTURER IS A BETTER BET?
Exhibit 4	PV Magazine	2018.11.12	CATERPILLAR, SUNPOWER TEAM UP ON CAT-BRANDED SOLAR
Exhibit 5	Tuscon.com	2019.10.04	CATERPILLAR SHOWS OFF ITS CAPABILITIES FOR VP MIKE PENCE IN GREEN VALLEY
Exhibit 6	Sports Pro Media	2022.05.27	MLS NAMES CATERPILLAR AS MAJOR SPONSOR
Exhibit 7	NHL.com	2022.06.16	NHL, CATERPILLAR AGREE TO MULTIYEAR PARTNERSHIP BEGINNING NEXT SEASON
Exhibit 8	Equipment Journal	2022.05.27	CATERPILLAR LOOKS TO ENGAGE SOCCER FANS THROUGH NEW MLS PARTNERSHIP
Exhibit 9	HotCars	2020.09.11	THE TECHNOLOGY BEHIND CAT HEAVY EQUIPMENT

Dated: September 14, 2022

Respectfully submitted,

/Naresh Kilaru/

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing OPPOSER'S REBUTTAL NOTICE OF RELIANCE NO. 9 UNDER 37 CFR § 2.122(e) was served via electronic mail, on September 14, 2022 upon counsel for Applicant:

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EXHIBIT 1

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