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

Proceeding	91213597
Party	Plaintiff Caterpillar, Inc.
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Date	09/09/2014
Attachments	2014.09.09 Awodiran Declaration.pdf(525496 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>Opposition No. 91213597</p> <p>Application Serial No. 85/591,967 Mark: TIGERCAT Application date: April 8, 2012</p>
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**DECLARATION OF BABATUNDE O. AWODIRAN IN SUPPORT OF  
OPPOSER'S OPPOSITION TO APPLICANT'S MOTION TO COMPEL  
AND CROSS-MOTION FOR PROTECTIVE ORDER**

I, Babatunde O. Awodiran, declare as follows:

1. I am employed as Corporate Counsel at Caterpillar Inc. ("Caterpillar"). I have worked for Caterpillar for over 7 years. I am familiar with Caterpillar, its products and services, and the CAT brand. The facts set forth in this Declaration are based upon my personal knowledge and/or records obtained from Caterpillar.

2. Since the late 1940's, Caterpillar and its licensees have continuously used the CAT mark and name for hundreds, if not thousands, of products and services across a wide range of industries, including heavy machinery and earth moving equipment such as graders, trucks, carrying and dumping equipment; engines; and generators.

3. Caterpillar is a United States-based company and, as of December 2013, had almost 53,000 employees in the United States.

4. Caterpillar distributes its CAT products throughout the country through a network of fifty-three CAT dealers.

*B.O.A.*

5. Caterpillar has expanded its offerings over the years and it presently provides products and services throughout its numerous divisions and subsidiaries in a vast array of industries, including agriculture, construction, customer services, demolition & scrap recycling, electric power generation, financing, forestry, government & defense, insurance, landscaping, locomotive & railway, maintenance and repair, marine, material handling, mining, OEM solutions, oil and gas, paving, pipeline, power plants, quarry, aggregates and cement, remanufacturing, rental, safety, training, technology & solutions, and waste.

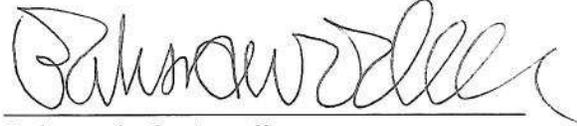
6. While these divisions operate under the Caterpillar corporate umbrella, they have separate offices located throughout the country. As of December 2013, Caterpillar had more than 40 offices and facilities in the United States.

7. Caterpillar's different divisions operate with individual management and personnel structures. They have individual marketing and sales teams which maintain their own separate records. They communicate and work with different Caterpillar dealers specialized in their particular field.

8. There is no central repository where the individual industry-based divisions save or store materials. In order to collect such materials, Caterpillar's legal team would need to identify the appropriate representatives within each industry and task them with searching for and collecting relevant documents. Given the size and structure of the company, the process of gathering and reviewing information and materials in response to broad and untargeted requests for production could potentially involve thousands of man hours.

I declare under penalty of perjury that the foregoing is true and correct pursuant to 28 U.S.C. § 1746.

Date: September 9, 2014

A handwritten signature in black ink, appearing to read 'Babatunde O. Awodiran', written over a horizontal line.

Babatunde O. Awodiran  
Corporate Counsel  
Caterpillar Inc.