

**BULKY DOCUMENTS** /w Exhibits  
(Exceeds 300 pages)  
Videotape and CD.

Proceeding/Serial No: 92041776

Filed: 8/15/04

Title: Caterpillar, Inc.

v.

Pave Tech, Inc.

Part 1 of 4

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

75924827

In the Matter of Registration No. 2,684,138: PAVERCAT  
Registered on the Principal Register on February 4, 2003, in International Class 7

CATERPILLAR INC., )  
)  
Petitioner, )  
)  
v. )  
)  
PAVE TECH, INC., )  
)  
Registrant. )

Cancellation No. 92041776

**TTAB**

**PETITIONER'S NOTICE OF RELIANCE ON  
APPLICATION FILE FOR PAVERCAT, SERIAL NO. 75/904827**

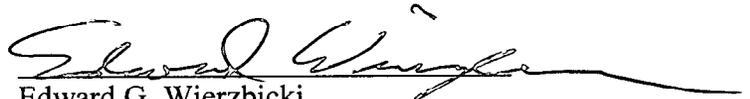
In accordance with 37 CFR § 2.120(j), Petitioner hereby offers into evidence the  
application file for PAVERCAT, Serial No. 75/904827.

Date: August 4, 2005

Respectfully submitted,

LOEB & LOEB LLP

By:



Edward G. Wierzbicki  
Mary E. Innis  
Nerissa Coyle McGinn  
321 North Clark Street  
Suite 2300  
Chicago, Illinois 60610  
Telephone: (312) 464-3100  
Facsimile: (312) 464-3111

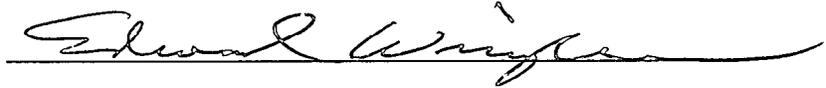
Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service  
as Express Mail, postage prepaid, in an envelope addressed to: Commissioner for Trademarks, P.O. Box  
1451, Alexandria, Virginia 22313-1451 on August 4, 2005.



**CERTIFICATE OF SERVICE**

I, Edward G. Wierzbicki, hereby certify that I caused a copy of the foregoing  
**PETITIONER'S NOTICE OF RELIANCE ON APPLICATION FILE FOR  
PAVERCAT, SERIAL NO. 75/904827** to Michael J. O'Loughlin, Michael J.  
O'Loughlin & Associates, P.A., 400 South 4<sup>th</sup> Street, 1012 Grain Exchange Building,  
Minneapolis, Minnesota 55415 (without attachments) and Rebecca Jo Bishop, Altera  
Law Group LLC, 6500 City West Parkway, Suite 100, Minneapolis, MN 55344, via first  
class mail, postage prepaid this 4<sup>th</sup> day of August, 2005.

A handwritten signature in cursive script, reading "Edward Wierzbicki", written over a horizontal line.

Trademark

75904827

TRADEMARK

75904827

EXHIBIT  
JONES

2/23/04  
3

PROSECUTION HISTORY

Event	Date	Initials
...	...	...
...	...	...

NOP 02  
12/19/00

noa  
3/13/01

GRANTED

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PTO-102

U.S. DEPARTMENT OF COM  
Patent and Trademark

75-904827 +



PAVERCAT

PAVERCAT

PRINCIPAL

LAW OFFICE 104

1124

75-904827 +

**FILING DATE**  
January 28, 2000

**ORIGINAL APPLICANT**  
Pave Tech, Inc.

**GOODS/SERVICES (CLASS 007)**  
mechanized equipment used to aid in the (ETC)

**FILING BASIS**  
ITU

**ORIGINAL CORRESPONDENT**  
MICHAEL J. O' LOUGHLIN

Richard Strasser

ATTORNEY ADVISOR:

PUBLISHED  
12/19/00

**REVIVED OR REINSTATED APPLICATION**

Date: ~~ACT 2928~~  
To: ITU  
From: Office of the Commissioner for Trademarks  
Re: S/N: 75/0827 Mark: PAVERCAT

**PLEASE TAKE THE FOLLOWING ACTION INDICATED:**

- Review SOU dated 12-26-01
- Review 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> Ext. Req.(s) dated 9-13-01
- Cancel NOA and forward file to P&I for issuance of a new NOA.
- Delete 1(b) and:
  - Forward to Exam. Atty. (published without foreign information)
  - Forward to Registration (published with foreign information)

Attorneys:

Michael J. O'Loughlin  
& Associates, P.A.  
1012 Grain Exchange Building  
400 South 4th Street  
Minneapolis, MN 55415  
(612) 332-0351

01-28-2000  
U.S. Patent & TMO/TM Mail Report DL #2

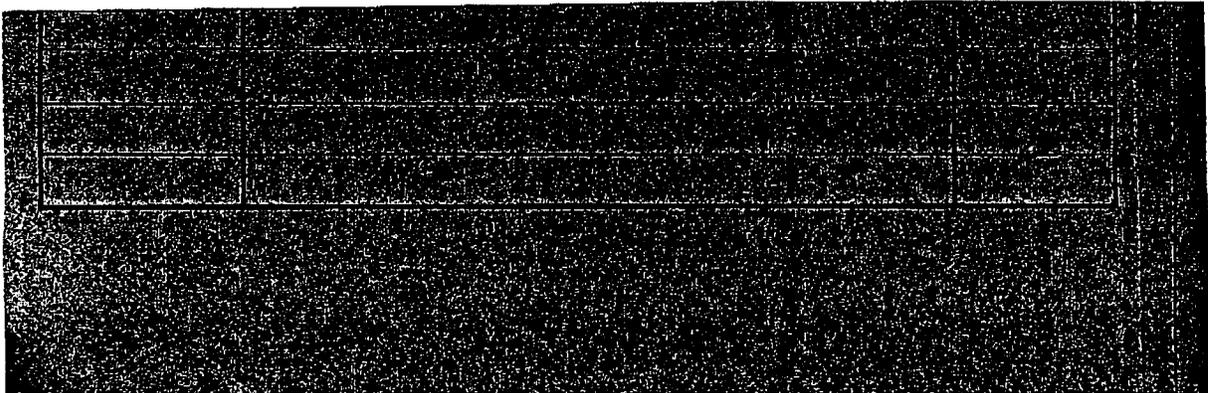


**PUBLISHED**  
12/19/00

**REGISTER**  
02/04/03

**TRADEMARK**

75904827



APPLICANT: PAVE TECH, INC.  
ADDRESS: 15354 Flag Avenue, P.O. Box 576,  
Prior Lake, MN 55372  
GOODS: Mechanized Equipment Used to Aid in the Installation of Segmental Pavers

PAVERCAT

Attorneys:

Michael J. O'Loughlin  
& Associates, P.A.  
1012 Grain Exchange Building  
400 South 4th Street  
Minneapolis, MN 55415  
(612) 332-0351

01-28-2000  
U.S. Patent & TMO/™ Mail Rep: DL #28



PUBLISHED  
12/19/00

REGISTER  
02/04/03

TRADEMARK

75904827

FEB-23-2004 09:30  
FEB-23-2004 09:09

L&L UNASSIGNED

312 674 4779

P.06/38  
P.06

008

10/18/02 14:05 FAX 612 342 2399

M. O LOUGHLIN



Received from < 612 342 2399 > at 10/18/02 3:04:11 PM [Eastern Daylight Time]

**TRADEMARK EXAMINATION WORKSHEET**

AMENDMENT STAGE

NO CHANGE

PUBLICATION/REGISTRATION STAGE

Name: Theresa Williams LO. 114 Date 12/02/02 Serial No. 15904827

INSTRUCTIONS: Place a check mark in the appropriate column and/or box to indicate which data elements have been amended/coded.

Legal Instrument Examiner (LIE)		Data Element	
	Amended		
Class Data	<input type="checkbox"/>	Prime/International Class	<input type="checkbox"/> Goods and Services
	<input type="checkbox"/>	First Use Date	<input type="checkbox"/> First Use in Commerce Date
	<input type="checkbox"/>	In Another Form	<input type="checkbox"/> Certification
	<input type="checkbox"/>	1b	
Mark Data	<input type="checkbox"/>	Word Mark	<input type="checkbox"/> Pseudo Mark
	<input type="checkbox"/>	Mark Drawing Code	<input type="checkbox"/> Design Search Code
	<input type="checkbox"/>	Scan Sub Drawing	
Misc. Mark Data	<input type="checkbox"/>	Mark Description	<input type="checkbox"/> Disclaimer
	<input type="checkbox"/>	Lining/Stippling	<input type="checkbox"/> Name/Portrait/Consent
	<input type="checkbox"/>	Translation	
Section 2(f)	<input type="checkbox"/>	Section 2(f) Entire Mark	
	<input type="checkbox"/>	Section 2(f) Limitation Statement	<input type="checkbox"/> Section 2(f) in Part
	<input type="checkbox"/>	Amended Register	<input type="checkbox"/> Amended Register Date
	<input type="checkbox"/>		
Foreign Reg. Data	<input type="checkbox"/>	Foreign Country	<input type="checkbox"/> 44(d)
	<input type="checkbox"/>	Foreign Application Number	<input type="checkbox"/> Foreign Application Filing Date
	<input type="checkbox"/>	Foreign Registration Number	<input type="checkbox"/> Foreign Registration Date
	<input type="checkbox"/>	Foreign Registration Expiration Date	<input type="checkbox"/> Foreign Renewal Reg. Number
	<input type="checkbox"/>	Foreign Reg. Renewal Expiration Date	<input type="checkbox"/> Foreign Renewal Reg. Date
Owner Data	<input type="checkbox"/>	Owner Name	<input type="checkbox"/> DBA/AKA/TA
	<input type="checkbox"/>	Address 1	<input type="checkbox"/> Address 2
	<input type="checkbox"/>	City	<input type="checkbox"/> State
	<input type="checkbox"/>	Zip Code	
	<input type="checkbox"/>	Citizenship	<input type="checkbox"/> Entity
	<input type="checkbox"/>	Entity Statement	<input type="checkbox"/> Composed of
	<input type="checkbox"/>	Assignment(s)/Name Change	
	<input type="checkbox"/>		
Amd/Corr Restr.	<input type="checkbox"/>	Concurrent Use	
Prior U.S. Reg.	<input type="checkbox"/>	Prior Registration	
Correspondence	<input type="checkbox"/>	Attorney	<input type="checkbox"/> Domestic Representative
	<input type="checkbox"/>	Attorney Docket Number	
	<input type="checkbox"/>	Correspondence Firm Name/Address	

I certify that all corrections have been entered in accordance with text editing guidelines.

Theresa Williams 12/02/02  
 LIE DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK EXAMINING OPERATION

In Re Application of:  
Pave Tech, Inc.  
Serial No.: 75/904827  
Filed: January 28, 2000  
Mark: PAVERCAT

Trademark Law Office: 114  
Examining Attorney:  
Richard A. Straser

Box AAU/FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

AMENDMENT TO ALLEGE USE UNDER 37 C.F.R. § 2.76

Sir:

Applicant requests registration of the above-identified trademark in the United States Patent and Trademark Office on the Principal Register established by the Act of 1946 (15 U. S. C. §§ 1051 *et seq.*, as amended). Three specimens showing the mark as used in commerce are submitted along with this amendment.

Applicant is using the mark in commerce on or in connection with the following goods:

MACHINES OR MACHINE PARTS USED TO AID IN THE  
INSTALLATION OF SEGMENTAL PAVERS, IN INTERNATIONAL CLASS 7

The mark was first used on February 23, 2000. The mark was first used in interstate commerce on February 23, 2000.

The mark is used by application directly to the goods by use of labels or as otherwise customary in the trade.

The fee of \$100 for this amendment is submitted herewith pursuant to 37 C. F. R. § 2.6.

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares  
11/25/2002 LRO/LINS 08080801 75984827

01 FC:6893

109.00 OP

Received from <612 342 2399> at 10/18/02 3:04:11 PM (Eastern Daylight Time)

FEB-23-2004 09:30

FEB-23-2004 09:11

10/18/02 14:04

L&L UNASSIGNED  
FAA 612 342 2399

R. U. LAUREN

312 674 4779

P.09/38

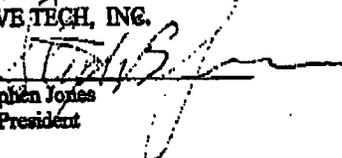
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www

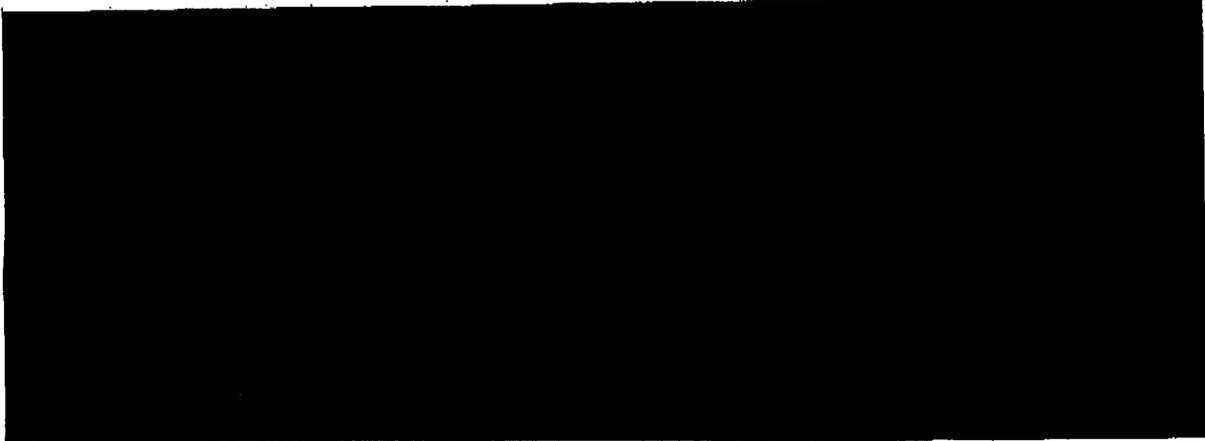
that he is properly authorized to execute this Amendment to Assign Use on behalf of the applicant; he believes the applicant to be the owner of the mark sought to be registered; the mark is now in use in commerce; and all statements made of his own knowledge are true and all statements made on information and belief are believed to be true.

Dated: August 6, 2006

PAVE TECH, INC.

By:   
Stephen Jones  
Its President

Received from <6123422399> at 10/18/02 3:04:11 PM [Eastern Daylight Time]



# RAM Fee History Query

Revenue Accounting and Management

Name/Number: 75904827  
Start Date: Any Date

Total Records Found: 4  
End Date: Any Date

Accounting Date	Sequence Num.	Tran Type	Fee Code	Fee Amount	Mallroom Date	Payment Method
02/03/2000	00000132	Q	<u>361</u>	\$325.00	01/28/2000	OP
03/02/2001	00000206	Q	<u>362</u>	\$100.00	02/28/2001	OP
12/28/2001	00000046	Q	<u>375</u>	\$100.00	12/24/2001	OP
02/27/2002	00000041	Q	<u>364</u>	\$150.00	02/25/2002	OP

Adjustment date: 11/25/2002 1ROLLING  
03/02/2001 SRCED1 00000171 75904827

01 FC:362

-100.00 OP

**PETITION EXTENSION REQUEST  
for Trademark Rules 2.66(c)(3) and 2.66(c)(4)**

Date:

**EXT REQ GRANTED**

To: ITU/Divisional Unit

Re: Serial No. *751/904827*

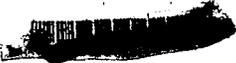
A Petition To Revive has been granted for the above-identified application. Under Trademark Rule 2.66(c)(3), Petitioner is required to file the fees for the number of extension requests that should have been filed if the application had not been abandoned. In this case, as required, Petitioner has submitted the fee for the 1st Extension Period (insert one only - 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> or 5<sup>th</sup>).

However, under Trademark Rule 2.66(c)(4), Petitioner is not required to file the corresponding document. Therefore, please use this form to enter "Petition Form Extension Request Granted" in TRAM with a date of 9/30/01, which is six months from the issuance of the NOA or from the expiration of the last extension request that was granted, as appropriate.

Thank you.

Office of the Commissioner  
for Trademarks

*W. J. O'Loughlin*



02-26-2002

U.S. Patent & TM Office Mail Rep 1 DL #22

**MICHAEL J. O'LOUGHLIN & ASSOCIATES, P.A.**

**ATTORNEYS AT LAW  
400 SOUTH 4th STREET  
1012 GRAIN EXCHANGE BUILDING  
MINNEAPOLIS, MINNESOTA 55415**

332-0351  
AREA CODE 612  
FAX #(612) 342-2399

February 20, 2002

Office of Assistant Commissioner for Trademarks  
Attention: Petition Office  
2900 Crystal Drive  
Arlington, VA 22202-3513

ASST. COMM. FOR  
TRADEMARKS  
2002 MAR -6 P 5 53  
U.S. PATENT  
AND  
TRADEMARK OFFICE

Re: Petition to Revive PAVERCAT Application  
Serial Number: 75/904827  
Applicant: Pave Tech, Inc.

Dear Sir:

This Application was deemed abandoned because the Amendment to Allege Use and the filing fee for that document were unintentionally submitted during the blackout period. On December 21, 2002, a Petition to Revive the above identified application was submitted. Copies of the Petition and Declaration are each enclosed. On January 14, 2002 a Notice of Abandonment was issued, which specified that fees for extension requests should also be included. Accordingly, enclosed herewith is a check in the amount of \$150 for an extension of time for filing a Statement of Use. I also request that the Amendment to Allege Use which was previously filed be treated as the Statement of Use. Please advise if this is not satisfactory.

Yours very truly,

MICHAEL J. O'LOUGHLIN  
& ASSOCIATES, P.A.

Michael J. O'Loughlin

MJO/jfb  
Enclosure

02/27/2002 MPETTY 00000636 75904827

01 FC:36A

150.00 DP

*cmbs*

02-25-2002

Patent & TM/OT/SM Mail Report 01.06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
OFFICE OF THE ASSISTANT COMMISSIONER FOR TRADEMARKS

In Re Application of:  
Pave Tech, Inc.  
Serial No.: 75/904827  
Filed: January 28, 2000  
Mark: PAVERCAT  
Law Office: 114  
Examining Attorney: Richard Straser

ASST. COMMR. FOR  
TRADEMARKS  
2002 MAR -6 P 5:53  
U.S. PATENT  
AND  
TRADEMARK OFFICE

Box DAC-FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

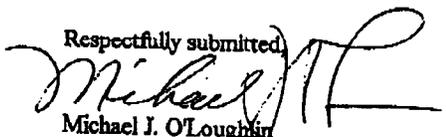
PETITION TO REVIVE ABANDONED APPLICATION

Sir:

Applicant hereby petitions for revival of the above-indicated application which was inadvertently abandoned as a result of Applicant's failure to timely file an Amendment to Allege Use subsequent to issuance of a Notice of Allowance on March 13, 2001.

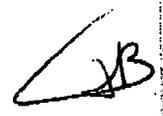
Also enclosed are (1) a Declaration of the undersigned attorney setting forth the facts and circumstances surrounding the inadvertent abandonment of this application, and (2) the fee in the amount of \$100 as specified in 37 C.F.R. § 2.6.

Respectfully submitted,



Michael J. O'Loughlin  
Attorney for Applicant  
1012 Grain Exchange Building  
Minneapolis MN 55415  
Reg. No. 25,760  
(612) 332-0351

Dated: December 21, 2001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
OFFICE OF THE ASSISTANT COMMISSIONER FOR TRADEMARKS

In Re Application of:  
Pave Tech, Inc.  
Serial No.: 75/904,827  
Filed: January 28, 2000  
Mark: PAVERCAT  
Law Office: 114  
Examining Attorney: Richard Straser

DECLARATION UNDER 37 C.F.R. § 2.66

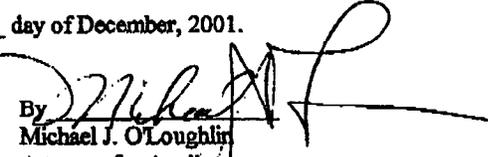
I, Michael J. O'Loughlin, declare that I am the attorney of record herein and make the following statements in support of the PETITION TO REVIVE ABANDONED APPLICATION.

1. A Notice of Publication Under 12(a) dated November 17, 2000 indicating that the publication of Pavercat would take place on December 19, 2000 was received in my office.
2. I am aware that an Amendment to Allege Use should be filed after issuance of a Notice of Allowance.
3. Nevertheless, prior to receiving a Notice of Allowance, on February 26, 2001 an Amendment to Allege Use (stating that the mark had been first used on February 23, 2000 and had been first used in interstate commerce on February 23, 2000), was transmitted to the United States Patent Office.
4. The fee of \$100 and three specimens showing the mark as used were submitted with the filing of the Amendment to Allege Use.
5. A copy of both sides of the check submitted with the Amendment to Allege Use is set forth on Exhibit A attached hereto.
6. The documents were processed on or about February 28, 2001 and the check endorsed on March 2, 2001.
7. On March 13, 2001 the Notice of Allowance issued.

8. I failed to consider the need to comply with the requirement for an allegation to be timely filed because I believed that it had already been done.
9. After several months, in November, 2001, I inquired of the USPTO as to the status of Pavercat and learned that it was considered abandoned.
10. I can give no good reason for the untimely early filing of the Amendment to Allege Use.
11. Upon discovery of the problem I placed a call to the Examining Attorney to alert him to the situation.
12. I believe that it is clear that Applicant had no intent to abandon. Filing an Amendment to Allege use with specimens and a \$100 fee are inconsistent with such an intent. An Amendment to Allege Use will be promptly filed if this Petition is granted. Applicant's rights to registration should not be adversely affected by my incorrect application of the filing procedures.

I declare further that all statements made herein of my own knowledge are true; that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application and any registration resulting therefrom.

Signed at Minneapolis, Minnesota this 21 day of December, 2001.

By   
Michael J. O'Loughlin  
Attorney for Applicant  
1012 Grain Exchange Building  
Minneapolis MN 55415  
(612) 332-0351

CAPIT AND INSPECTION OFFICE

EXHIBIT A

12872

<b>MICHAEL J. O'LOUGHLIN &amp; ASSOCIATES, P.A.</b> ATTORNEYS AT LAW 400 SOUTH 4TH STREET 1012 GRAIN EXCHANGE BUILDING MINNEAPOLIS, MINNESOTA 55416	<b>U.S. Bank</b> <small>Minneapolis, Minnesota 55402          FastLine<sup>SM</sup> 24-Hour Banking 612/244-4848</small>	CHECK NO. <b>172-100 012872</b> <small>810</small>
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Hundred \*\*\*\*\* 00/100

TO THE ORDER OF	DATE	AMOUNT
Assistant Commissioner for Trademarks	Feb 26/2001	\$100.00

240088876 012 3502 4024 09 21

MICHAEL J. O'LOUGHLIN & ASSOCIATES, P.A.  
*[Signature]* MR.

Fee-filing amendment to allege use (Pavercat)

⑈012872⑈ ⑈091000022⑈180230305288⑈ ⑈0000010000⑈

0910-0008-0  
 0403701004  
 240088876  
 240088876

CITY  
 DISTRICT  
 ST. PAUL  
 MN 55102

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 0074411495

RECEIVED  
 FEB 26 2001  
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 U.S. DEPT. OF COMMERCE  
 PATENT AND TRADEMARK OFFICE

PATENT AND TRADEMARK OFFICE  
 15-12-001  
 FOR CREDIT TO THE  
 U.S. DEPARTMENT OF COMMERCE

U02522700

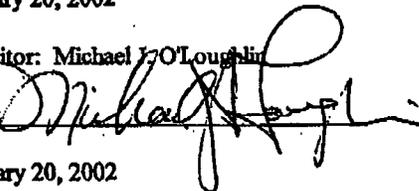
**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Office of Assistant Commissioner for Trademarks, Attention: Petition Office, 2900 Crystal Drive, Arlington, VA 22202-3513:

Date of Mailing: February 20, 2002

Printed Name of Depositor: Michael J. O'Loughlin

Signature of Depositor:



Date of Signing: February 20, 2002



**MICHAEL J. O'LOUGHLIN & ASSOCIATES, P.A.**  
**FAX TRANSMISSION**

**MICHAEL J. O'LOUGHLIN**

1012 Grain Exchange Building  
400 South Fourth Street  
Minneapolis, MN 55415  
TELEPHONE: (612) 332-0351  
Fax: (612) 342-2399

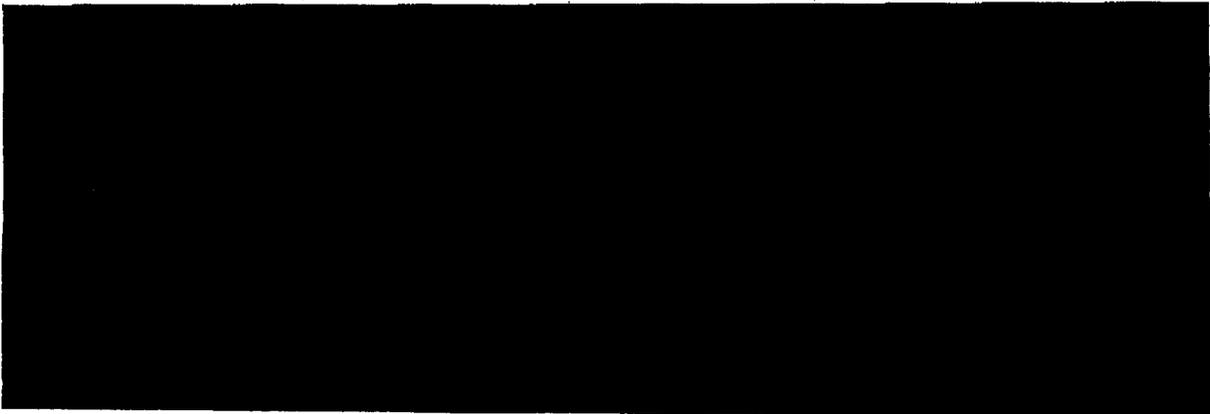
TO: Ms. Susan White  
Firm: U.S. PTO  
Address: \_\_\_\_\_

Company Fax No: 703-872-9289  
Telephone No: \_\_\_\_\_

No. of Pages: 6  
(Including Cover Sheet)

RE: Thank you for your help.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*  
The information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any disseminating, distributing or copying of this communication is strictly prohibited. If you have received this FAX in error, please immediately notify us at (612) 332-0351.



10/18/02 14:04 FAX 612 342 2399

M. O LOUGELIN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK EXAMINING OPERATION

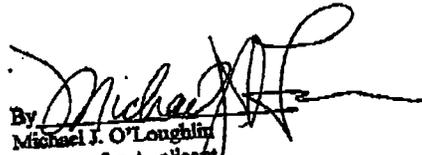
In Re Application of  
Pave Tech, Inc.  
Serial No.: 75/904827  
Filed: January 28, 2000  
Mark: PAVERCAT

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

STATEMENT AUTHORIZING CONVERSION

Sir:  
Applicant hereby authorizes usage of the copy of the Amendment to Allege Use which accompanies this Statement as the Statement of Use which is to be considered as filed effective contemporaneously with the Petition to Revive Abandoned Application filed on December 21, 2001. Applicant further authorizes the specimen which accompanies this Statement as the specimen of actual use of Pavercat.

Dated: October 18, 2002

By   
Michael J. O'Loughlin  
Attorney for Applicant  
1012 Grain Exchange Building  
Minneapolis, MN 55415  
(612) 332-0331  
Reg. No. 25,760  
Its President

**MICHAEL J. O'LOUGHLIN & ASSOCIATES, P.A.**  
ATTORNEYS AT LAW  
400 SOUTH 4th STREET  
1012 GRAIN EXCHANGE BUILDING  
MINNEAPOLIS, MINNESOTA 55415

332-0851  
AREA CODE 612  
FAX #(612) 342-3399

October 18, 2002

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

BY TELEFAX TRANSMISSION

Attention: Ms. Susan White

Re: Amendment to Allege Use, etc.  
For the Mark: PAVERSAFE  
Applicant: Pave Tech, Inc.  
Serial No.: 76/181253

Dear Ms. White:

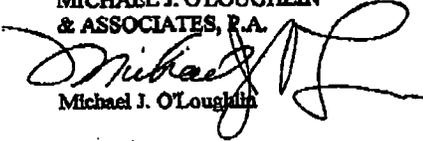
Enclosed herewith are the following documents submitted as discussed:

- a. Applicant's Amendment to Allege Use Under 37 C.F.R.;
- b. Statement Authorizing Conversion;
- c. Specimen showing the mark as used in commerce.

Please advise if the Statement Authorizing Conversion does not meet your requirements. I never have had occasion to prepare such a document previously. Thank you for your cooperation and assistance.

Yours very truly,

MICHAEL J. O'LOUGHLIN  
& ASSOCIATES, P.A.

  
Michael J. O'Loughlin

MJO/jfb  
Enclosures

ASST. COMM. FOR  
TRADEMARKS

ASST. COMM. FOR  
TRADEMARKS

2002 JAN -7 P 4:15 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE JAN -7 P 4:15  
OFFICE OF THE ASSISTANT COMMISSIONER FOR TRADEMARKS

U.S. PATENT  
AND  
TRADEMARK OFFICE

U.S. PATENT  
AND  
TRADEMARK OFFICE

In Re Application of:

Pave Tech, Inc.

Serial No.: 75/904827

Filed: January 28, 2000

Mark: PAVERCAT

Law Office: 114

Examining Attorney: Richard Straser

Box DAC-FEE

Assistant Commissioner for Trademarks

2900 Crystal Drive

Arlington, VA 22202-3513

12-26-2001

U.S. Patent & TM Office Mail Report Oct. Fee

REVIVED BY  
OFFICE OF THE COMMISSIONER  
FOR TRADEMARKS

ON: 10/26/01  
APPROVED BY: SAW

PETITION TO REVIVE ABANDONED APPLICATION

Sir:

Applicant hereby petitions for revival of the above-indicated application which was inadvertently abandoned as a result of Applicant's failure to timely file an Amendment to Allege Use subsequent to issuance of a Notice of Allowance on March 13, 2001.

Also enclosed are (1) a Declaration of the undersigned attorney setting forth the facts and circumstances surrounding the inadvertent abandonment of this application, and (2) the fee in the amount of \$100 as specified in 37 C.F.R. § 2.6.

Respectfully submitted,

Michael J. O'Loughlin  
Attorney for Applicant  
1012 Grain Exchange Building  
Minneapolis, MN 55415

Reg. No. 25,760  
(612) 332-0351  
01-11-01 00000041 75984027  
01-11-01

Dated: December 21, 2001

100.00 00

JB  
KE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
OFFICE OF THE ASSISTANT COMMISSIONER FOR TRADEMARKS

In Re Application of:  
Pave Tech, Inc.  
Serial No.: 75/904,827  
Filed: January 28, 2000  
Mark: PAVERCAT  
Law Office: 114  
Examining Attorney: Richard Straser



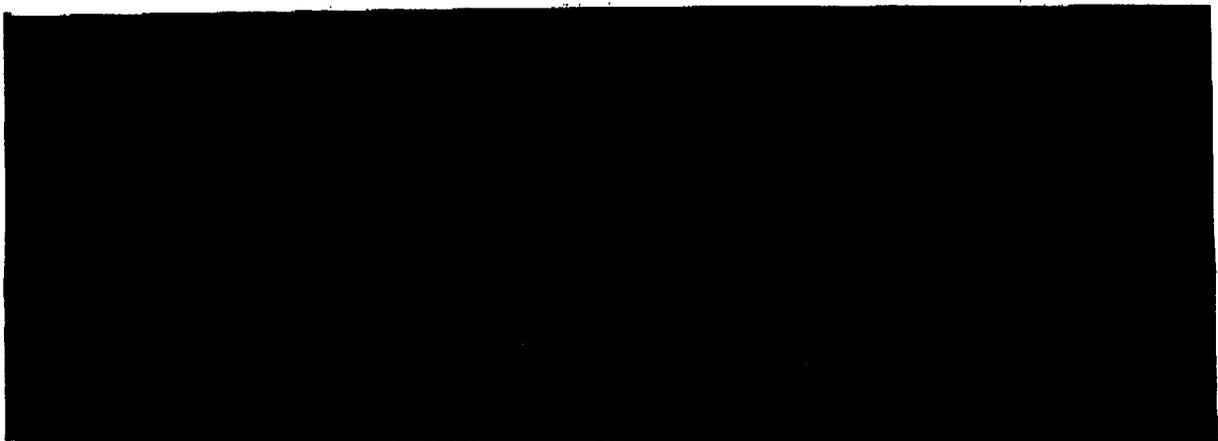
12-26-2001

U.S. Patent & TMO/TM Mail Report 01 #28

DECLARATION UNDER 37 C.F.R. § 2.66

I, Michael J. O'Loughlin, declare that I am the attorney of record herein and make the following statements in support of the PETITION TO REVIVE ABANDONED APPLICATION.

1. A Notice of Publication Under 12(a) dated November 17, 2000 indicating that the publication of Pavercat would take place on December 19, 2000 was received in my office.
2. I am aware that an Amendment to Allege Use should be filed after issuance of a Notice of Allowance.
3. Nevertheless, prior to receiving a Notice of Allowance, on February 26, 2001 an Amendment to Allege Use (stating that the mark had been first used on February 23, 2000 and had been first used in interstate commerce on February 23, 2000), was transmitted to the United States Patent Office.
4. The fee of \$100 and three specimens showing the mark as used were submitted with the filing of the Amendment to Allege Use.
5. A copy of both sides of the check submitted with the Amendment to Allege Use is set forth on Exhibit A attached hereto.
6. The documents were processed on or about February 28, 2001 and the check endorsed on March 2, 2001.
7. On March 13, 2001 the Notice of Allowance issued.



8. I failed to consider the need to comply with the requirement for an allegation to be timely filed because I believed that it had already been done.
9. After several months, in November, 2001, I inquired of the USPTO as to the status of Pavercat and learned that it was considered abandoned.
10. I can give no good reason for the untimely early filing of the Amendment to Allege Use.
11. Upon discovery of the problem I placed a call to the Examining Attorney to alert him to the situation.
12. I believe that it is clear that Applicant had no intent to abandon. Filing an Amendment to Allege use with specimens and a \$100 fee are inconsistent with such an intent. An Amendment to Allege Use will be promptly filed if this Petition is granted. Applicant's rights to registration should not be adversely affected by my incorrect application of the filing procedures.

I declare further that all statements made herein of my own knowledge are true; that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application and any registration resulting therefrom.

Signed at Minneapolis, Minnesota this 21 day of December, 2001.

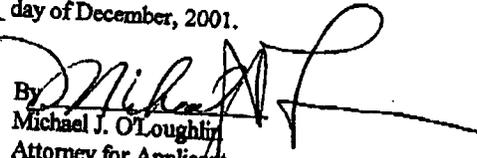
By   
Michael J. O'Loughlin  
Attorney for Applicant  
1012 Grain Exchange Building  
Minneapolis MN 55415  
(612) 332-0351

EXHIBIT A

12872

**MICHAEL J. O'LOUGHLIN & ASSOCIATES, P.A.**

ATTORNEYS AT LAW  
400 SOUTH 4TH STREET  
1012 GRAIN EXCHANGE BUILDING  
MINNEAPOLIS, MINNESOTA 55418

**U.S. Bank**

Minneapolis, Minnesota 55402  
FastLine<sup>SM</sup> 24-Hour Banking 612/244-4848

CHECK NO.

~~172~~ 100 012872  
910

One Hundred \*\*\*\*\* 00/100

PAY TO THE ORDER OF

DATE AMOUNT  
Feb 26/2001 \$100.00

Assistant Commissioner for Trademarks

210069676 012 3502 4024 09 21

MICHAEL J. O'LOUGHLIN & ASSOCIATES, P.A.

Fee-filing amendment to allege use (Pavercat)

⑆012872⑆ ⑆091000022⑆160230305288⑆

⑆000010000⑆

0910 0008-0  
440088876 0828-0847-8  
440088876 0836-2875-09

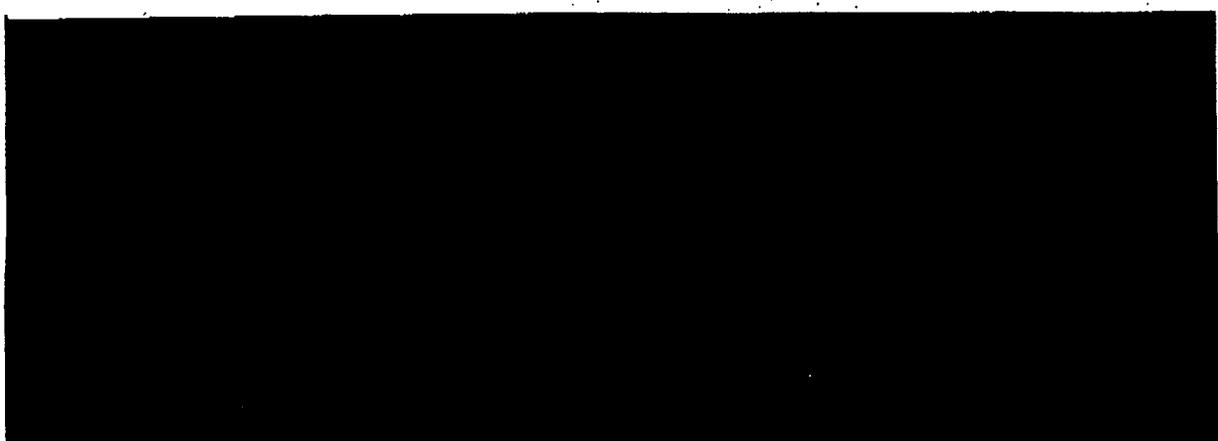
FIRST VIRGINIA BANK  
1024 10659  
1050 COM 1104

891600022 93062001 6768  
S/T 121 10 02 PKT 1  
ACCT 00009131860060

2807441495

⑆00000000⑆

DO NOT WRITE, STAMP OR SIGN BELOW  
FOR CREDIT TO THE  
PAYEE'S ACCOUNT  
PATENT AND TRADEMARK OFFICE  
MAR 13 2001  
FBI - MINNAPOLIS



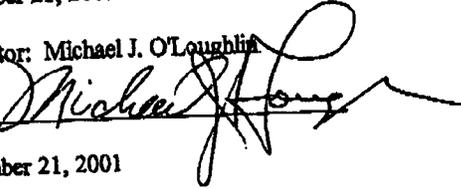
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Box DAC-FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513:

Date of Mailing: December 21, 2001

Printed Name of Depositor: Michael J. O'Loughlin

Signature of Depositor:



Date of Signing: December 21, 2001

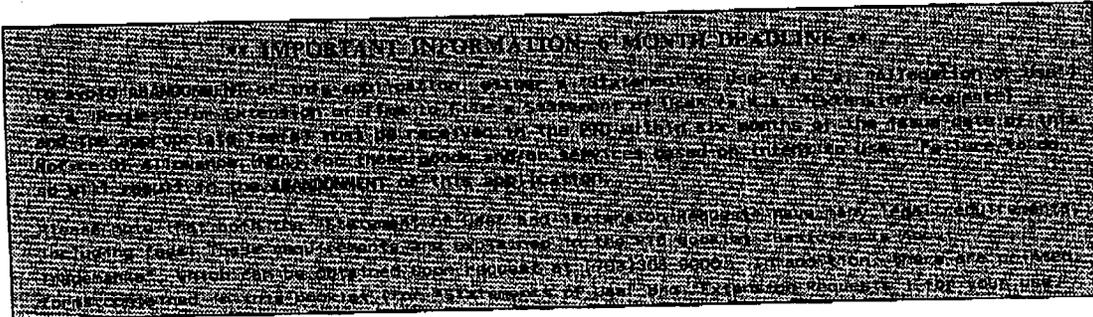


**U.S. Patent and Trademark Office (PTO)  
NOTICE OF ALLOWANCE**

(NOTE: If any data on this notice is incorrect, please submit a written request for correction of the NOA to: Assistant Commissioner for Trademarks, Box 17U, 2900 Crystal Drive, Arlington, VA 22202-3518. Please include the serial number of your application on ALL correspondence with the PTO. 15 U.S.C. 1063(b)(2))

**ISSUE DATE OF NOA: Mar 13, 2001**

MICHAEL J. O'LOUGHLIN  
MICHAEL J. O'LOUGHLIN & ASSOCIATES, PA  
1012 GRAIN EXCHANGE BUILDING  
MINNEAPOLIS, MN 55415



The following information should be reviewed for accuracy:

SERIAL NUMBER: 75/904827  
MARK: PAVERCAT  
OWNER: Pave Tech, Inc.  
15354 Flag Avenue  
P.O. Box 576  
Prior Lake, MINNESOTA 55372

This application has the following bases, but not necessarily for all listed goods/services:  
Section 1(a): NO      Section 1(b): YES      Section 44(a): NO

**GOODS/SERVICES BY INTERNATIONAL CLASS**

007—machines and machine parts used to aid in the installation of segmental pavers  
ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED



Patent and Trademark Office

ASSISTANT COMMISSIONER FOR TRADEMARKS  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Nov 17, 2000

**NOTICE OF PUBLICATION UNDER 12(a)**

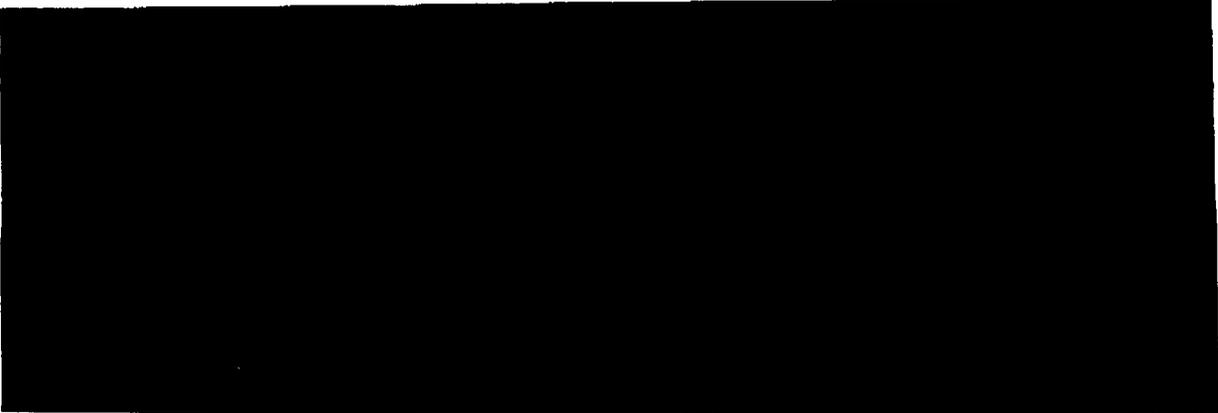
- |                                      |                                  |
|--------------------------------------|----------------------------------|
| 1. Serial No.:<br>75/904,827         | 2. Mark:<br>PAVERCAT             |
| 3. International Class(es):<br>7     |                                  |
| 4. Publication Date:<br>Dec 19, 2000 | 5. Applicant:<br>Pave Tech, Inc. |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the Official Gazette on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a notice of allowance pursuant to section 13(b) of the Statute.

Copies of the trademark portion of the Official Gazette containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371964  
Pittsburgh, PA 15250-7964  
Phone: (202)512-1800

By direction of the Commissioner.







UNITED STATES PATENT AND TRADEMARK OFFICE

<b>SERIAL NO.</b> 75/904827 Pave Tech, Inc.		<b>APPLICANT</b>		<b>PAPER NO.</b> JA
<b>MARK</b> FAVERCAT		<b>ADDRESS:</b> Commissioner for Trademarks 2900 Crystal Drive Arlington, VA 22202-3513 www.uspto.gov		If no fees are enclosed, the address should include the words "Risk Responses - No Fee."
<b>ADDRESS</b> MICHAEL J. O LOUGHLIN MICHAEL J. O LOUGHLIN & ASSOCIATES, P.A 1012 GRAIN EXCHANGE BUILDING MINNEAPOLIS, MN 55415		<b>ACTION NO.</b> 02	<b>Please provide in all correspondence:</b>	
<b>FORM PTO-1028 (9-00)</b>		<b>MAILING DATE</b> 09/27/00	1. Filing Date, serial number, mark and Applicant's name.	
<b>U.S. DEPT. OF COMM. PAT. &amp; TM OFFICE</b>		<b>REF. NO.</b>	2. Mailing date of this action.	
			3. Examining Attorney's name and Law Office number.	
			4. Your telephone number and ZIP code.	

EXAMINER'S AMENDMENT

<b>Richard A. Straser</b>	<b>Michael J. O'Loughlin</b>	<b>(612) 332-0351</b>
<input checked="" type="checkbox"/>	<b>INTERVIEW DATE</b>	<input checked="" type="checkbox"/>
	<b>September 26, 2000</b>	

CALL RECORD/NOTES

OFFICE SEARCH: The examining attorney has searched the Office records and has found no similar registered or pending mark which would bar registration under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d). TMEP section 1105.01.

RE: Serial Number 75/904827

In accordance with the authorization granted by the above Applicant or attorney, the application has been AMENDED as indicated below. No response is necessary unless there is an objection to the amendment.

Enter as the recital of goods <sup>Print</sup> machines and machine parts used to aid in the installation of segmental pavers in International class 7.

*Richard A. Straser*

Richard A. Straser  
Trademark Examining Attorney  
Law Office 114  
(703) 308-9114, extension 178

**UNITED STATES DEPARTMENT OF COMMERCE  
 Patent and Trademark Office**

<b>SERIAL NO.</b> 75/904827 Pava Tech, Inc.		<b>APPLICANT</b>	<b>PAPER NO.</b>
<b>MARK</b> PAVERCAT		<b>ADDRESS</b> Assistant Commissioner for Trademarks 2900 Crystal Drive Arlington, VA 22202-3513	If no fees are enclosed, the address should include the words "Box Responses - No Fee." Please provide in all correspondence: 1. Filing Date, serial number, mark and Applicant's name. 2. Mailing date of this action. 3. Examining Attorney's name and Law Office number. 4. Your telephone number and ZIP code.
<b>ADDRESS</b> MICHAEL J. O LOUGHLIN MICHAEL J. O LOUGHLIN & ASSOCIATES, P.A. 1012 GRAIN EXCHANGE BUILDING MINNEAPOLIS, MN 55415		<b>ACTION NO.</b> 01	
		<b>MAILING DATE</b> 07/06/00	
<b>FORM PTO-1028 (5-00)</b>		<b>REF. NO.</b>	
<b>U.S. DEPT. OF COMM. PAT. &amp; TM OFFICE</b>			

**PRIORITY ACTION**

<b>Richard A. Straser</b>	<b>Michael J. O'Loughlin</b>	<b>(612) 332-0351</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>June 30, 2000</b>		

**CALL RECORD/NOTES**

**OFFICE SEARCH:** The examining attorney has searched the Office records and has found no similar registered or pending mark which would bar registration under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d). TMEP section 1105.01.

**RE:** Serial Number 75/904827

This case will be given priority as an amended case if Applicant or applicant's attorney responds to the requirements stated below within two months of the above mailing date. In any event, a proper response to this Priority Action must be received within **SIX MONTHS** from the mailing date stated above in order to avoid **ABANDONMENT**.

Applicant will address the following informalities in order to render the mark registrable on the Principal Register.

In the identification, the applicant must use the common commercial names for the goods, be as complete and specific as possible and avoid the use of indefinite words and phrases. If the applicant chooses to use indefinite terms, such as "accessories," "components," "devices," "equipment," "materials," "parts," "systems" and "products," then those words must be followed by the word "namely" and the goods listed by their common commercial names. TMEP sections 804 and 804.08(c).

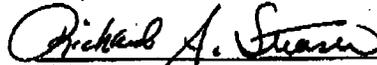
The identification of goods is unacceptable as indefinite. The applicant may adopt the following identification, if accurate: machines and machine parts used to aid in the installation of segmental pavers in International class 7. TMEP section 804.

Please note that, while an application may be amended to clarify or limit the identification, additions to the identification are not permitted. 37 C.F.R. Section 2.71(a); TMEP section 804.09. Therefore, the applicant may not amend to include any goods that are not within the scope of goods set forth in the present identification.

If the applicant has any questions or needs assistance in responding to this Office action, please telephone the assigned examining attorney.

PLEASE NOTE: All of the issues raised can be resolved by telephone. The applicant may telephone the examining attorney, instead of submitting a written response, to expedite the application.

Enclosed for applicant's information is a copy of earlier filed application no. 75-830492 which is not being cited as a possible bar to applicant's registration, but was discussed between counsel for applicant and the trademark examining attorney.



Richard A. Straser  
Trademark Examining Attorney  
Law Office 114,  
(703) 308-9114, extension 178

TRAMII GENERAL QUERY AS OF: 06/22/00 17:49:04

SERIAL NUMBER: 75830492  
REG. NUMBER: 0000000  
REGISTER: PRINCIPAL  
FILED USE: YES  
FILED ITU: NO  
FILED 44D: NO  
FILED 44E: NO

FILING DATE: 11/12/1999  
REG. DATE:  
MARK TYPE: TRADEMARK  
CURRENTLY USE: YES  
CURRENTLY ITU: NO  
CURRENTLY 44D: NO  
CURRENTLY 44E: NO

!!!!!! THIS CASE HAS BEEN REPORTED AS LOST !!!!!

EXMR LO: 114

EXAMINER: 61700-STRASER, RICHARD A  
LO ASSIGNED: 114  
LOCATION: 016-TM FEE PROCESSING  
DATE IN LOC: 06/19/2000  
CHRG TO LOC: NONE  
CHRG TO: NONE  
STATUS: 641 - NON-FINAL ACTION - MAILED  
STATUS DATE: 03/08/2000  
A/R EXAMINER: NO A/R EXAMINER ASSIGNED

PUB DATE:  
SECTION 8: NO  
RENEWAL FILED: NO  
CLASSES ACTIVE: 02

DATE ABANDONED:  
SECTION 15: NO  
RENEWAL DATE:

DATE CANCELLED:  
ASSIGNMENT: NO  
DATE AMENDED REG:

MARK: CAT

CURRENT OWNER INFORMATION  
10-ORIGINAL APPLICANT - FIRST NAME  
PARTY TYPE: Caterpillar Inc.  
NAME: 100 N.E. Adams St.  
ADDRESS: PEORIA ILLINOIS 61629  
ENTITY: 03-CORPORATION  
CITIZENSHIP: DELAWARE

GOODS AND SERVICES  
FOR: compact wheel loaders; wheel loaders; integrated toolcarriers; telescopic handlers; track loaders; wheel tractor-scrappers; track-type tractors; wheel dozers; motor graders; soil compactors; cold planers; road reclaimers; asphalt pavers; vibratory compactors; marine engines; industrial engines; diesel generator sets; gas generator sets; demolition machines and scrap material handlers for use therewith namely blades, buckets, crushers, grapplers, hammers, hydraulic brooms, mobile shears, pallet forks, pulverizers, and rakes; log loaders; combines; pipelayers; mining shovels; waste handling machines; and parts for all the above  
INT. CLASS 007 (U.S. CLASSES 013 019 021 023 031 034 AND 035)  
FIRST USE 07/13/1988 USE IN COMMERCE 10/20/1988

Serial Number: 75830492

for highway trucks; articulated trucks; truck engines; agricultural tractors; and parts for all the above  
UNIT CLASS 012 (U.S. CLASSES 019 021 023 031 035 AND 044)  
FIRST USE 07/13/1988 USE IN COMMERCE 10/20/1988

MISCELLANEOUS INFORMATION / STATEMENTS

SECTION 2F: NO SECTION 2F IN PART: NO  
NUMBER OF US REG NOS: 2140605 2140606

PROSECUTION HISTORY

FE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM	PRCD NUM
08/00	CNRT	F	NON-FINAL ACTION MAILED	002	000000
09/00	DOCK	D	ASSIGNED TO EXAMINER	001	061700

CORRESPONDENCE

CORNEY: NONE  
CORNEY DOCKET NUMBER: NONE  
CORRESPONDENCE ADDRESS: Caterpillar Inc.  
100 N.E. Adams St.  
Peoria IL 61629

OTHER INFORMATION

MARK DRAWING CD: 3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/  
LETTER(S)/NUMBER(S)  
SIGN SEARCH CDS: 26.05.21

SECTION 8 IN PART: NO  
SUB SEC 12C: NO  
CHANGE IN REGISTRATION: NO  
SUB DECISION: NO  
BEST CASE: YES  
PUB DATE 12C:

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
APPLICATION FOR TRADEMARK REGISTRATION**

Mark: PAVERCAT

Class: 7 (International)

TO THE ASSISTANT COMMISSIONER FOR TRADEMARKS:

Pave Tech, Inc., a corporation of Minnesota, located and doing business at 15354 Flag Avenue, P.O. Box 576, Prior Lake, MN 55372, U.S.A., requests registration of the above-identified trademark, shown in the accompanying drawing, in the United States Patent and Trademark Office by the Act of July 5, 1946 (15 U. S. C. §§ 1051 et seq., as amended) for the following goods:

*Machines*  
**(MECHANIZED EQUIPMENT) USED TO AID IN THE  
INSTALLATION OF SEGMENTAL PAVERS**

Applicant has a bona fide intention to use the mark in commerce on the above identified goods. (15 U.S. C. § 1051 (b), as amended). The intended manner or mode of use is to apply it directly to the goods by use of labels or as otherwise customary in the trade.

**APPOINTMENT OF ATTORNEYS**

Applicant hereby appoints the law firm of Michael J. O'Loughlin & Associates, P. A., including its principal attorney, Michael J. O'Loughlin, Registration No. 25,760, to transact all business in the United States Patent and Trademark Office in connection with this application and to receive the certificate of registration.

Please address all future correspondence related to the above-identified application to:

Michael J. O'Loughlin & Associates, P. A.  
1012 Grain Exchange Building  
Minneapolis, MN 55415  
(612) 332-0351

DECLARATION

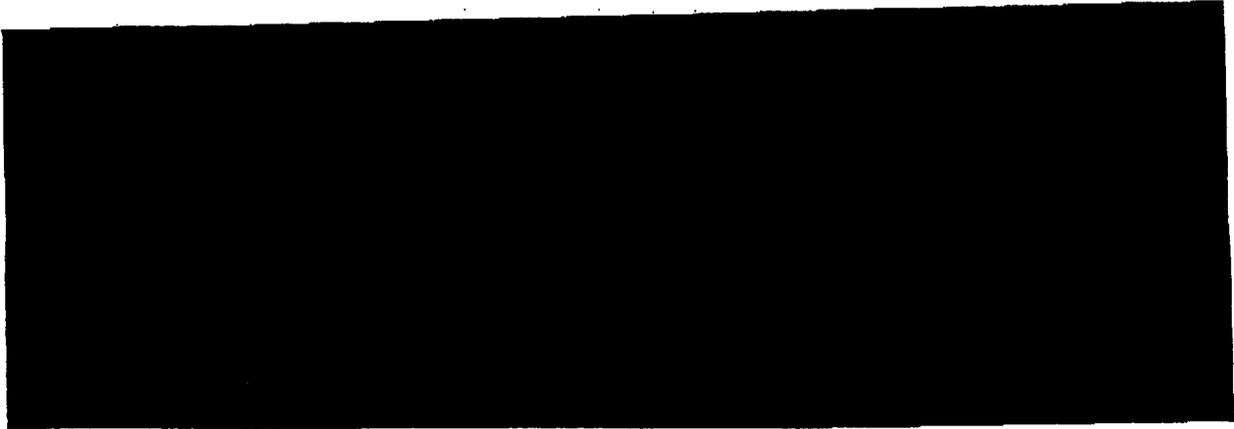
The undersigned declarant, Stephen Jones, in behalf of the applicant, states that declarant is President of the applicant corporation and is authorized to execute this declaration on behalf of said applicant, and believes said applicant to be entitled to use the mark sought to be registered in commerce; to the best of declarant's knowledge and belief, no other person, firm, corporation or association has the right to use said mark in commerce, either in identical form or in such near resemblance thereto as to be likely, when applied to the goods of such other person, to cause confusion, or to cause mistake, or to deceive; the undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

PAVE TECH, INC.

Date: December 9, 1999

By

  
Stephen Jones  
Its President



**MICHAEL J. O'LOUGHLIN & ASSOCIATES, P.A.**  
ATTORNEYS AT LAW  
400 SOUTH 4th STREET  
1012 GRAIN EXCHANGE BUILDING  
MINNEAPOLIS, MINNESOTA 55415

332-0391  
AREA CODE 612  
FAX #(612) 342-2399

January 25, 2000

Assistant Commissioner for Trademarks  
Box New App/Fee  
2900 Crystal Drive  
Arlington, VA 22202-3513

Re: Application for Registration of PAVERCAT trademark in Class 7

Dear Sir:

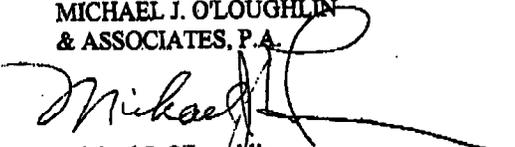
Enclosed herewith are documents resubmitted in connection with an Intent to Use Application for Registration of the Sandlock trademark. The enclosures are:

- a. Application for Trademark Registration (including Power of Attorney)
- b. One sheet of drawing showing the mark to be registered
- c. Check payable to the order of the Commissioner in the amount of \$325 to cover the filing fee.

For your information, the application was originally submitted several days in advance of January 10, 2000. It was our belief that the application should have been on file before January 10th. Apparently that did not occur so the application was considered incomplete. Please call the above number if there are any questions or problems with the filing.

Yours very truly,

MICHAEL J. O'LOUGHLIN  
& ASSOCIATES, P.A.

  
Michael J. O'Loughlin

MJO/jfb  
Enclosure

75904827

TRADEMARK APPLICATION SERIAL NO. \_\_\_\_\_

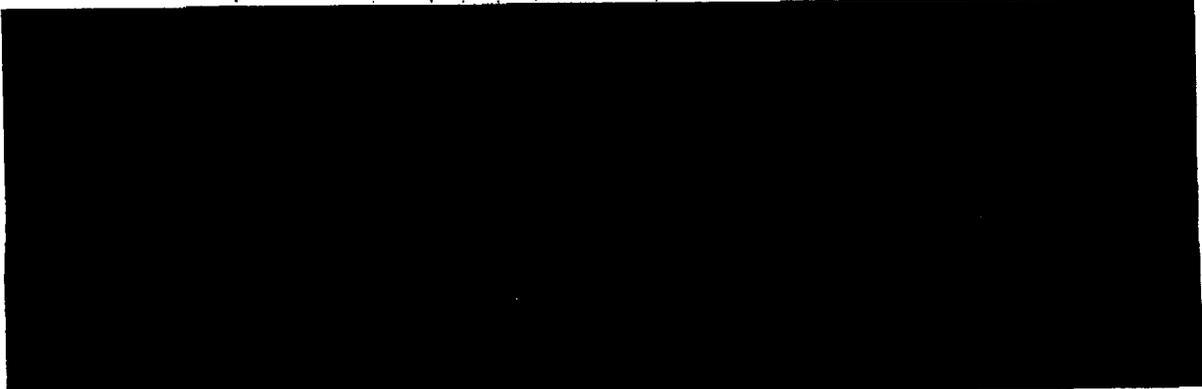
U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

02/03/2000 SHKOSU 00000123 75904827

01 FC:361

325.00/DP

PTO-1555  
(5/87)



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

In the Matter of Registration No. 2,684,138: PAVERCAT  
Registered on the Principal Register on February 4, 2003, in International Class 7

759248 27

CATERPILLAR INC., )

Petitioner, )

v. )

PAVE TECH, INC., )

Respondent. )

Cancellation No. 92041776

**TTAB**

**PETITIONER'S NOTICE OF RELIANCE ON  
RESPONDENT'S INTERROGATORY ANSWERS**

In accordance with 37 CFR § 2.120(j), Petitioner offers in evidence the following attached answers made by Respondent to Petitioner's First Set of Interrogatories: 1; 2; 3; 4; 5; 6; 7; 8; 9; 10; 12; 13; 14; 15; 21; 23; 24; 25; 27; 28; and 29.

Date: August 4, 2005

Respectfully submitted,

LOEB & LOEB LLP

By:



Edward G. Wierzbicki  
Mary E. Innis  
Nerissa Coyle McGinn  
321 North Clark Street  
Suite 2300  
Chicago, Illinois 60610  
Telephone: (312) 464-3100  
Facsimile: (312) 464-3111

**Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451 on August 4, 2005.



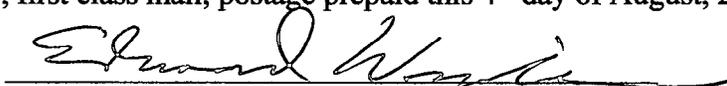
CH26793.1  
40076000044

08-04-2005  
U.S. Patent & TMO/TM Mail Rcpt Dt. #72



**CERTIFICATE OF SERVICE**

I, Edward G. Wierzbicki, hereby certify that I caused a copy of the foregoing  
**PETITIONER'S NOTICE OF RELIANCE ON RESPONDENT'S INTERROGATORY  
ANSWERS** to Michael J. O'Loughlin, Esq., Michael J. O'Loughlin & Associates, P.A., 400  
South 4<sup>th</sup> Street, 1012 Grain Exchange Building, Minneapolis, Minnesota 55415 (without  
attachments) and Rebecca Jo Bishop, Altera Law Group LLC, 6500 City West Parkway, Suite  
100, Minneapolis, MN 55344, first class mail, postage prepaid this 4<sup>th</sup> day of August, 2005.



UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Registration No. 2,684,138: PAVERCAT  
Registered on the Principal Register on February 4, 2003, in International Class 7

CATERPILLAR, INC.,                    )  
  )  
  )                    Cancellation No. 41,776  
  )  
vs.                                        )  
  )  
PAVE TECH, INC.,                    )  
  )  
  )                    Respondent.  
  )  
  )

**RESPONDENT PAVE TECH'S ANSWERS  
TO PETITIONER'S FIRST SET OF INTERROGATORIES**

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, respondent, Pave Tech, Inc., through its undersigned counsel, gives the following answers to Petitioner's First Set of Interrogatories herein:

1. Identify each person having information relating to respondent's adoption or first use of the mark PAVERCAT.

**ANSWER:**

Stephen R. Jones, President of Respondent, whose business address is 15354 Flag Avenue, Prior Lake, MN 55372 and whose business telephone number is 952-226-6400.

Martin Probst of Probst Greiftechnik-Verlegesysteme Gmbh, whose business address is Gottlieb-Daimler-Str. 6, D-71729, Erdmannausen, Germany, and whose business telephone number is 07144/3309.

2. Identify the basis for the selection of the mark PAVERCAT.

**ANSWER:**

The Pavercat paver installation machine is distributed in Europe by Probst, a German company. It is marketed by Probst under the trade name Pflaster Cat which is understood to be the German language equivalent of Paver Cat. Pave Tech decided to use the English language version of that name.

3. Describe respondent's first use of the mark PAVERCAT, as a trademark or otherwise, including the date of first use.

**ANSWER:**

The Pavercat paver installation machine and the Pavercat name were first used by Pave Tech, Inc. at the World of Concrete 2000 trade show on February 23, 2000 in Orlando, Florida.

4. Identify the persons responsible for deciding to register the mark PAVERCAT.

**ANSWER:**

Stephen R. Jones, see answer to Interrogatory No. 1.

5. Identify the persons responsible for deciding that there was no likelihood of confusion between respondent or the mark PAVERCAT and petitioner or its use of the CATERPILLAR marks.

**ANSWER:**

Stephen R. Jones, see answer to Interrogatory No. 1.

6. Identify those persons who have or had primary responsibility for the sale, distribution or marketing of any of respondent's PAVERCAT products or services.

**ANSWER:**

Stephen R. Jones, see answer to Interrogatory No. 1.

7. Identify each person who is or was responsible for preparation, approval or dissemination of advertisements or promotions for respondent's PAVERCAT products or services, and the period of time during which each such person has had such responsibility.

**ANSWER:**

Stephen R. Jones, see answer to Interrogatory No. 1. Jayne Richards, who formerly was employed by respondent, worked extensively on promotional materials. There are others who work on preparation of advertising and promotional materials but generally are not responsible for decisions.

8. Identify each person who has information relating to any studies or surveys relating to the mark PAVERCAT, to the PAVERCAT products or services, the CATERPILLAR marks or the likelihood of confusion between respondent or its PAVERCAT mark and petitioner or its CATERPILLAR marks.

**ANSWER:**

There are no known surveys or studies which relate the marks as described .

9. Identify each person who has information related to any trademark search related to the mark PAVERCAT, PAVERCAT products or services or the CATERPILLAR marks.

**ANSWER:**

Stephen R. Jones, see answer to Interrogatory No. 1. Michael J. O'Loughlin, attorney for respondent. Various employees of Thomson & Thomson, whose business address is P O Box 71892, Chicago, IL 60694-1892 and whose business telephone number is 617-479-1600. We do not have the names of those persons.

10. Identify each person who has knowledge related to any investigations related to the CATERPILLAR marks.

**ANSWER:**

There have been no such investigations other than the search referred to in the answer to Interrogatory No. 10 and internet searches done by Stephen R. Jones, see answer to Interrogatory No. 1.

12. State the amount that respondent has spent annually on advertising or promotions for its PAVERCAT products or services.

**ANSWER:**

There are no figures available which define advertising or promotional expenses for PAVERCAT, individually.

13. Describe the channels of trade through which respondent sells its PAVERCAT products or services.

**ANSWER:**

The advertising and promotion of the PAVERCAT product is done primarily by showing and demonstrating the PAVERCAT product at trade shows where other products of respondent are also shown and demonstrated. The sales take place either by direct order to respondent or through the authorized dealers of respondent.

14. Identify each of the products or services offered by respondent under the mark PAVERCAT and the person most knowledgeable about those products or services.

**ANSWER:**

The only products offered by respondent under the PAVERCAT name are the motorized machine designed to aid in the installation of segmental pavers and accessories which are offered for use with it, which are imported from Probst, the German company referred to in the answer to Interrogatory No. 1. The person most knowledgeable is Stephen R. Jones, see answer to Interrogatory No. 1.

15. State respondent's yearly dollar volume of sales to date for each of its PAVERCAT products or services.

**ANSWER:**

The sales of PAVERCAT paver installation machines, to date, are as follows:

<u>YEAR</u>	<u>SALES (IN DOLLARS)</u>
2000	24,225
2001	46,637
2002	19,616
2003	72

There are no separate PAVERCAT services offered by respondent.

21. Identify any other names or marks used by respondent which are comprised in whole or in part of the word "PAVER," "PAVE," or any spelling or phonetic variations of "PAVER" or "PAVE" with or without a design component.

**ANSWER:**

The following names and marks are used by respondent:

PAVE TECH, PAVE EDGE, PAVE CHEM, PAVER GUARD, ENVIROPAVE, PAVERCAT, PAVERSAFE, PAVERPREP, PAVERCART, PAVEREXTRACTOR, PAVERADJUSTOR, PAVERPAWS, PAVERPERSUADER, PAVERBROOM, PAVERSWEEP, PAVERMAX, PAVER 2100, PAVERSPLITTER, PAVERSCRIBE, PAVERSQUARE PRO, PAVERTAPE, PAVER RE-GUARD, PAVERECOGUARD, PAVER DETERGENT, PAVER DE-STAINER, .

23. State the basis for respondent's affirmative defense that the public is accustomed to marks including the word CAT, including but not limited to identification of any studies or surveys respondent used or relied on in formulating this defense.

**ANSWER:**

There are no studies relied on for the assertion that the public is used to marks which include the word CAT. My opinion is based on personal experience and the large number of such marks.

24. State the basis for respondent's affirmative defense that third party uses narrow the scope of protection to which petitioner's CATERPILLAR marks are entitled.

**ANSWER:**

Since there are many trademarks which include the word CAT in some way, it is not realistic to expect that any one of the holders of such marks will have exclusive use of that term to the exclusion of all others.

25. Identify each person respondent expects to call as an expert witness, and state the subject matter on which each such person is expected to testify.

**ANSWER:**

No persons have currently been identified who are expected to be called as expert witnesses.

27. State the basis for respondent's affirmative defense that there is no likelihood of confusion, mistake or deception between petitioner's marks and the mark PAVERCAT, including but not limited to identification of any studies or surveys respondent used or relied on in formulating this defense.

**ANSWER:**

There are multiple reasons. These are my personal opinions. First, there are many marks which use CAT either alone or as part of a mark. I believe the people who make up the public have seen many such uses. Additionally, respondent primarily sells its products to paving stone manufacturers and dealers. Respondent does sell tools such as the PAVERCAT products to paving stone installation contractors. The customers know with whom they are dealing. I don't know exactly how petitioner markets its products but it is not at events such as paver industry conventions and trade shows that are respondent's primary sales tools. If petitioner participated in those events, it would have seen respondent's usage of PAVERCAT a few years ago.

28. State the basis for respondent's affirmative defense that petitioner's CATERPILLAR marks and the mark PAVERCAT do not look alike, sound alike or have any similarity in meaning, including but not limited to identification of any studies or surveys respondent used or relied on in formulating this defense.

**ANSWER:**

In my opinion, it is self-evident from the spelling, sound and type of usage that the two marks have very little similarity. No special studies were used in coming to this conclusion.

29. State the basis for respondent's affirmative defense that petitioner and respondent sell their goods through different channels of trade to different purchasers and that the goods are used for different purposes, including but not limited to identification of any studies or surveys respondent

used or relied on in formulating this defense.

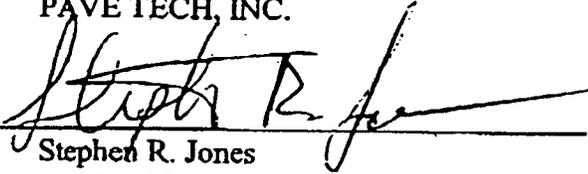
**ANSWER:**

First, see answer to Interrogatory 27. The fact that petitioner apparently does not participate in trade shows and similar events at least suggests that petitioner is not very interested in the paving stone market. In addition, in many years of personal participation in this market, the only presence of petitioner is that its machines sometimes are on construction sites for other purposes. I cannot remember ever having seen any usage of petitioners products in the installation or maintenance of paving stones.

PAVE TECH, INC.

Dated: July 28, 2003

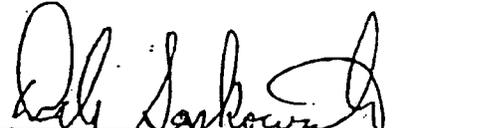
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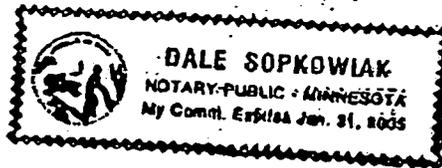


Stephen R. Jones  
Its: President

Subscribed and sworn to before me

this 28 day of July, 2003.

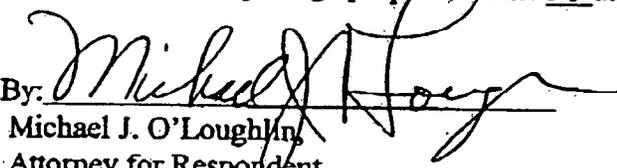
  
NOTARY PUBLIC



**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy of the foregoing RESPONDENT'S ANSWERS TO PETITIONER'S FIRST SET OF INTERROGATORIES TO RESONDENT has been served upon Nerissa Coyle McGinn and Pattishall, McAuliffe, Newbury, Hilliard & Geraldson, 311 South Wacker Drive, Chicago, IL 60606 by first class mail, postage prepaid, on the 28 day of July, 2003.

By:



Michael J. O'Loughlin  
Attorney for Respondent

UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Registration No. 2,684,138: PAVERCAT  
Registered on the Principal Register on February 4, 2003, in International Class 7

CATERPILLAR INC.	)	
	)	
Petitioner,	)	
	)	Cancellation No. 41,776
v.	)	
	)	
PAVE TECH, INC.,	)	
	)	
Respondent.	)	
	)	

**PETITIONER'S FIRST SET OF  
INTERROGATORIES TO RESPONDENT**

In accordance with Rule 33 of the Federal Rules of Civil Procedure, petitioner, Caterpillar Inc., requests that respondent, Pave Tech, Inc., answer each of the interrogatories set forth below, subject to the following definitions:

**Definitions**

A. As used herein, the term "petitioner" includes Caterpillar Inc., its predecessors in interest, its subsidiaries and related organizations, and the officers, directors, employees, agents and representatives thereof.

B. As used herein, the term "respondent" includes Pave Tech, Inc., its predecessors in interest, its subsidiaries and related organizations, and the officers, directors, employees, agents and representatives thereof.

C. As used herein, the term "document" includes but is not limited to all writings, correspondence, books, memoranda, e-mails, invoices, contracts, purchase orders, receipts, pamphlets, publications, catalogs, labels, packaging, displays, photographs, slides, videotapes,

films, artwork, drawings, sketches, illustrative materials, circulars, price lists, layouts, tear sheets, magnetic recording tapes, microfilms, and other storage means by which information is retained in retrievable form, and other material, whether printed, typewritten, handwritten, recorded or reproduced by any mechanical or electronic process, including but not limited to information stored on a computer hard drive.

D. Whenever an interrogatory inquires about documents, please furnish either a copy of, or the following information about, each document:

- (1) the date of the document;
- (2) a general description of the document;
- (3) a general description of the subject matter to which it pertains;
- (4) the names and addresses of all persons receiving or shown the documents or copies thereof;
- (5) the names and addresses of the persons in whose custody, possession or control the documents are presently maintained; and
- (6) if a privilege is claimed as to a document, identify each such document and state the nature of the privilege claimed.

E. As used herein, the term "person" includes any corporation, division, agency or other entity, as well as any individual.

F. Whenever an interrogatory inquires about the name of a person and the person is an individual, the information requested includes:

- (1) the person's full name;
- (2) the person's employer;
- (3) the person's position or title; and
- (4) the person's last known address and telephone number.

G. Whenever an interrogatory inquires about the name or identity of a person and the person is a corporation, division, agency or other entity, the information requested includes the full name and current address of said corporation, division, agency or other entity.

H. As used herein, "and" as well as "or" shall be construed disjunctively or conjunctively as necessary in order to bring within the scope of the interrogatory all responses which might otherwise be construed to be outside its scope.

I. As used herein, "relate to," "related to" and "relating to" shall mean comprising, directly or indirectly mentioning or describing, pertaining or referring to, being connected with, reflecting upon or resulting from the stated subject matter.

J. As used herein, the singular shall always include the plural and the present tense shall always include the past tense, and vice versa.

K. As used herein, the phrase "the mark PAVERCAT" shall mean that designation as pleaded in the Petition for Cancellation, or any other use by respondent of a term comprised in whole or in part of "PAVERCAT" including but not limited to Registration No. 2,684,138.

L. The term "PAVERCAT products or services" shall mean any products or services offered by respondent in connection with the mark PAVERCAT.

M. As used herein, "the CATERPILLAR marks" shall mean the marks CATERPILLAR and CAT and the design marks **CATERPILLAR** and **CAT** which are used and/or registered by the petitioner in the United States Patent and Trademark Office.

#### Interrogatories

1. Identify each person having information relating to respondent's adoption or first use of the mark PAVERCAT.

2. Identify the basis for the selection of the mark PAVERCAT.

3. Describe respondent's first use of the mark PAVERCAT, as a trademark or otherwise, including the date of first use.
4. Identify the persons responsible for deciding to register the mark PAVERCAT.
5. Identify the persons responsible for deciding that there was no likelihood of confusion between respondent or the mark PAVERCAT and petitioner or its use of the CATERPILLAR marks.
6. Identify those persons who have or had primary responsibility for the sale, distribution or marketing of any of respondent's PAVERCAT products or services.
7. Identify each person who is or was responsible for preparation, approval or dissemination of advertisements or promotions for respondent's PAVERCAT products or services, and the period of time during which each such person has had such responsibility.
8. Identify each person who has information relating to any studies or surveys relating to the mark PAVERCAT, to the PAVERCAT products or services, the CATERPILLAR marks or the likelihood of confusion between respondent or its PAVERCAT mark and petitioner or its CATERPILLAR marks.
9. Identify each person who has information related to any trademark search related to the mark PAVERCAT, PAVERCAT products or services or the CATERPILLAR marks.
10. Identify each person who has knowledge related to any investigations related to the CATERPILLAR marks.

12. State the amount that respondent has spent annually on advertising or promotions for its PAVERCAT products or services.

13. Describe the channels of trade through which respondent sells its PAVERCAT products or services.

14. Identify each of the products or services offered by respondent under the mark PAVERCAT and the person most knowledgeable about those products or services.

15. State respondent's yearly dollar volume of sales to date for each of its PAVERCAT products or services.

21. Identify any other names or marks used by respondent which are comprised in whole or in part of the word "PAVER," "PAVE," or any spelling or phonetic variations of "PAVER" or "PAVE" with or without a design component.

23. State the basis for respondent's affirmative defense that the public is accustomed to marks including the word CAT, including but not limited to identification of any studies or surveys respondent used or relied on in formulating this defense.

24. State the basis for respondent's affirmative defense that third party uses narrow the scope of protection to which petitioner's CATERPILLAR marks are entitled.

25. Identify each person respondent expects to call as an expert witness, and state the subject matter on which each such person is expected to testify.

27. State the basis for respondent's affirmative defense that there is no likelihood of confusion, mistake or deception between petitioner's marks and the mark PAVERCAT, including but not limited to identification of any studies or surveys respondent used or relied on in formulating this defense.

28. State the basis for respondent's affirmative defense that petitioner's CATERPILLAR marks and the mark PAVERCAT do not look alike, sound alike or have any similarity in meaning, including but not limited to identification of any studies or surveys respondent used or relied on in formulating this defense.

29. State the basis for respondent's affirmative defense that petitioner and respondent sell their goods through different channels of trade to different purchasers and that

the goods are used for different purposes, including but not limited to identification of any studies or surveys respondent used or relied on in formulating this defense.

Respectfully submitted,

Dated: May 23, 2003

PATTISHALL, McAULIFFE, NEWBURY,  
HILLIARD & GERALDSON

By: \_\_\_\_\_

Mary E. Innis  
Jennifer E. Berner  
Nerissa Coyle McGinn  
311 South Wacker Drive  
Suite 5000  
Chicago, Illinois 60606  
(312) 554-8000

Attorneys for Petitioner

**CERTIFICATE OF SERVICE**

I, hereby certify that a copy of the foregoing **PETITIONER'S FIRST SET OF INTERROGATORIES TO RESPONDENT** has been served upon Michael J. O'Loughlin, Michael J. O'Loughlin & Associates, P.A., 400 South 4<sup>th</sup> Street, 1012 Grain Exchange Building, Minneapolis, Minnesota 55415, via facsimile and first class mail postage prepaid on May 23, 2003.

A handwritten signature in black ink, appearing to be "M. J. O'Loughlin", written over a horizontal line.

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

In the Matter of Registration No. 2,684,138: PAVERCAT  
Registered on the Principal Register on February 4, 2003, in International Class 7

CATERPILLAR INC., )  
)  
Petitioner, )  
)  
v. )  
)  
PAVE TECH, INC., )  
)  
Respondent. )

75904827  
Cancellation No. 92041776

**TTAB**

**PETITIONER'S NOTICE OF RELIANCE  
ON TRADEMARK REGISTRATIONS**

In accordance with 37 CFR § 2.122(d) and TBMP 704.03(b), Petitioner offers in evidence the following attached certified copies of Petitioner's Trademark Registrations:

<u>MARK</u>	<u>REGISTRATION NO.</u>
CAT	564,272
	2,421,077
	1,579,437
	2,140,606
	1,579,438
	2,448,848
CATERPILLAR	277,417
CATERPILLAR TRACTOR CO.	345,499
CAT	984,444
CAT	778,638



Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451 on August 4, 2005.

*Michelle D'Arbush*

MARK

CAT

REGISTRATION NO.

770,639

Date: August 4, 2005

Respectfully submitted,

LOEB & LOEB LLP

By:



Edward G. Wierzbicki

Mary E. Innis

Nerissa Coyle McGinn

321 North Clark Street

Suite 2300

Chicago, Illinois 60610

Telephone: (312) 464-3100

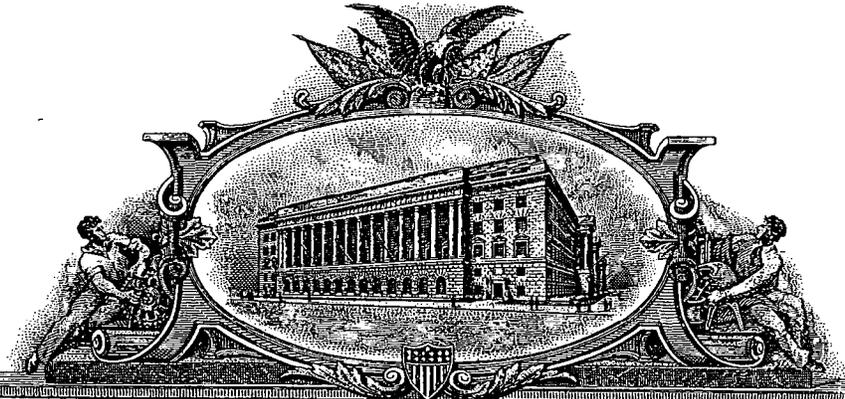
Facsimile: (312) 464-3111

**CERTIFICATE OF SERVICE**

I, Edward G. Wierzbicki, hereby certify that I caused a copy of the foregoing  
**PETITIONER'S NOTICE OF RELIANCE ON TRADEMARK REGISTRATIONS** to  
Michael J. O'Loughlin, Esq., Michael J. O'Loughlin & Associates, P.A., 400 South 4<sup>th</sup> Street,  
1012 Grain Exchange Building, Minneapolis, Minnesota 55415 (without attachments) and  
Rebecca Jo Bishop, Altera Law Group LLC, 6500 City West Parkway, Suite 100, Minneapolis,  
MN 55344, via first class mail, postage prepaid this 4<sup>th</sup> day of August, 2005.

  
\_\_\_\_\_

1311631



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**  
**UNITED STATES DEPARTMENT OF COMMERCE**  
**United States Patent and Trademark Office**

April 27, 2005

THE ATTACHED U.S. TRADEMARK REGISTRATION 564,272 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 20 YEARS FROM *September 23, 1952*  
3rd RENEWAL FOR A TERM OF 10 YEARS FROM *September 23, 2002*  
SECTION 8 & 15

LESS GOODS

SAID RECORDS SHOW TITLE TO BE IN:

*CATERPILLAR INC.*  
*A DE CORP*

By Authority of the  
**COMMISSIONER OF PATENTS AND TRADEMARKS**



*T. Lawrence*

**T. LAWRENCE**  
Certifying Officer

CAT 024088

Registered Sept. 23, 1952

Registration No. 564,272

**PRINCIPAL REGISTER**  
**Trade-Mark**

**UNITED STATES PATENT OFFICE**

Caterpillar Tractor Co., Peoria, Ill.

Act of 1946

Consolidation of application March 10, 1949, Serial No. 575,190; application February 21, 1949, Serial No. 574,204; and application February 21, 1949, Serial No. 574,205, under section 30

**CAT**

**STATEMENT**

Caterpillar Tractor Co., a corporation duly organized under the laws of the State of California, located at Peoria, Illinois, and doing business at 600 West Washington Street, Peoria 8, Illinois, has adopted and is using the trade-mark shown in the accompanying drawing:

For DUMP-WAGONS, WHEEL TRACTOR-DUMP-WAGON COMBINATIONS, AND STRUCTURAL PARTS FOR SUCH PRODUCTS, in Class 19, Vehicles;

For ~~ELECTRIC~~ ELECTRIC GENERATORS AND DIESEL ~~ELECTRIC~~ GENERATOR SETS, AND PARTS FURNISHED WITH SAID PRODUCTS, in Class 21, Electrical apparatus, machines, and supplies; and

For DIESEL AND OTHER INTERNAL COMBUSTION ENGINES ADAPTED FOR EMPLOYMENT AS THE SOURCE OF POWER FOR SELF-PROPELLED VEHICLES, AND AS STATIONARY OR PORTABLE POWER UNITS FOR INDUSTRIAL, MARINE AND AGRICULTURAL USES; SCRAPING, CARRYING AND DUMPING UNITS ADAPTED TO BE EMPLOYED FOR SCRAPING AND COLLECTING EARTH, ROCK, OR LIKE MATERIALS AND TRANSPORTING AND DUMPING SAID MATERIALS; POWER AND MANUALLY CONTROLLED GRADERS, SCARIFIERS, SCRAPERS, AND RIPPERS ADAPTED TO BE EMPLOYED FOR THE CONSTRUCTION AND MAINTENANCE OF ROADS, FOR MOVING AND REMOVING OF EARTH, ROCK, SNOW AND LIKE MATERIALS, FOR PREVENTING SOIL EROSION AND FOR OTHER INDUSTRIAL AND AGRICULTURAL USES; TRACTORS FOR INDUSTRIAL AND AGRICULTURAL PURPOSES; AND PARTS AND SERVICE TOOLS FURNISHED WITH SAID PRODUCTS, in Class 23, Cutlery, machin-

ery, and tools, and parts thereof, and presents herewith five specimens showing the trade-mark as actually used in connection with such goods, the trade-mark being applied to the goods and to plates affixed to the goods and requests that the same be registered in the United States Patent Office on the Principal Register in accordance with the act of July 5, 1946.

The mark sought to be registered was first used on such goods both in intrastate commerce and in commerce among the several States and between foreign nations and the United States which may lawfully be regulated by Congress as follows: Dump-wagons, wheel tractor-dump-wagon combinations on or about February 17, 1949; electric generators and diesel electric generator sets on or about December 9, 1948; engines on or about December 8, 1948; graders, scarifiers, and scrapers on or about December 8, 1948; rippers on or about December 13, 1948; scraping, carrying and dumping units on or about January 13, 1949; tractors on or about December 6, 1948; and parts and service tools on or about the same dates as the respective goods with which they are furnished.

Applicant is the owner of the following registrations: No. 79,056, dated August 2, 1910; No. 85,816, dated March 19, 1912; No. 120,744, dated March 5, 1918; No. 131,491, dated May 18, 1920; No. 134,971, dated September 21, 1920; No. 137,035, dated November 16, 1920; No. 277,417, dated November 11, 1930, all of which registrations were subsequently renewed; No. 345,499, dated April 27, 1937; 504,829, dated December 14, 1948; and No. 506,258, dated February 1, 1949.

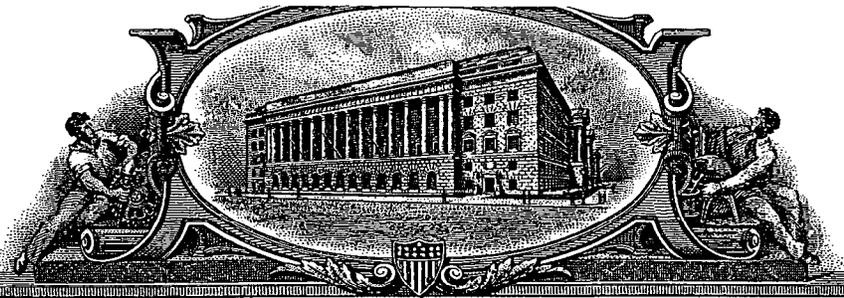
CATERPILLAR TRACTOR CO.,

By ALFRED T. BROWN,

Executive Vice President.

CAT 024089

1311631



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

April 27, 2005

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,421,077 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *January 16, 2001*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS



M. K. HAWKINS

Certifying Officer

CAT 024090

Int. Cls.: 7 and 12

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34, 35 and  
44

Reg. No. 2,421,077

**United States Patent and Trademark Office**

Registered Jan. 16, 2001

**TRADEMARK  
PRINCIPAL REGISTER**



CATERPILLAR INC. (DELAWARE CORPORATION)  
100 N.E. ADAMS ST.  
PEORIA, IL 61629

FOR: HYDRAULIC EXCAVATORS; MINI HYDRAULIC EXCAVATORS; WHEELED EXCAVATORS; FRONT SHOVELS; BACKHOE LOADERS; SKID STEER LOADERS; COMPACT WHEEL LOADERS; WHEEL LOADERS; INTEGRATED TOOLCARRIERS; TELESCOPIC HANDLERS; TRACK LOADERS; WHEEL TRACTOR-SCRAPERS; TRACK-TYPE TRACTORS; WHEEL DOZERS; MOTOR GRADERS; SOIL COMPACTORS; COLD PLANERS; ROAD RECLAIMERS; ASPHALT PAVERS; VIBRATORY COMPACTORS; MARINE ENGINES; INDUSTRIAL ENGINES; DIESEL GENERATOR SETS; GAS GENERATOR SETS; DEMOLITION MACHINES AND SCRAP MATERIAL HANDLERS FOR USE THEREWITH NAMELY BLADES, BUCKETS, CRUSHERS, GRAPPLERS, HAMMERS, HYDRAULIC BROOMS, MOBILE SHEARS, PALLET FORKS; PULVERIZERS,

AND RAKES; LOG LOADERS; COMBINES; PIPELAYERS; MINING SHOVELS; WASTE HANDLING MACHINES; AND PARTS FOR ALL THE ABOVE, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 7-13-1988; IN COMMERCE 10-20-1988.

FOR: OFF-HIGHWAY TRUCKS; ARTICULATED TRUCKS; TRUCK ENGINES; AGRICULTURAL TRACTORS; AND PARTS FOR ALL THE ABOVE, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

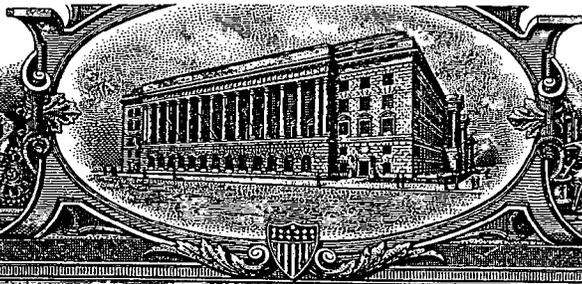
FIRST USE 7-13-1988; IN COMMERCE 10-20-1988.

OWNER OF U.S. REG. NOS. 2,140,605 AND 2,140,606.

SER. NO. 75-830,492, FILED 11-12-1999.

RICHARD A. STRASER, EXAMINING ATTORNEY

1316395



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME;**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

May 06, 2005

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,579,437 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *January 23, 1990*  
1st RENEWAL FOR A TERM OF 10 YEARS FROM *January 23, 2000*  
SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***REGISTRANT***



By Authority of the  
**COMMISSIONER OF PATENTS AND TRADEMARKS**

  
**M. K. HAWKINS**  
Certifying Officer

CAT 024092

Int. Cl.: 37

Prior U.S. Cl.: 103

**United States Patent and Trademark Office** Reg. No. 1,579,437  
Registered Jan. 23, 1990

**SERVICE MARK  
PRINCIPAL REGISTER**



CATERPILLAR INC. (DELAWARE CORPORATION)  
100 N. E. ADAMS STREET  
PEORIA, IL 61629

FOR: MAINTENANCE AND REPAIR SERVICES IN THE FIELD OF INTERNAL COMBUSTION ENGINES, VEHICLES AND POWER EQUIPMENT; NAMELY TRUCKS, TRACTORS, ENGINES, EARTHMOVING EQUIPMENT, MATERIAL HANDLING EQUIPMENT, PAVING EQUIPMENT, AGRICULTURAL

EQUIPMENT, GENERATORS, AND CONTROL UNITS FOR THE AFOREMENTIONED, IN CLASS 37 (U.S. CL. 103).

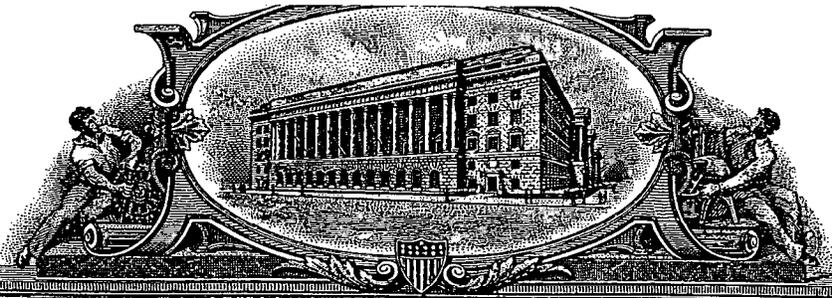
FIRST USE 10-20-1988; IN COMMERCE 10-20-1988.

OWNER OF U.S. REG. NOS. 564,272, 778,638 AND OTHERS.

SER. NO. 73-762,371, FILED 11-7-1988.

STEVEN R. FINE, EXAMINING ATTORNEY

1311631



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**April 27, 2005**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,140,606 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *March 03, 1998***

**SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***REGISTRANT***



**By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS**

**M. K. HAWKINS  
Certifying Officer**

**CAT 024094**

**Int. Cls.: 7 and 12**

**Prior U.S. Cls.: 13, 19, 21, 23, 31, 34, 35 and 44**

**Reg. No. 2,140,606**

**United States Patent and Trademark Office**

**Registered Mar. 3, 1998**

**TRADEMARK  
PRINCIPAL REGISTER**



**CATERPILLAR INC. (DELAWARE CORPORATION)  
100 N.E. ADAMS STREET  
PEORIA, IL 616296490**

**FOR: MACHINERY FOR EARTH MOVING, EARTH CONDITIONING AND MATERIAL HANDLING, NAMELY, LOADERS AND ENGINES THEREFOR, AND PARTS FOR VEHICLE AND INTERNAL COMBUSTION ENGINES, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).**

**FIRST USE 7-13-1988; IN COMMERCE 10-20-1988.**

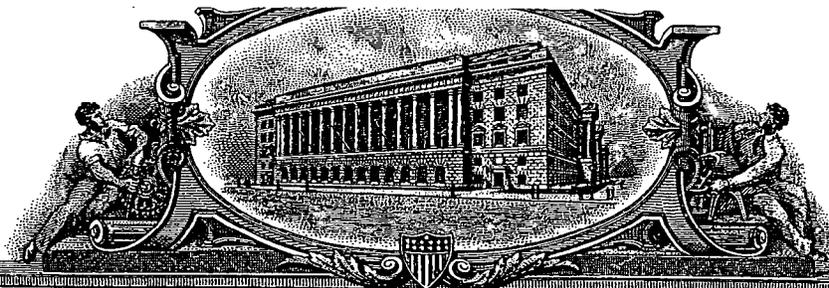
**FOR: VEHICLES FOR EARTH AND MATERIAL HAULING AND HANDLING, NAMELY, TRACTORS AND ENGINES THEREFOR, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).**

**FIRST USE 7-13-1988; IN COMMERCE 10-20-1988.**

**SER. NO. 75-236,985, FILED 2-5-1997.**

**ALLISON BERMAN, EXAMINING ATTORNEY**

1311631



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

April 27, 2005

THE ATTACHED U.S. TRADEMARK REGISTRATION 1,579,438 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *January 23, 1990*  
*1st RENEWAL FOR A TERM OF 10 YEARS FROM January 23, 2000*  
SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

*REGISTRANT*



By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS

  
M. K. HAWKINS  
Certifying Officer

CAT 024096

Int. Cl.: 37

Prior U.S. Cl.: 103

**United States Patent and Trademark Office**

Reg. No. 1,579,438

Registered Jan. 23, 1990

**SERVICE MARK  
PRINCIPAL REGISTER**

**CATERPILLAR**

CATERPILLAR INC. (DELAWARE CORPORATION)  
100 N. E. ADAMS STREET  
PEORIA, IL 61629

FOR: MAINTENANCE AND REPAIR SERVICES IN THE FIELD OF INTERNAL COMBUSTION ENGINES, VEHICLES AND POWER EQUIPMENT; NAMELY TRUCKS, TRACTORS, ENGINES, EARTHMOVING EQUIPMENT, MATERIAL HANDLING EQUIPMENT, PAVING EQUIPMENT AGRICULTURAL EQUIPMENT,

GENERATORS, AND CONTROL UNITS FOR THE AFOREMENTIONED, IN CLASS 37 (U.S. CL. 103).

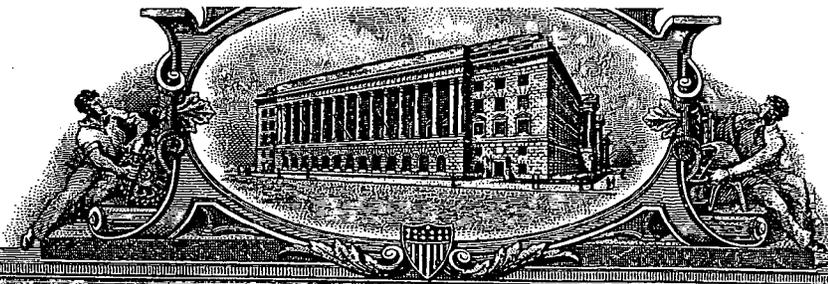
FIRST USE 10-20-1988; IN COMMERCE 10-20-1988.

OWNER OF U.S. REG. NOS. 79,056, 552,361 AND OTHERS.

SER. NO. 73-762,373, FILED 11-7-1988.

STEVEN R. FINE, EXAMINING ATTORNEY

1311631



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

April 26, 2005

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,448,848 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *May 08, 2001*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*



By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS

*N. Woodson*  
N. WOODSON

Certifying Officer

CAT 024098

Int. Cls.: 7 and 12

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34, 35 and 44

United States Patent and Trademark Office

Reg. No. 2,448,848

Registered May 8, 2001

TRADEMARK  
PRINCIPAL REGISTER

**CATERPILLAR**

CATERPILLAR INC. (DELAWARE CORPORATION)  
100 N.E. ADAMS ST.  
PEORIA, IL 61629

FOR: HYDRAULIC EXCAVATORS; MINI HYDRAULIC EXCAVATORS; WHEELED EXCAVATORS; FRONT SHOVELS; BACKHOE LOADERS; SKID STEER LOADERS; COMPACT WHEEL LOADERS; WHEEL LOADERS; INTEGRATED TOOL-CARRIERS; TELESCOPIC HANDLERS; TRACK LOADERS; WHEEL TRACTOR-SCRAPERS; TRACK-TYPE TRACTORS; WHEEL DOZERS; MOTOR GRADERS; SOIL COMPACTORS; COLD PLANERS; ROAD RECLAIMERS; ASPHALT PAVERS; VIBRATORY COMPACTORS; MARINE ENGINES; INDUSTRIAL ENGINES; DIESEL GENERATOR SETS; GAS GENERATOR SETS; DEMOLITION MACHINES AND SCRAP MATERIAL HANDLERS FOR USE THEREWITH NAMELY, BLADES, BUCKETS, CRUSHERS, GRAPPLES, HAMMERS, HYDRAULIC BROOMS, MOBILE SHEARS, PALLET FORKS, PUL-

VERIZERS, AND RAKES; LOG LOADERS; COMBINES; PIPELAYERS; MINING SHOVELS; WASTE HANDLING MACHINES; AND PARTS FOR ALL THE ABOVE, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 7-13-1988; IN COMMERCE 10-20-1988.

FOR: OFF-HIGHWAY TRUCKS; ARTICULATED TRUCKS; TRUCK ENGINES; AGRICULTURAL TRACTORS; AND PARTS FOR ALL THE ABOVE, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

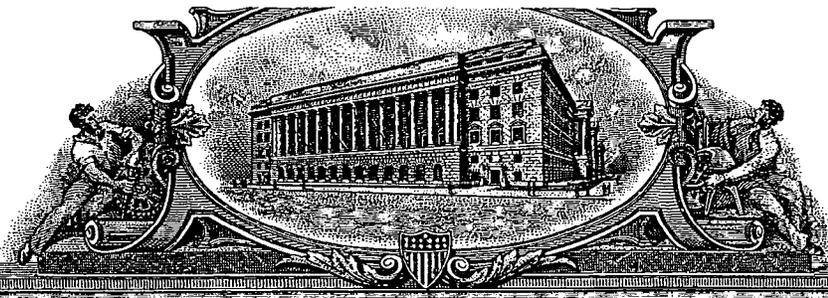
FIRST USE 7-13-1988; IN COMMERCE 10-20-1988.

OWNER OF U.S. REG. NOS. 2,140,605 AND 2,140,606.

SER. NO. 75-830,496, FILED 11-12-1999.

RICHARD A. STRASER, EXAMINING ATTORNEY

1311631



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**  
**UNITED STATES DEPARTMENT OF COMMERCE**  
**United States Patent and Trademark Office**

April 27, 2005

THE ATTACHED U.S. TRADEMARK REGISTRATION 277,417 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 20 YEARS FROM *November 11, 1930*  
*4th* RENEWAL FOR A TERM OF 10 YEARS FROM *November 11, 2000*  
SECTION 8 & 15

REPUBLISHED SECTION 12C

LESS GOODS

SAID RECORDS SHOW TITLE TO BE IN:

*CATERPILLAR INC.*

*A DE CORP*

By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS



T. LAWRENCE  
Certifying Officer

CAT 024100

Int. Cl.: 12

Prior U.S. Cl.: 23

United States Patent and Trademark Office

10 Year Renewal

Reg. No. 277,417

Registered Nov. 11, 1930

Renewal Approved Sep. 5, 1990

**TRADEMARK  
PRINCIPAL REGISTER**

**CATERPILLAR**

CATERPILLAR INC. (DELAWARE CORPORATION)  
100 N. E. ADAMS ST.  
PEORIA, IL 61629-6490, ASSIGNEE OF  
CATERPILLAR TRACTOR CO. (CALIFORNIA CORPORATION) SAN LEANDRO, CA

OWNER OF U.S. REG. NOS. 79,056,  
229,714 AND OTHERS.

FOR: TRACTORS, TRACTOR ENGINES, TRACK LINKS, TRACK SHOES, GROUSERS, GREASE GUNS; ~~AGRICULTURAL MACHINERY TOOLS, AND EQUIPMENT—NAMESLY, COMBINED HARVESTERS, WINDROWERS, PICK-~~

~~UP—MACHINERY—GRAIN—CLEANERS, GRAIN GRADERS, AND THRESHING MACHINES;~~ ROAD CONSTRUCTION AND MAINTENANCE MACHINERY, TOOLS, AND EQUIPMENT—NAMESLY, GRADERS, ~~ELEVATING GRADERS, ROAD PLANERS;~~ SCARIFIERS, PLOWS, LOGGING MACHINERY, TOOLS, AND EQUIPMENT—NAMESLY, LOGGING ENGINES, ~~WINGERS, LOG HOISTS, AND BUMMERS;~~ AND THE PARTS FOR ALL SAID GOODS, IN CLASS 23 (INT. CL. 12).  
FIRST USE 9-0-1904; IN COMMERCE 9-0-1904.

SER. NO. 71-297,791, FILED 3-24-1930.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on Oct. 16, 1990.*

COMMISSIONER OF PATENTS AND TRADEMARKS

CAT 024101

Registered Nov. 11, 1930

Trade-Mark 277,417

Republished, under the Act of 1946, June 15, 1948, by  
Caterpillar Tractor Co., San Leandro, Calif.

Renewed November 11, 1950 to Caterpillar Tractor Co., of  
Peoria, Illinois.

## UNITED STATES PATENT OFFICE

CATERPILLAR TRACTOR CO., OF SAN LEANDRO, CALIFORNIA

ACT OF FEBRUARY 20, 1905

Application filed March 24, 1930. Serial No. 297,791.

# CATERPILLAR

### STATEMENT

To the Commissioner of Patents:

Caterpillar Tractor Co., a corporation duly organized under the laws of the State of California, and located and doing business at San Leandro, California, has adopted and used the trade-mark shown in the accompanying drawing, for TRACTORS, TRACTOR ENGINES, TRACK LINKS, TRACK SHOES, GROUNDERS, GREASE GUNS; ~~AGRICULTURAL MACHINERY, TOOLS, AND EQUIPMENT—NAMESLY, COMBINED HARVESTERS, WINDROWERS, PICK-UP MACHINERY, GRAIN CLEANERS, GRAIN GRADERS, AND THRESHING MACHINES, ROAD CONSTRUCTION AND MAINTENANCE MACHINERY, TOOLS, AND EQUIPMENT—NAMESLY, GRADERS, ELEVATING GRADERS, ROAD PLANERS, SCARIFIERS, PLOWS; LOGGING MACHINERY, TOOLS, AND EQUIPMENT—NAMESLY, LOGGING ENGINES, WINCHES, LOG HOISTS, AND BUMMERS; AND THE PARTS FOR ALL SAID GOODS~~—in Class 23, Cutlery, machinery, and tools, and parts thereof, and presents herewith five specimens showing the trade-mark as actually used by applicant upon the goods, and requests that the same be registered in the United States

Patent Office in accordance with the act of February 20, 1905.

The trademark has been continuously used in applicant's business and in the business of applicant's predecessors, The Holt Manufacturing Company and Benjamin Holt since September, 1904.

The trademark is etched on metal plates which are affixed directly to the goods.

Applicant is the owner of the following United States trademark registrations: Nos. 85,816, 85,748, 79,056, 190,950, 120,744, 137,035, 131,491, 134,971, 135,703, 215,160, 229,711, 229,712 and 229,714.

The undersigned hereby appoints the firm of White, Prost, Flehr & Lothrop (register No. 12,812), composed of Hubert G. Prost, Paul D. Flehr, and Marcus Lothrop, whose postal address is 57 Post Street, San Francisco, California, its attorneys to prosecute this application for registration, with full powers of substitution and revocation and to make alterations and amendments therein, to receive the certificate and to transact all business in the Patent Office connected therewith.

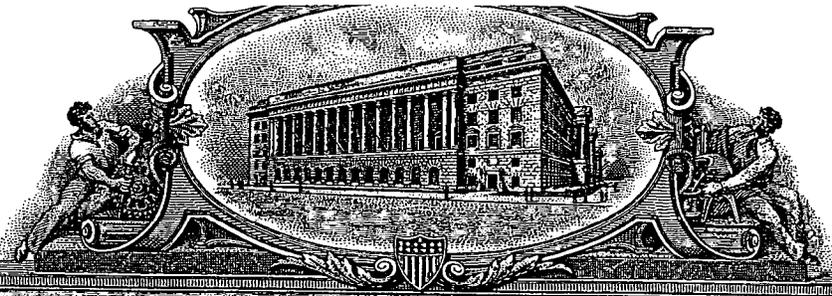
[L. S.]

CATERPILLAR TRACTOR CO.,  
By RAYMOND C. FORCE,  
President.

Affidavit under Section 8 accepted.

Affidavit under Section 15 received, Dec. 18, 1953.

1311631



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**

April 27, 2005

THE ATTACHED U.S. TRADEMARK REGISTRATION 345,499 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *April 27, 1937*  
3rd RENEWAL FOR A TERM OF 10 YEARS FROM *April 27, 1997*  
SECTION 8 & 15

REPUBLISHED SECTION 12C

AMENDMENT/CORRECTION/NEW CERT(SEC7) ISSUED  
SAID RECORDS SHOW TITLE TO BE IN:

*CATERPILLAR INC.  
A DE CORP*

By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS



T. LAWRENCE  
Certifying Officer

CAT 024103

2

CERTIFICATE OF CORRECTION.

Trade-Mark No. 345,499.

April 27, 1937.

CATERPILLAR TRACTOR CO.

It is hereby certified that error appears in the above numbered Certificate of Registration requiring correction as follows: In the statement, first column, line 2, for "Canterpillar" read Caterpillar; and that the said Certificate should be read with this correction therein that the same may conform to the record of the case in the Patent Office.

Signed and sealed this 6th day of July, A. D. 1937.

(Seal)

Henry Van Arsdale  
Acting Commissioner of Patents.

CAT 024104

Int. Cls.: 7 and 12

Prior U.S. Cl.: 23

United States Patent and Trademark Office

10 Year Renewal

Reg. No. 345,499

Registered Apr. 27, 1937

Renewal Term Begins Apr. 27, 1997

**TRADEMARK  
PRINCIPAL REGISTER**

**CATERPILLAR**

CATERPILLAR INC. (DELAWARE CORPORATION)  
100 N.E. ADAMS ST.  
PEORIA, IL 616296490, ASSIGNEE OF  
CATERPILLAR TRACTOR CO. (CALIFORNIA CORPORATION) SAN LEANDRO, CA

OWNER OF U.S. REG. NOS. 79,056, 229,714 AND OTHERS.

FOR: TRACTORS ADAPTED TO BE EMPLOYED IN FARMING OPERATIONS, ROAD BUILDING, MINING, LOGGING, EARTH MOVING, HAULING, AND FOR OTHER INDUSTRIAL AND AGRICULTURAL PURPOSES; INTERNAL COMBUSTION ENGINES ADAPTED FOR EMPLOYMENT AS THE SOURCE OF POWER FOR SELF-PROPELLED VEHICLES, AND AS STATIONARY OR PORTABLE POWER UNITS FOR INDUSTRIAL AND AGRICULTURAL USES; POWER AND MANUALLY CONTROLLED GRADERS, TERRACERS, PLANERS, SCARIFIERS,

LEANING WHEEL GRADERS, ELEVATING GRADERS, SCRAPERS, BULLDOZERS, LEVELERS, PLOWS, DITCHERS, BANK CUTTERS, AND BACK SLOPERS ADAPTED TO BE EMPLOYED FOR THE CONSTRUCTION AND MAINTENANCE OF ROADS, FOR MOVING AND REMOVING OF EARTH, SNOW, AND LIKE MATERIALS, FOR PREVENTING SOIL EROSION AND FOR OTHER INDUSTRIAL AND AGRICULTURAL USES; HARVESTERS, COMBINE HARVESTERS, MOWERS, PUSH RAKES, WINDROW HEADERS AND WINDROW PICK-UPS; IMPLEMENT HITCHES; PARTS AND TOOLS FOR ALL OF SAID PRODUCTS AND ATTACHMENTS, ACCESSORIES AND EQUIPMENT ASSOCIABLE WITH ALL OF SAID PRODUCTS, IN CLASS 23 (INT. CLS. 7 AND 12).

FIRST USE 9-0-1904; IN COMMERCE 9-0-1904.

SER. NO. 71-386,675, FILED 12-12-1936.

*In testimony whereof I have hereunto set my hand and caused the seal of The Patent and Trademark Office to be affixed on May 6, 1997.*

COMMISSIONER OF PATENTS AND TRADEMARKS

CAT 024106

Registered Apr. 27, 1937

Trade-Mark 345,499

Republished, under the Act of 1946, Nov. 2, 1948, by Caterpillar Tractor Co., San Leandro, Calif.

Affidavit under Section 3 accepted.

Affidavit under Section 15 received, Dec. 18, 1953.

## UNITED STATES PATENT OFFICE

Caterpillar Tractor Co., San Leandro, Calif.

Act of February 20, 1905

Application December 12, 1936, Serial No. 386,675

# CATERPILLAR

### STATEMENT

*To the Commissioner of Patents:*

Caterpillar Tractor Co., a corporation duly organized under the laws of the State of California and located and doing business at San Leandro, California, has adopted and used the trade-mark shown in the accompanying drawing, for TRACTORS ADAPTED TO BE EMPLOYED IN FARMING OPERATIONS, ROAD BUILDING, MINING, LOGGING, EARTH MOVING, HAULING, AND FOR OTHER INDUSTRIAL AND AGRICULTURAL PURPOSES; INTERNAL COMBUSTION ENGINES ADAPTED FOR EMPLOYMENT AS THE SOURCE OF POWER FOR SELF-PROPELLED VEHICLES, AND AS STATIONARY OR PORTABLE POWER UNITS FOR INDUSTRIAL AND AGRICULTURAL USES; POWER AND MANUALLY CONTROLLED GRADERS, TERRACERS, PLANERS, SCARIFIERS, LEANING WHEEL GRADERS, ELEVATING GRADERS, SCRAPERS, BULLDOZERS, LEVELERS, PLOWS, DITCHERS, BANK CUTTERS, AND BACK SLOPERS ADAPTED TO BE EMPLOYED FOR THE CONSTRUCTION AND MAINTENANCE OF ROADS, FOR MOVING AND REMOVING OF EARTH, SNOW, AND LIKE MATERIALS, FOR PREVENTING SOIL EROSION AND FOR OTHER INDUSTRIAL AND AGRICULTURAL USES; HARVESTERS, COMBINE HARVESTERS, MOWERS, PUSH RAKES, WINDROW HEADERS AND WINDROW PICK-UPS; IMPLEMENT HITCHES; PARTS AND TOOLS FOR ALL OF SAID PRODUCTS AND ATTACHMENTS, ACCESSORIES AND EQUIPMENT ASSOCIABLE WITH ALL OF SAID PROD-

UCTS, in Class 23, Cutlery, machinery, and tools, and parts thereof, and presents herewith five specimens showing the trade-mark as actually used by applicant upon the goods, and requests that the same be registered in the United States Patent Office in accordance with the act of February 20, 1905.

The trade-mark has been continuously used in applicant's business and in the business of applicant's predecessors, The Holt Manufacturing Company and Benjamin Holt since September, 1904.

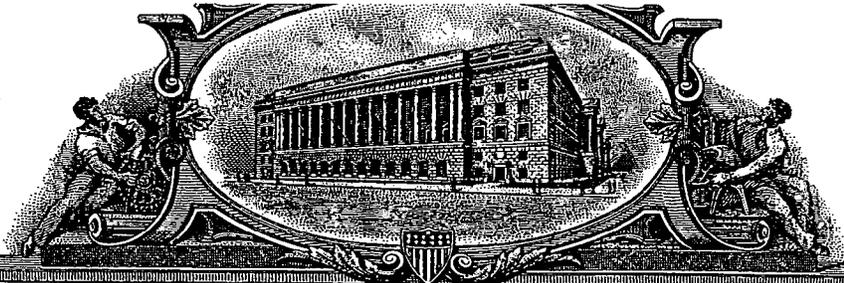
The trade-mark is etched on metal plates which are affixed directly to the products, and printed on boxes and cartons containing parts, accessories and attachments for said products, and on shipping tags affixed directly to parts, accessories and attachments for said products.

Applicant is the owner of the following United States trade-mark registrations: Nos. 85,816; 85,748; 79,056; 190,950; 120,744; 137,035; 131,491; 134,971; 135,703; 215,160; 229,711; 229,712; 229,714 and 277,417.

The undersigned hereby appoints Charles M. Fryer, (register No. 11,822) whose postal address is c/o Caterpillar Tractor Co., San Leandro, California, its attorney to prosecute this application for registration, with full powers of substitution and revocation and to make alterations and amendments therein, to receive the certificate and to transact all business in the Patent Office connected therewith.

CATERPILLAR TRACTOR CO.,  
By OSCAR L. STARR,  
Vice-President.

1311631



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

April 27, 2005

THE ATTACHED U.S. TRADEMARK REGISTRATION 984,444 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 20 YEARS FROM *May 21, 1974*  
2<sup>nd</sup> RENEWAL FOR A TERM OF 10 YEARS FROM *May 21, 2004*  
SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

*CATERPILLAR INC.*

*A DE CORP*

By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS



M. K. HAWKINS

Certifying Officer

CAT 024108

Int. Cl.: 7

Prior U.S. Cl.: 23

United States Patent and Trademark Office  
10 Year Renewal

Reg. No. 984,444

Registered May 21, 1974

Renewal Term Begins May 21, 1994

**TRADEMARK  
PRINCIPAL REGISTER**

**CAT**

CATERPILLAR, INC. (DELAWARE  
CORPORATION)  
100 N.E. ADAMS ST.  
PEORIA, IL, ASSIGNEE OF CATERPIL-  
LAR TRACTOR CO. (CALIFORNIA  
CORPORATION) PEORIA, IL

OWNER OF U.S. REG. NOS. 564,272  
AND 770,639.

FOR: LIFT TRUCKS, AND ENGINES,  
ATTACHMENTS AND PARTS THERE-  
FOR, IN CLASS 23 (INT. CL. 7).

FIRST USE 1-30-1973; IN COMMERCE  
1-30-1973.

SER. NO. 72-452,924, FILED 3-29-1973.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on Aug. 30, 1994.*

COMMISSIONER OF PATENTS AND TRADEMARKS

CAT 024109

# United States Patent Office

984,444  
Registered May 21, 1974

## PRINCIPAL REGISTER Trademark

Ser. No. 452,924, filed Mar. 29, 1973

### CAT

Caterpillar Tractor Co. (California corporation)  
100 NE. Adams St.  
Peoria, Ill. 61602

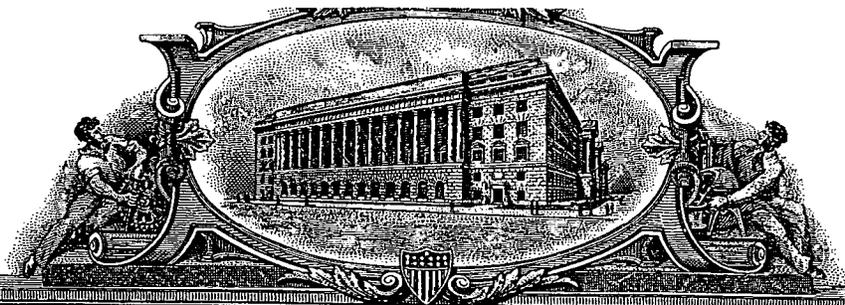
For: LIFT TRUCKS, AND ENGINES, ATTACH-  
MENTS AND PARTS THEREFOR, in CLASS 23 (INT.  
CL. 7).

First use Jan. 30, 1973; in commerce Jan. 30, 1973.  
Owner of Reg. Nos. 564,272 and 770,639.

CHARLES R. FOWLER, Supervisory Examiner  
M. I. PEROFF, Examiner

CAT 024110

1311631



**THE UNITED STATES OF AMERICA**

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

April 27, 2005

THE ATTACHED U.S. TRADEMARK REGISTRATION 778,638 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 20 YEARS FROM *October 13, 1964*  
3rd RENEWAL FOR A TERM OF 10 YEARS FROM *October 13, 2004*  
SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

*CATERPILLAR INC.*

*A DE CORP*

By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS



*T. Lawrence*

T. LAWRENCE  
Certifying Officer

CAT 024111

# United States Patent Office

778,638  
Registered Oct. 13, 1964

## PRINCIPAL REGISTER Service Mark

Ser. No. 164,427, filed Mar. 12, 1963

### CAT

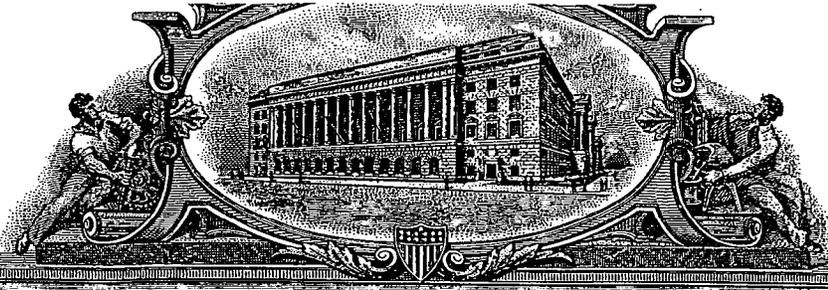
Caterpillar Tractor Co. (California corporation)  
600 W. Washington St.  
East Peoria, Ill.

For: SERVICE, MAINTENANCE AND REPAIR OF  
TRUCKS, TRACTORS, ENGINES, EARTHMOVING  
EQUIPMENT AND CONTROL UNITS THEREFOR,  
GENERATORS AND AGRICULTURAL EQUIP-  
MENT, in CLASS 103.

First use in 1951; in commerce in 1951.  
Owner of Reg. No. 564,272.

CAT 024112

1311631



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office**

April 27, 2005

**THE ATTACHED U.S. TRADEMARK REGISTRATION 770,639 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 20 YEARS FROM *June 02, 1964*  
2nd RENEWAL FOR A TERM OF 10 YEARS FROM *June 02, 2004*  
SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***CATERPILLAR INC.***

***A DE CORP***

**By Authority of the  
COMMISSIONER OF PATENTS AND TRADEMARKS**



*T. Lawrence*

**T. LAWRENCE  
Certifying Officer**

**CAT 024113**

# United States Patent Office

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770,639  
Registered June 2, 1964

## PRINCIPAL REGISTER Trademark

Ser. No. 174,081, filed July 31, 1963

### CAT

Caterpillar Tractor Co. (California corporation)  
600 W. Washington St.  
East Peoria, Ill.

For: MOTOR TRUCKS, DUMP WAGONS, WHEEL  
TRACTOR-DUMP WAGON COMBINATIONS,  
WHEEL TRACTORS, AND PARTS THEREFOR, in  
CLASS 19.

First use Feb. 17, 1949, on dump wagons; in commerce  
Feb. 17, 1949.

Owner of Reg. Nos. 564,272 and 742,294.

CAT 024114

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

In the Matter of Registration No. 2,684,138: PAVERCAT  
Registered on the Principal Register on February 4, 2003, in International Class 7

CATERPILLAR INC., )  
)  
Petitioner, )  
)  
v. )  
)  
PAVE TECH, INC., )  
)  
Respondent. )

75924827

Cancellation No. 92041776

**TTAB**

**PETITIONER'S NOTICE OF RELIANCE  
ON DECLARATION OF LAURIE HUXTABLE**

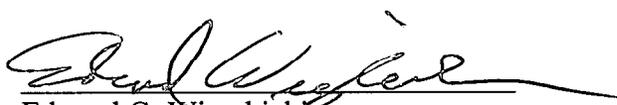
In accordance with 37 CFR § 2.122(d) and TBMP 704.03(b), Petitioner offers the attached Notice of Reliance on the Declaration of Laurie Huxtable certifying documents pursuant to Federal Rule of Evidence 902(11):

Date: August 4, 2005

Respectfully submitted,

LOEB & LOEB LLP

By:



Edward G. Wierzbicki  
Mary E. Innis  
Nerissa Coyle McGinn  
321 North Clark Street  
Suite 2300  
Chicago, Illinois 60610  
Telephone: (312) 464-3100  
Facsimile: (312) 464-3111

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451 on August 4, 2005.



CH27171.1  
40076000044



08-04-2005  
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #72

**CERTIFICATE OF SERVICE**

I, Edward G. Wierzbicki, hereby certify that I caused a copy of the foregoing  
**PETITIONER'S NOTICE OF RELIANCE ON DECLARATION OF LAURIE  
HUXTABLE** to Michael J. O'Loughlin, Micheal J. O'Loughlin & Associates, P.A., 400 South  
4th Street, 1012 Grain Exchange Building, Minneapolis, Minnesota 55415 (without attachments)  
and Rebecca Jo Bishop, Altera Law Group LLC, 6500 City West Parkway, Suite 100,  
Minneapolis, MN 55344, via first class mail, postage prepaid this 4<sup>th</sup> day of August, 2005.

A handwritten signature in cursive script, reading "Edward G. Wierzbicki", is written over a horizontal line.

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

In the Matter of Registration No. 2,684,138: PAVERCAT  
Registered on the Principal Register on February 4, 2003, in International Class 7

CATERPILLAR INC.,	)	
	)	
Petitioner,	)	
v.	)	Cancellation No. 92041776
	)	
PAVE TECH, INC.,	)	
	)	
Registrant.	)	

**DECLARATION OF LAURIE HUXTABLE**

1. I am the Assistant Secretary of Caterpillar Inc., 100 NE Adams, Peoria, Illinois 61629. I have personal knowledge of the facts set forth herein and can testify competently hereto.

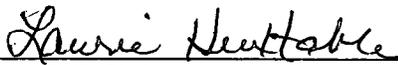
2. Attached as Exhibit 68 is "Caterpillar Total United States Sales for Years 1978 through 2004" supported by documents Bates Nos.: 0232963-023376, 019099-019146, 019051-019098, 000098-000130, 000131-000176, 000177-000221, 000222-000226, 000270-000310, 000311-352, 000437-000478, 000395-000436, 000353-000394, 000479-000520, 000521-000552, 000553-000584, 000585-000616, 000617-000647, 000648-000683, 000684-000722, 000724-000763, 000804-000852, and 000852-000895. Exhibit 68 summarizes and reflects the total sales, percentage of sales in the US, and total US sales for years 1978 through 2004, as obtained from the Caterpillar Annual Reports for those respective years. The supporting documents are comprised of excerpts from Caterpillar's Annual Reports from 1978 through 2004.

3. The supporting documents for Exhibit 68, identified in Paragraph 2, are records kept in the regular course of Caterpillar's business and it is Caterpillar's regular practice for Caterpillar employees who have knowledge of the information in these records to make these records at or near the time the information is received by Caterpillar.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 29th day of July, 2005.

Date: July 29, 2005

  
LAURIE HUXTABLE 

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

In the Matter of Registration No. 2,684,138: PAVERCAT  
Registered on the Principal Register on February 4, 2003, in International Class 7

CATERPILLAR INC.,	)	
	)	
Petitioner,	)	
v.	)	Cancellation No. 92041776
	)	
PAVE TECH, INC.,	)	
	)	
Registrant.	)	

**EXHIBIT 68**

**CATERPILLAR'S OVERALL U.S. SALES**

**(CAT 000098-000124**

**CAT 000131 and 000171**

**CAT 000177 and 000217**

**CAT 000222 and 000264**

**CAT 000270 and 000308**

**CAT 000311 and 000348**

**CAT 000353 and 000388**

**CAT 000395 and 000430**

**CAT 000437 and 000474**

**CAT 000479 and 000516**

**CAT 000521 and 000550**

**CAT 000553 and 000578**

**CAT 000585 and 000612**

**CAT 000617 and 000641-000642**

**CAT 000648 and 000679**

**CAT 000684 and 000715**

**CAT 000724 and 000759**

**CAT 000804 and 000835**

**CAT 000852 and 000877**

**CAT 01051 and 019093**

**CAT 019099 and 019141**

**CAT 023293 and 023347)**

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

In the Matter of Registration No. 2,684,138: PAVERCAT  
Registered on the Principal Register on February 4, 2003, in International Class 7

CATERPILLAR INC.,	)	
	)	
Petitioner,	)	
	)	Cancellation No. 92041776
v.	)	
	)	
PAVE TECH, INC.,	)	
	)	
Respondent.	)	

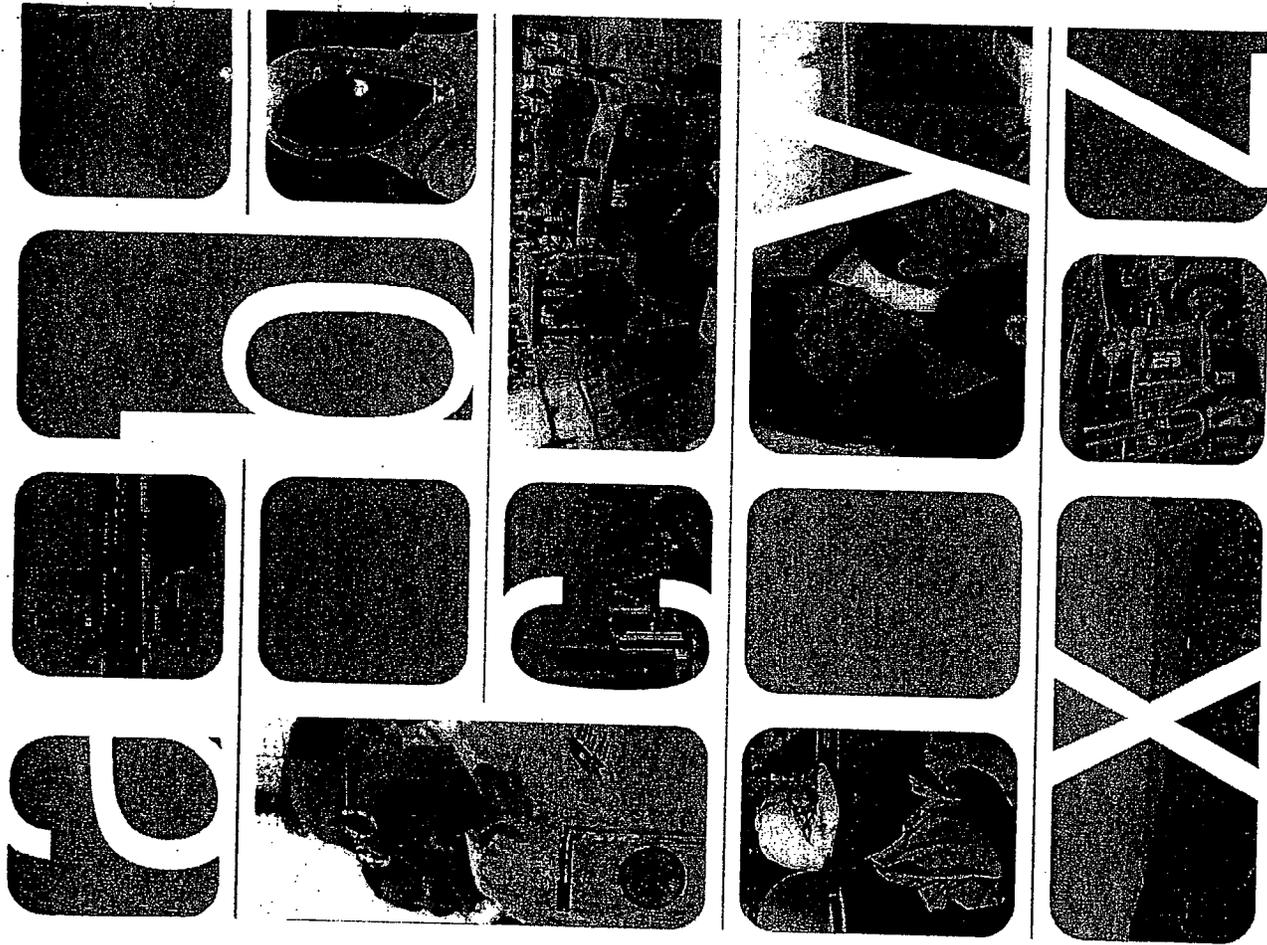
**EXHIBIT 68**

**CATERPILLAR TOTAL UNITED STATES  
SALES FOR YEARS 1978 THROUGH 2004**

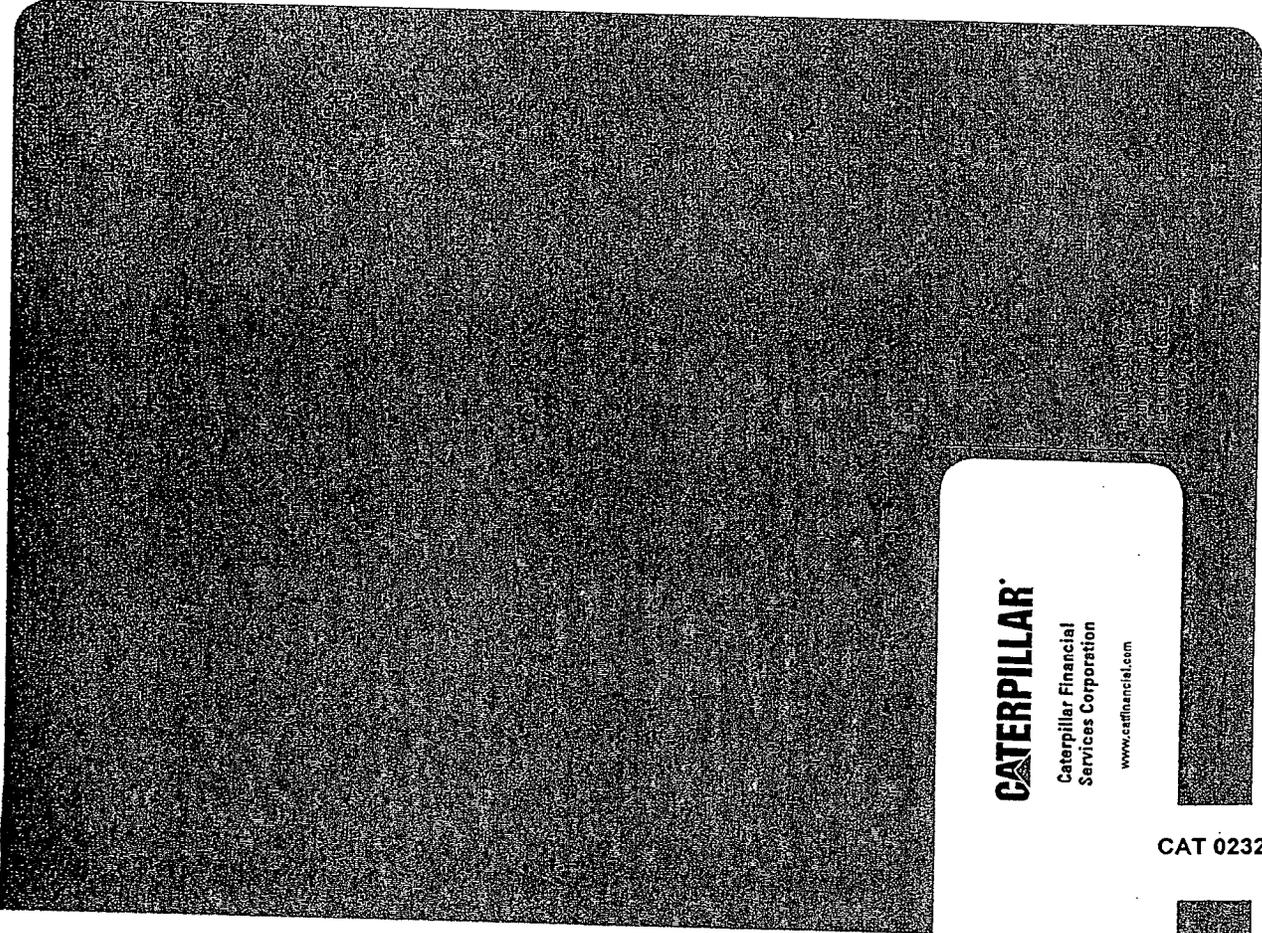
YEAR	TOTAL SALES	PERCENT SALES INSIDE U.S.	U.S. SALES	BATES NO.
2004	\$28,336,000,000	46%	\$13,034,560,000	023293-023376
2003	\$21,048,000,000	44%	\$9,261,120,000	019099-019146
2002	\$18,648,000,000	45%	\$8,391,600,000	019051-019098
2001	\$19,027,000,000	49%	\$9,323,230,000	000098-000130
2000	\$18,913,000,000	50%	\$9,456,500,000	000131-000176
1999	\$18,559,000,000	50%	\$9,279,500,000	000177-000221
1998	\$19,972,000,000	51%	\$10,185,720,000	000222-000266
1997	\$18,110,000,000	49%	\$8,873,900,000	000270-000310
1996	\$15,814,000,000	49%	\$7,748,860,000	000311-352
1995	\$15,451,000,000	48%	\$7,416,480,000	000437-000478

YEAR	TOTAL SALES	PERCENT SALES INSIDE U.S.	U.S. SALES	BATES NO.
1994	\$13,863,000,000	51%	\$7,070,130,000	000395-000436
1993	\$11,235,000,000	51%	\$5,729,850,000	000353-000394
1992	\$9,840,000,000	45%	\$4,428,000,000	000479-000520
1991	\$9,838,000,000	41%	\$4,033,580,000	000521-000552
1990	\$11,103,000,000	45%	\$4,996,350,000	000553-000584
1989	\$10,882,000,000	47%	\$5,114,540,000	000585-000616
1988	\$10,255,000,000	50%	\$5,127,500,000	000617-000647
1987	\$8,180,000,000	52%	\$4,253,600,000	000648-000683
1986	\$7,321,000,000	54%	\$3,953,340,000	000684-000722
1985	\$6,725,000,000	56% (from 1988 annual report)	\$3,766,000,000	000724-000763
1984	\$6,576,000,000	58% (from 1988 annual report)	\$3,814,080,000	000804-000852
1983	\$5,424,000,000 (from 1988 annual report)	54% (from 1988 annual report)	\$2,928,960,000	
1982	\$6,469,000,000 (from 1988 annual report)	43% (from 1988 annual report)	\$2,781,670,000	
1981	\$9,154,000,000	43% (from 1988 annual report)	\$3,936,220,000	
1980	\$8,597,800,000	43% (from 1988 annual report)	\$3,697,054,000	000852-000895

YEAR	TOTAL SALES	PERCENT SALES INSIDE U.S.	U.S. SALES	BATES NO.
1979	\$7,613,000,000 (from 1988 annual report)	46% (from 1988 annual report)	\$3,501,980,000	
1978	\$7,219,000,000 (from 1988 annual report)	52% (from 1988 annual report)	\$3,753,880,000	



ALWAYS LEARNING 2004 CAT FINANCIAL ANNUAL REPORT



**CATERPILLAR**

Caterpillar Financial  
Services Corporation

[www.catfinancial.com](http://www.catfinancial.com)

CAT 023293



**Five-year Financial Summary**  
(Dollars in millions except per share data)

**Caterpillar Inc.**

<b>Years ended December 31,</b>	<b>2004</b>	<b>2003</b>	<b>2002</b>	<b>2001</b>	<b>2000</b>
Sales and revenues .....	<b>\$ 30,251</b>	22,763	20,152	20,450	20,175
Sales .....	<b>\$ 28,336</b>	21,048	18,648	19,027	18,913
Percent inside the United States .....	<b>46%</b>	44%	45%	49%	50%
Percent outside the United States .....	<b>54%</b>	56%	55%	51%	50%
Revenues .....	<b>\$ 1,915</b>	1,715	1,504	1,423	1,262
Profit <sup>(1)</sup> .....	<b>\$ 2,035</b>	1,099	798	805	1,053
Profit per common share <sup>(1)(2)</sup> .....	<b>\$ 5.95</b>	3.18	2.32	2.35	3.04
Profit per common share — diluted <sup>(1)(3)</sup> .....	<b>\$ 5.75</b>	3.13	2.30	2.32	3.02
Dividends declared per share of common stock .....	<b>\$ 1.600</b>	1.440	1.400	1.390	1.345
Return on average common stockholders' equity <sup>(4)</sup> .....	<b>30.0%</b>	19.0%	14.4%	14.4%	19.0%
Capital expenditures:					
Property, plant and equipment .....	<b>\$ 926</b>	682	728	1,100	928
Equipment leased to others .....	<b>\$ 1,188</b>	1,083	1,045	868	665
Depreciation and amortization .....	<b>\$ 1,397</b>	1,347	1,220	1,169	1,063
Research and development expenses .....	<b>\$ 928</b>	669	656	696	649
As a percent of sales and revenues .....	<b>3.1%</b>	2.9%	3.3%	3.4%	3.2%
Wages, salaries and employee benefits .....	<b>\$ 6,001</b>	4,980	4,360	4,272	4,029
Average number of employees .....	<b>73,033</b>	67,828	70,973	70,678	67,200
<b>December 31,</b>					
Total assets .....	<b>\$ 43,091</b>	36,706	32,705	30,489	28,246
Long-term debt due after one year:					
Consolidated .....	<b>\$ 15,837</b>	14,546	11,774	11,452	11,334
Machinery and Engines .....	<b>\$ 3,663</b>	3,603	3,581	3,653	2,854
Financial Products .....	<b>\$ 12,174</b>	10,943	8,193	7,799	8,480
Total debt:					
Consolidated .....	<b>\$ 23,525</b>	20,284	17,861	16,763	15,067
Machinery and Engines .....	<b>\$ 3,762</b>	3,707	3,903	3,945	3,427
Financial Products .....	<b>\$ 19,763</b>	16,577	13,958	12,818	11,640

<sup>(1)</sup> In 2002, we adopted Statement of Financial Accounting Standards No. 142, "Goodwill and Other Intangible Assets" and therefore no longer amortize goodwill.

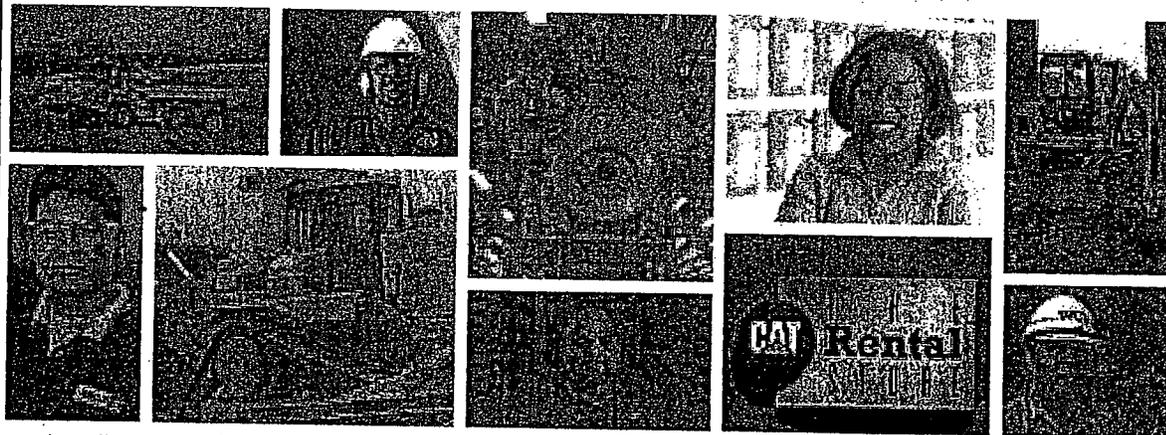
<sup>(2)</sup> Computed on weighted-average number of shares outstanding.

<sup>(3)</sup> Computed on weighted-average number of shares outstanding diluted by assumed exercise of stock options, using the treasury stock method.

<sup>(4)</sup> Represents profit divided by average stockholders' equity (beginning of year stockholders' equity plus end of year stockholders' equity divided by two).

HOW TO BUILD  
➤ A ➤  
GREAT COMPANY

[ IN 10 COMMON SENSE STEPS ]



CATERPILLAR ANNUAL REPORT

2003

CAT 019099

## FIVE-YEAR FINANCIAL SUMMARY

YEARS ENDED DECEMBER 31	2003	2002	2001	2000	1999
<i>{ Dollars in millions except per share data }</i>					
SALES AND REVENUES	\$ 22,763	20,152	20,450	20,175	19,702
SALES	\$ 21,048	18,648	19,027	18,913	18,559
PERCENT INSIDE THE UNITED STATES	44 %	45 %	49 %	50 %	50 %
PERCENT OUTSIDE THE UNITED STATES	56 %	55 %	51 %	50 %	50 %
REVENUES	\$ 1,715	1,504	1,423	1,262	1,143
PROFIT*	\$ 1,099	798	805	1,053	946
AS A PERCENT OF SALES AND REVENUES	4.8 %	4.0 %	3.9 %	5.2 %	4.8 %
PROFIT PER COMMON SHARE*	\$ 3.18	2.32	2.35	3.04	2.66
PROFIT PER COMMON SHARE—DILUTED*	\$ 3.13	2.30	2.32	3.02	2.63
DIVIDENDS DECLARED PER COMMON SHARE	\$ 1.420	1.400	1.390	1.345	1.275
RETURN ON AVERAGE COMMON STOCKHOLDERS' EQUITY	19.0 %	14.4 %	14.4 %	19.0 %	17.9 %
CAPITAL EXPENDITURES:					
PROPERTY, PLANT AND EQUIPMENT	\$ 682	728	1,100	928	913
EQUIPMENT LEASED TO OTHERS	\$ 1,083	1,045	868	665	490
DEPRECIATION AND AMORTIZATION	\$ 1,347	1,220	1,169	1,063	977
RESEARCH AND DEVELOPMENT EXPENSES	\$ 669	656	696	649	626
AS A PERCENT OF SALES AND REVENUES	2.9 %	3.3 %	3.4 %	3.2 %	3.2 %
WAGES, SALARIES AND EMPLOYEE BENEFITS	\$ 4,980	4,360	4,272	4,029	4,044
AVERAGE NUMBER OF EMPLOYEES	67,828	70,973	70,678	67,200	66,225
DECEMBER 31					
TOTAL ASSETS	\$ 36,465	32,747	30,585	28,464	26,711
LONG-TERM DEBT DUE AFTER ONE YEAR:					
CONSOLIDATED	\$ 14,078	11,596	11,291	11,334	9,928
MACHINERY AND ENGINES	\$ 3,367	3,403	3,492	2,854	3,099
FINANCIAL PRODUCTS	\$ 10,711	8,193	7,799	8,480	6,829
TOTAL DEBT:					
CONSOLIDATED	\$ 19,816	17,683	16,602	15,067	13,802
MACHINERY AND ENGINES	\$ 3,471	3,725	3,784	3,427	3,317
FINANCIAL PRODUCTS	\$ 16,345	13,958	12,818	11,640	10,485

\* In 2002, we adopted Statement of Financial Accounting Standards No. 142, "Goodwill and Other Intangible Assets" and therefore no longer amortize goodwill.

**CATERPILLAR**

2002 ANNUAL REPORT

*WHEN THE GOING GETS TOUGH*



CAT 019051

**FIVE-YEAR FINANCIAL SUMMARY**

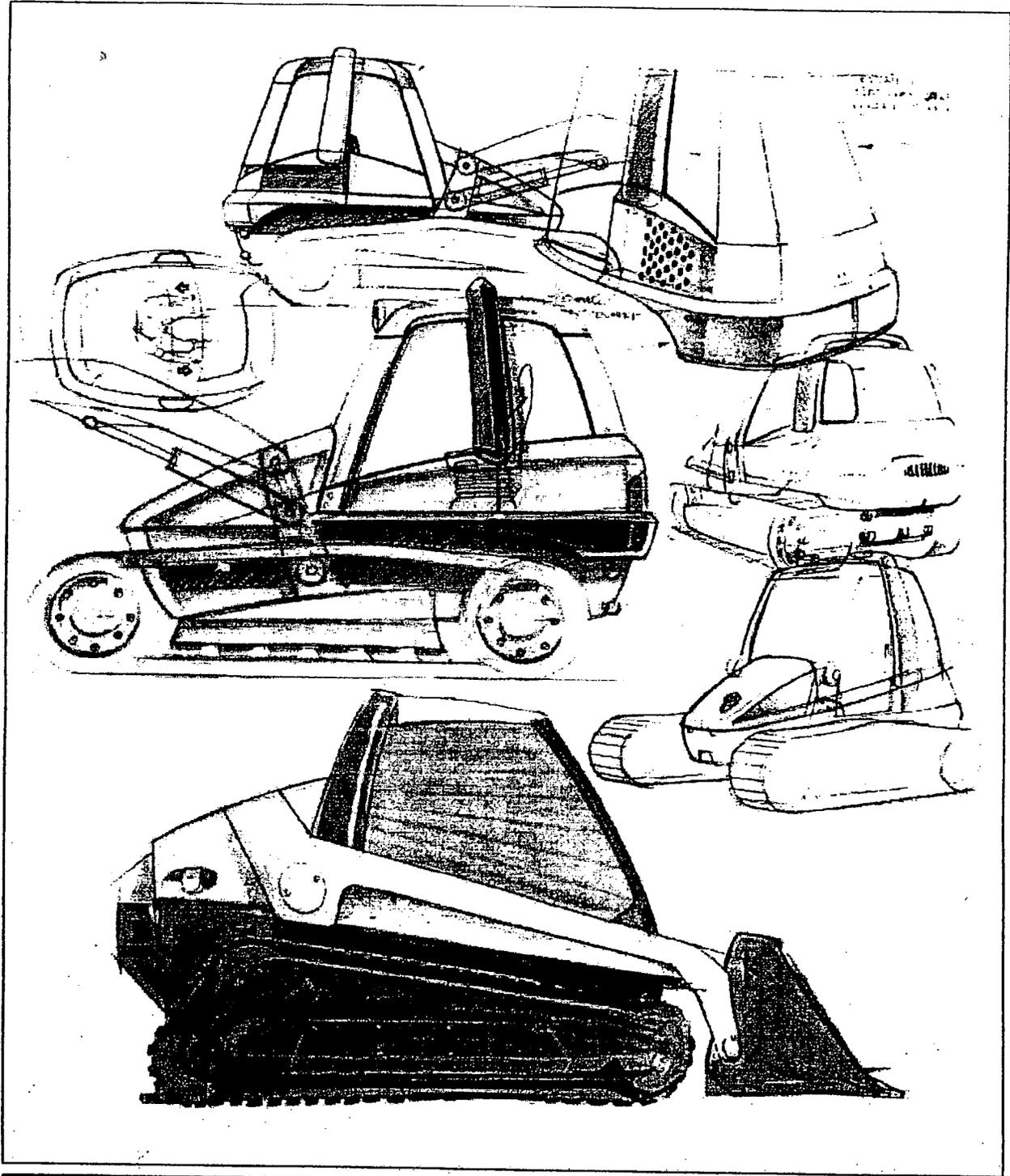
<b>YEARS ENDED DECEMBER 31</b>	<b>2002</b>	<b>2001</b>	<b>2000</b>	<b>1999</b>	<b>1998</b>
<i>(Dollars in millions except per share data)</i>					
Sales and revenues	20,152	20,450	20,175	19,702	20,977
Sales	18,849	19,027	18,913	18,559	19,972
Percent inside the United States	49 %	49 %	50 %	50 %	51 %
Percent outside the United States	51 %	51 %	50 %	50 %	49 %
Revenues	1,509	1,423	1,262	1,143	1,005
Profit <sup>(1)</sup>	798	805*	1,053	946	1,513
As a percent of sales and revenues	3.9 %	3.9 %	5.2 %	4.8 %	7.2 %
Profit per common share <sup>(2)</sup>	2.35	2.35	3.04	2.66	4.17
Profit per common share—diluted <sup>(2)</sup>	2.36	2.32	3.02	2.63	4.11
Dividends declared per common share	1.00	1.390	1.345	1.275	1.150
Return on average common stock equity	14.4 %	14.4 %	19.0 %	17.9 %	30.9 %
Capital expenditures:					
Property, plant and equipment	928	1,100	928	913	982
Equipment leased to others	1,106	868	665	490	344
Depreciation and amortization	1,220	1,169	1,063	977	893
Research and engineering expenses	854	898	854	814	838
As a percent of sales and revenues	4.2 %	4.4 %	4.2 %	4.1 %	4.0 %
Wages, salaries and employee benefits	4,044	4,272	4,029	4,044	4,146
Average number of employees	70,441	70,678	67,200	66,225	64,441
<b>DECEMBER 31</b>					
Total assets:					
Consolidated	25,128	30,657	28,464	26,711	25,128
Machinery and Engines <sup>(2)</sup>	15,619	17,275	16,554	16,158	15,619
Financial Products	11,648	15,895	14,618	12,951	11,648
Long-term debt due after one year:					
Consolidated	9,404	11,291	11,334	9,928	9,404
Machinery and Engines <sup>(2)</sup>	2,993	3,492	2,854	3,099	2,993
Financial Products	6,411	7,799	8,480	6,829	6,411
Total debt:					
Consolidated	12,452	16,602	15,067	13,802	12,452
Machinery and Engines <sup>(2)</sup>	3,102	3,784	3,427	3,317	3,102
Financial Products	9,562	13,021	11,957	10,796	9,562
Percent of total debt to total debt and stockholders' equity (Machinery and Engines)	38 %	40 %	38 %	38 %	38 %

(1) In 2002, we adopted Statement of Financial Accounting Standards No. 142, "Goodwill and Other Intangible Assets" and therefore no longer amortize goodwill. Excluding goodwill amortization expense, profit for 2001 was \$863 (\$2.51 per share, \$2.49 per share-diluted).

(2) Represents Caterpillar Inc. and its subsidiaries with Financial Products accounted for on the equity basis.

\* Includes pretax unusual charges of \$153 (\$97 after tax) related to the sale of the Challenger agricultural tractor line, plant closings and consolidations and costs for planned employment reductions.

Transactions between Machinery and Engines and Financial Products have been eliminated to arrive at consolidated data.



**CATERPILLAR®**

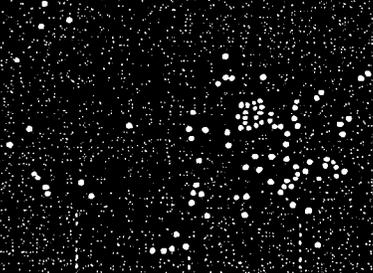
**FIVE-YEAR FINANCIAL SUMMARY**

Years Ended December 31	2001	2000	1999	1998	1997
(Dollars in millions except per share data)					
Sales and revenues	\$ 20,460	20,175	19,702	20,977	18,925
Sales	\$ 19,027	18,913	18,559	19,972	18,110
Percent inside the United States	49 %	50 %	50 %	51 %	49 %
Percent outside the United States	51 %	50 %	50 %	49 %	51 %
Revenues	\$ 1,423	1,262	1,143	1,005	815
Profit	\$ 805*	1,053	946	1,513	1,665
As a percent of sales and revenues	3.9 %	5.2 %	4.8 %	7.2 %	8.8 %
Profit per common share	\$ 2.35*	3.04	2.66	4.17	4.44
Profit per common share—diluted	\$ 2.2*	3.02	2.63	4.11	4.37
Dividends declared per common share	\$ 1.380	1.345	1.275	1.150	.950
Return on average common stock equity	14.4 %	19.0 %	17.9 %	30.9 %	37.9 %
Capital expenditures:					
Property, plant and equipment	\$ 1,100	928	913	982	851
Equipment leased to others	\$ 668	665	490	344	282
Depreciation and amortization	\$ 1,169	1,063	977	893	766
Research and engineering expenses	\$ 898	854	814	838	700
As a percent of sales and revenues	4.4 %	4.2 %	4.1 %	4.0 %	3.7 %
Wages, salaries and employee benefits	\$ 4,272	4,029	4,044	4,146	3,773
Average number of employees	70,678	67,200	66,225	64,441	58,366
<b>DECEMBER 31</b>					
Total assets:					
Consolidated	\$ 30,657	28,464	26,711	25,128	20,756
Machinery and Engines <sup>(1)</sup>	\$ 17,275	16,554	16,158	15,619	14,188
Financial Products	\$ 15,895	14,618	12,951	11,648	7,806
Long-term debt due after one year:					
Consolidated	\$ 11,291	11,334	9,928	9,404	6,942
Machinery and Engines <sup>(1)</sup>	\$ 3,492	2,854	3,099	2,993	2,367
Financial Products	\$ 7,799	8,480	6,829	6,411	4,575
Total debt:					
Consolidated	\$ 16,602	15,067	13,802	12,452	8,568
Machinery and Engines <sup>(1)</sup>	\$ 3,784	3,427	3,317	3,102	2,474
Financial Products	\$ 13,821	11,957	10,796	9,562	6,338
Percent of total debt to total debt and stockholders' equity (Machinery and Engines)	40 %	38 %	38 %	38 %	35 %

\* Includes pretax nonrecurring charges of \$153 (\$37 after tax, \$.28 per share) related to the sale of the Challenger<sup>®</sup> agricultural tractor line, plant closings and consolidations and costs for planned employment reductions.

(1) Represents Caterpillar Inc. and its subsidiaries with Financial Products accounted for on the equity basis.

Transactions between Machinery and Engines and Financial Products have been eliminated to arrive at consolidated data.

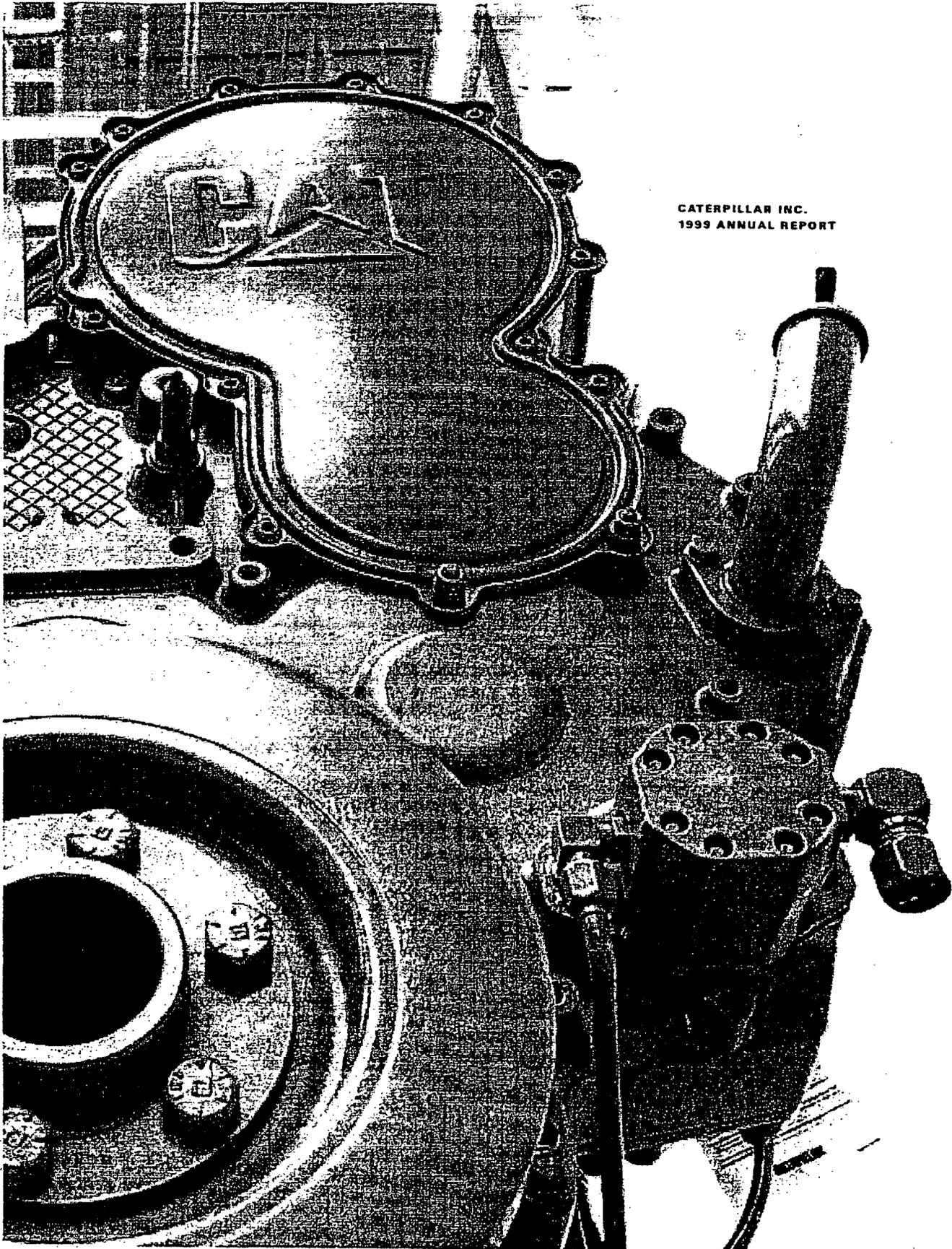


**CATERPILLAR®**

## FIVE-YEAR FINANCIAL SUMMARY

Years Ended December 31	2000	1999	1998	1997	1996
<i>(Dollars in millions except per share data)</i>					
Sales and revenues	<b>\$ 20,175</b>	\$ 19,702	\$ 20,977	\$ 18,925	\$ 16,522
Sales	<b>\$ 18,913</b>	\$ 18,559	\$ 19,972	\$ 18,110	\$ 15,814
Percent inside the United States	50%	50%	51%	49%	49%
Percent outside the United States	50%	50%	49%	51%	51%
Revenues	<b>\$ 1,262</b>	\$ 1,143	\$ 1,005	\$ 815	\$ 708
Profit	<b>\$ 1,053</b>	\$ 946	\$ 1,513	\$ 1,665	\$ 1,361
As a percent of sales and revenues	5.2%	4.8%	7.2%	8.8%	8.2%
Profit per share of common stock	<b>\$ 3.04</b>	\$ 2.66	\$ 4.17	\$ 4.44	\$ 3.54
Profit per share of common stock – assuming dilution	<b>\$ 3.02</b>	\$ 2.63	\$ 4.11	\$ 4.37	\$ 3.50
Dividends declared per share of common stock	<b>\$ 1.345</b>	\$ 1.275	\$ 1.150	\$ .950	\$ .775
Return on average common stock equity	<b>19.0%</b>	17.9%	30.9%	37.9%	36.3%
Capital expenditures:					
Property, plant and equipment	<b>\$ 723</b>	\$ 790	\$ 925	\$ 824	\$ 506
Equipment leased to others	<b>\$ 665</b>	\$ 490	\$ 344	\$ 282	\$ 265
Depreciation and amortization	<b>\$ 1,022</b>	\$ 945	\$ 865	\$ 738	\$ 696
Research and engineering expenses	<b>\$ 854</b>	\$ 814	\$ 838	\$ 700	\$ 570
As a percent of sales and revenues	4.2%	4.1%	4.0%	3.7%	3.4%
Wages, salaries and employee benefits	<b>\$ 4,029</b>	\$ 4,044	\$ 4,146	\$ 3,773	\$ 3,437
Average number of employees	<b>67,200</b>	66,225	64,441	58,366	54,968
<b>DECEMBER 31</b>					
Total assets:					
Consolidated	<b>28,464</b>	26,711	25,128	20,756	18,728
Machinery and Engines'	<b>16,554</b>	16,158	15,619	14,188	13,066
Financial Products	<b>14,618</b>	12,951	11,648	7,806	6,681
Long-term debt due after one year:					
Consolidated	<b>11,334</b>	9,928	9,404	6,942	5,087
Machinery and Engines'	<b>2,854</b>	3,099	2,993	2,367	2,018
Financial Products	<b>8,480</b>	6,829	6,411	4,575	3,069
Total debt:					
Consolidated	<b>15,067</b>	13,802	12,452	8,568	7,459
Machinery and Engines'	<b>3,427</b>	3,317	3,102	2,474	2,176
Financial Products	<b>11,957</b>	10,796	9,562	6,338	5,433
Percent of total debt to total debt and stockholders' equity (Machinery and Engines)	<b>38.0%</b>	37.8%	37.7%	34.6%	34.6%

*Represents Caterpillar Inc. and its subsidiaries except for Financial Products, which is accounted for on the equity basis.  
Transactions between Machinery and Engines and Financial Products have been eliminated to arrive at consolidated data.*

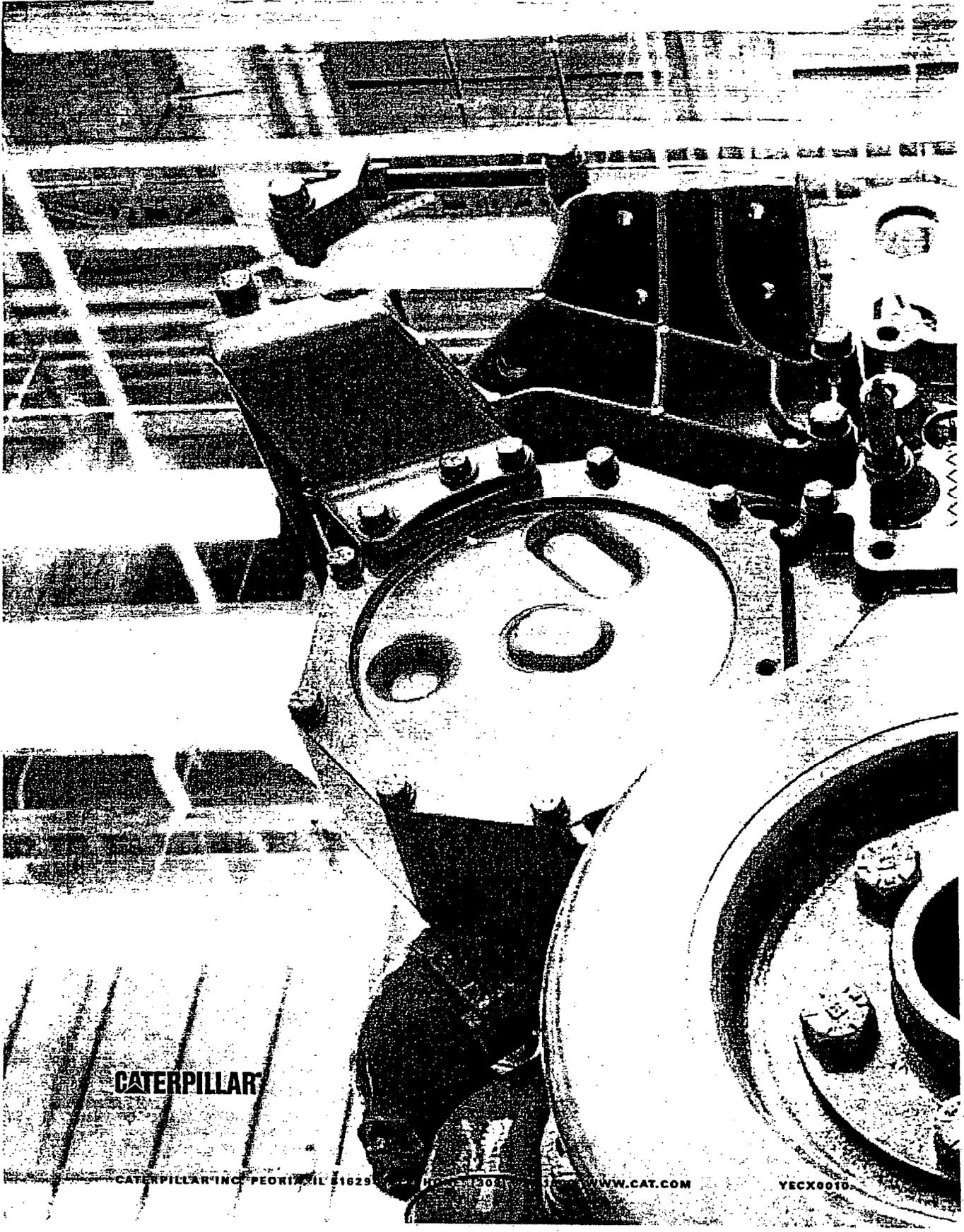


CATERPILLAR INC.  
1999 ANNUAL REPORT

# Five-Year Financial Summary

Years Ended December 31	1999	1998	1997	1996	1995
<i>(Dollars in millions except per share data)</i>					
Sales and revenues	\$ 18,782	20,977	18,925	16,522	16,072
Sales	\$ 18,559	19,972	18,110	15,814	15,451
Percent inside the United States	50%	51%	49%	49%	48%
Percent outside the United States	50%	49%	51%	51%	52%
Revenues	\$ 1,143	1,005	815	708	621
Profit	\$ 946	1,513	1,665	1,361	1,136
As a percent of sales and revenues	4.8%	7.2%	8.8%	8.2%	7.1%
Profit per share of common stock	\$ 2.66	4.17	4.44	3.54	2.86
Profit per share of common stock - assuming dilution	\$ 2.63	4.11	4.37	3.50	2.84
Dividends declared per share of common stock	\$ 1.275	1.15	.95	.78	.65
Return on average common stock equity	17.9%	30.9%	37.9%	36.3%	36.1%
Capital expenditures:					
Property, plant and equipment	\$ 790	925	824	506	464
Equipment leased to others	\$ 480	344	282	265	215
Depreciation and amortization	\$ 946	865	738	696	682
Research and engineering expenses	\$ 814	838	700	570	532
As a percent of sales and revenues	4.3%	4.0%	3.7%	3.4%	3.3%
Wages, salaries and employee benefits	4,044	4,146	3,773	3,437	2,919
Average number of employees	66,225	64,441	58,366	54,968	54,263
<b>DECEMBER 31</b>					
Total assets:					
Consolidated	\$ 26,635	25,128	20,756	18,728	16,830
Machinery and Engines <sup>1</sup>	\$ 16,082	15,619	14,188	13,066	12,375
Financial Products	\$ 12,951	11,648	7,806	6,681	5,712
Long-term debt due after one year:					
Consolidated	\$ 9,928	9,404	6,942	5,087	3,964
Machinery and Engines <sup>1</sup>	\$ 3,089	2,993	2,367	2,018	2,049
Financial Products	\$ 6,829	6,411	4,575	3,069	1,915
Total debt:					
Consolidated	\$ 13,802	12,452	8,568	7,459	6,400
Machinery and Engines <sup>1</sup>	\$ 3,317	3,102	2,474	2,176	2,219
Financial Products	\$ 10,796	9,562	6,338	5,433	4,657
Percent of total debt to total debt and stockholders' equity (Machinery and Engines)	37.8%	37.7%	34.6%	34.6%	39.6%

<sup>1</sup> Represents Caterpillar Inc. and its subsidiaries except for Financial Products, which is accounted for on the equity basis. Transactions between Machinery and Engines and Financial Products have been eliminated to arrive at the consolidated data.



**CATERPILLAR**

CATERPILLAR INC. PEORIA, ILL. 61629

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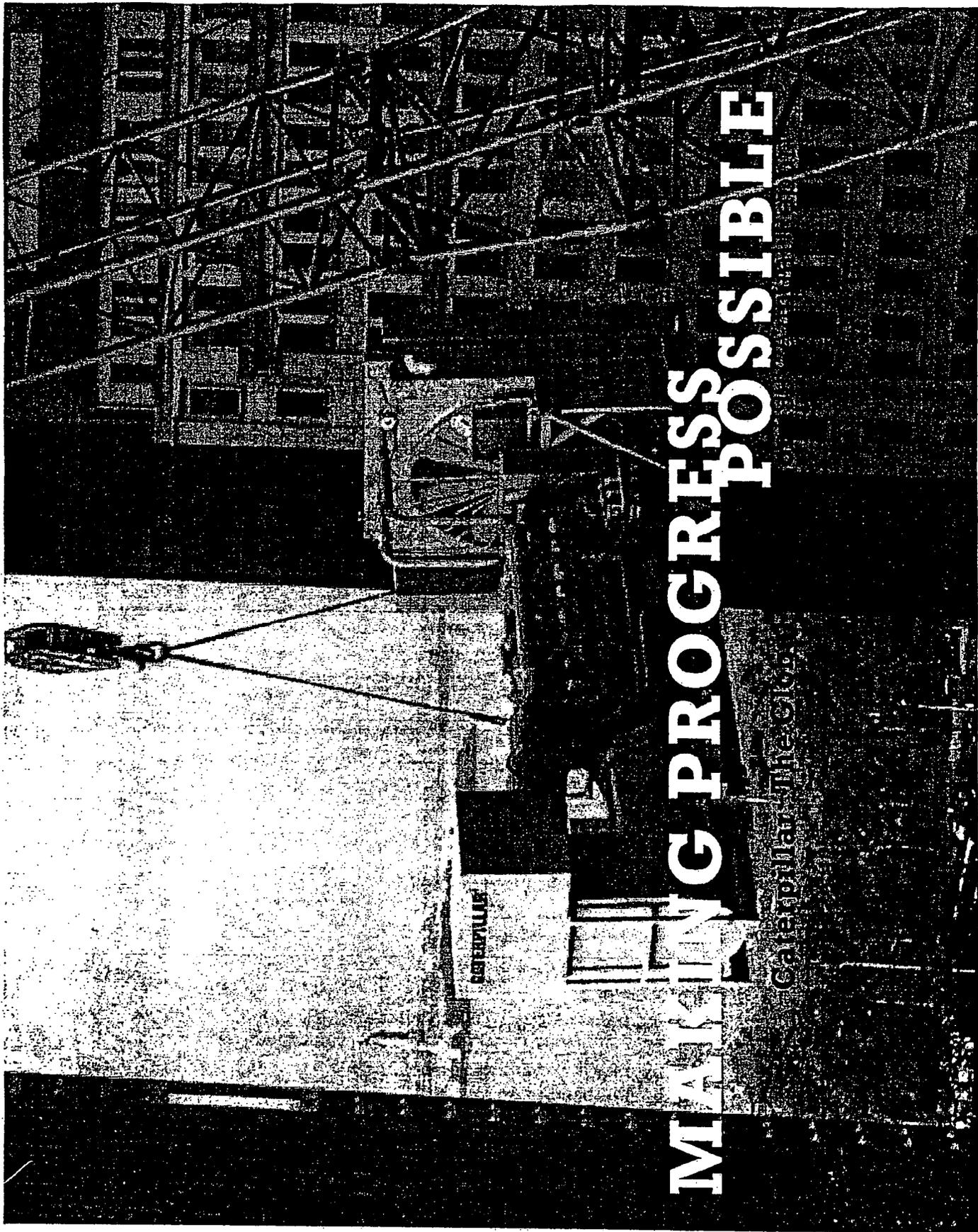
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# Five Year Financial Summary

	1998	1997	1996	1995	1994
Sales	\$ 20,977	\$ 19,872	\$ 18,110	\$ 17,111	\$ 16,111
Operating income	\$ 1,005	\$ 1,513	\$ 1,665	\$ 1,708	\$ 1,811
Profit	\$ 4.17	\$ 4.11	\$ 4.11	\$ 4.11	\$ 4.11
Return on average common stock	30.9%	30.9%	30.9%	30.9%	30.9%
Capital expenditures	\$ 925	\$ 344	\$ 865	\$ 838	\$ 4.0%
Property, plant and equipment	\$ 64,441	\$ 25,128	\$ 15,619	\$ 11,648	\$ 9,404
Equipment leased to others	\$ 344	\$ 15,619	\$ 11,648	\$ 9,404	\$ 2,993
Depreciation and amortization	\$ 865	\$ 838	\$ 4.0%	\$ 4.146	\$ 64,441
Research and engineering expenses	\$ 4.146	\$ 64,441	\$ 25,128	\$ 15,619	\$ 11,648
As a percent of sales and revenues	19.8%	32.1%	16.6%	24.2%	27.7%
Average number of employees	128	128	128	128	128
DECEMBER 31					
Total assets:					
Consolidated	\$ 25,128	\$ 15,619	\$ 11,648	\$ 9,404	\$ 2,993
Machinery and Engines	\$ 15,619	\$ 11,648	\$ 9,404	\$ 2,993	\$ 1,648
Financial Products	\$ 11,648	\$ 9,404	\$ 2,993	\$ 1,648	\$ 1,315
Long term debt due after one year:	\$ 9,404	\$ 2,993	\$ 1,648	\$ 1,315	\$ 1,005
Consolidated:	\$ 2,993	\$ 1,648	\$ 1,315	\$ 1,005	\$ 700
Machinery and Engines	\$ 1,648	\$ 1,315	\$ 1,005	\$ 700	\$ 500
Financial Products	\$ 1,315	\$ 1,005	\$ 700	\$ 500	\$ 200
Total debt	\$ 1,005	\$ 700	\$ 500	\$ 200	\$ 100
Consolidated:	\$ 700	\$ 500	\$ 200	\$ 100	\$ 50
Machinery and Engines	\$ 500	\$ 200	\$ 100	\$ 50	\$ 25
Financial Products	\$ 200	\$ 100	\$ 50	\$ 25	\$ 12.5
Percent of total debt to total debt and stockholders	37.7%	37.7%	37.7%	37.7%	37.7%
Equity (Machinery and Engines)	\$ 1,315	\$ 1,005	\$ 700	\$ 500	\$ 200
Consolidated	\$ 1,005	\$ 700	\$ 500	\$ 200	\$ 100
Machinery and Engines	\$ 700	\$ 500	\$ 200	\$ 100	\$ 50
Financial Products	\$ 305	\$ 200	\$ 100	\$ 50	\$ 25

Percent of total debt to total debt and stockholders is calculated based on the consolidated balance sheet as of December 31, 1998. The balance sheet as of December 31, 1998 is a subsidiary account for Financial Products, which is accounted for under the equity method of accounting. The balance sheet as of December 31, 1998 is a subsidiary account for Machinery and Engines and Financial Products, which is accounted for under the equity method of accounting. The balance sheet as of December 31, 1998 is a subsidiary account for Financial Products, which is accounted for under the equity method of accounting. The balance sheet as of December 31, 1998 is a subsidiary account for Machinery and Engines and Financial Products, which is accounted for under the equity method of accounting.

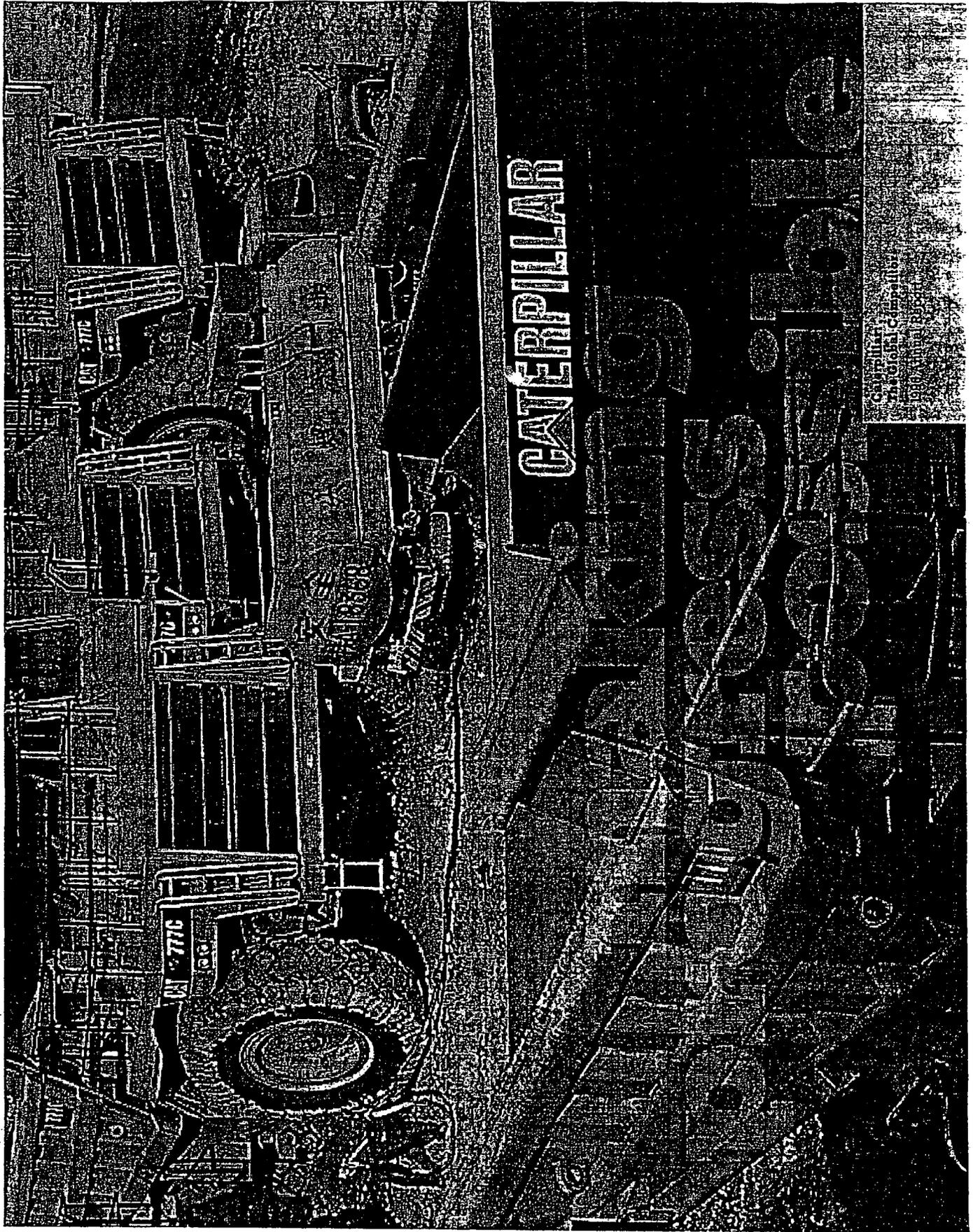


# MAKING PROGRESS POSSIBLE

Carrollton, The City

# Five-Year Financial Summary

YEARS ENDED DECEMBER 31	1987	1988	1989	1990	1991	1992
(Dollars in millions except per share data)						
<b>Sales and revenues</b>						
Sales	18,225	16,072	15,451	16,522	14,328	11,615
Percent inside the United States	49%	48%	48%	4%	51%	51%
Percent outside the United States	51%	52%	52%	51%	49%	49%
<b>Revenues</b>						
Profit	815	621	652	708	465	380
As a percent of sales and revenues	4.5%	3.8%	4.1%	4.2%	3.2%	3.3%
Profit per share of common stock	1.37	1.01	1.07	1.16	0.74	0.56
Profit per share of common stock - assuming dilution	1.37	1.01	1.07	1.16	0.74	0.56
Dividends declared per share of common stock	.95	.65	.32	.78	.32	.15
Return on average common stock equity	37.9%	36.1%	36.3%	36.3%	37.4%	34.6%
<b>Capital expenditures:</b>						
Property, plant and equipment	824	464	501	506	501	417
Equipment leased to others	282	215	193	265	193	215
Depreciation and amortization	738	682	683	696	683	668
Research and engineering expenses	700	532	435	570	435	455
As a percent of sales and revenues	3.7%	3.3%	3.3%	3.4%	3.0%	3.9%
Wages, salaries and employee benefits	3,773	2,919	3,146	3,437	3,146	3,038
Average number of employees	58,366	54,263	54,263	54,968	52,778	50,443
<b>DECEMBER 31</b>						
Total assets:						
Machinery and Engines	13,001	11,238	11,582	12,156	11,582	11,131
Financial Products	7,755	5,592	4,668	6,572	4,668	3,676
Long-term debt due after one year:						
Machinery and Engines	2,367	2,049	1,915	2,018	1,934	2,030
Financial Products	4,575	1,915	2,037	3,069	2,336	1,865
Total debt:						
Machinery and Engines	2,474	2,219	2,037	2,176	2,037	2,387
Financial Products	6,094	4,181	3,866	5,283	3,866	3,041
Percent of total debt to total debt and stockholders' equity (excluding Financial Products)	34.6%	39.6%	34.6%	34.6%	41.2%	52.1%



CATERPILLAR

Caterpillar Corporation  
1988

# Eleven-Year Financial Summary

Years Ended December 31  
(Dollars in millions except per share data)

	1986	1988	1994
Sales and revenues	\$ 16,522	16,072	14,328
Sales	\$ 15,814	15,451	13,863
Percent inside the United States	49%	48%	51%
Percent outside the United States	51%	52%	49%
Revenues	\$ 708	621	465
Profit (loss)	\$ 1,361	1,136	955
As a percent of sales and revenues*	8.2%	7.1%	6.7%
Profit (loss) per share of common stock <sup>1</sup>	\$ 7.07	5.72	4.70
Dividends declared per share of common stock	\$ 1.55	1.30	.63
Return on average common stock equity	36.3%	36.1%	37.4%
Capital expenditures:			
Land, buildings, machinery, and equipment	\$ 506	464	501
Equipment leased to others	\$ 265	215	193
Depreciation and amortization	\$ 696	682	683
Research and engineering expenses	\$ 570	532	435
As a percent of sales and revenues	3.4%	3.3%	3.0%
Provision (credit) for income taxes	\$ 613	501	354
Wages, salaries, and employee benefits	\$ 3,437	2,919	3,146
Average number of employees	54,968	54,263	52,778
<b>December 31</b>			
Total receivables:			
Trade and other	\$ 3,084	2,657	3,096
Finance	\$ 5,646	4,820	3,988
Inventories	\$ 2,222	1,921	1,835
Total assets:			
Machinery and Engines	\$ 12,156	11,238	11,582
Financial Products	\$ 6,572	5,592	4,668
Long-term debt due after one year:			
Machinery and Engines	\$ 2,018	2,049	1,934
Financial Products	\$ 2,514	1,915	2,336
Total debt:			
Machinery and Engines	\$ 2,176	2,219	2,037
Financial Products	\$ 5,283	4,181	3,866
Ratios - excluding Financial Products:			
Ratio of current assets to current liabilities	1.68 to 1	1.78 to 1	1.62 to 1
Percent of total debt to total debt and stockholders' equity	34.6%	39.6%	41.2%

<sup>1</sup>1992 loss is after effects of accounting changes; loss before effects of accounting changes was \$218 million, 2.1% as a percent of sales and revenues, and \$1.08 per share of common stock.



**Caterpillar - The Global Competitor**  
**1995 Annual Report**

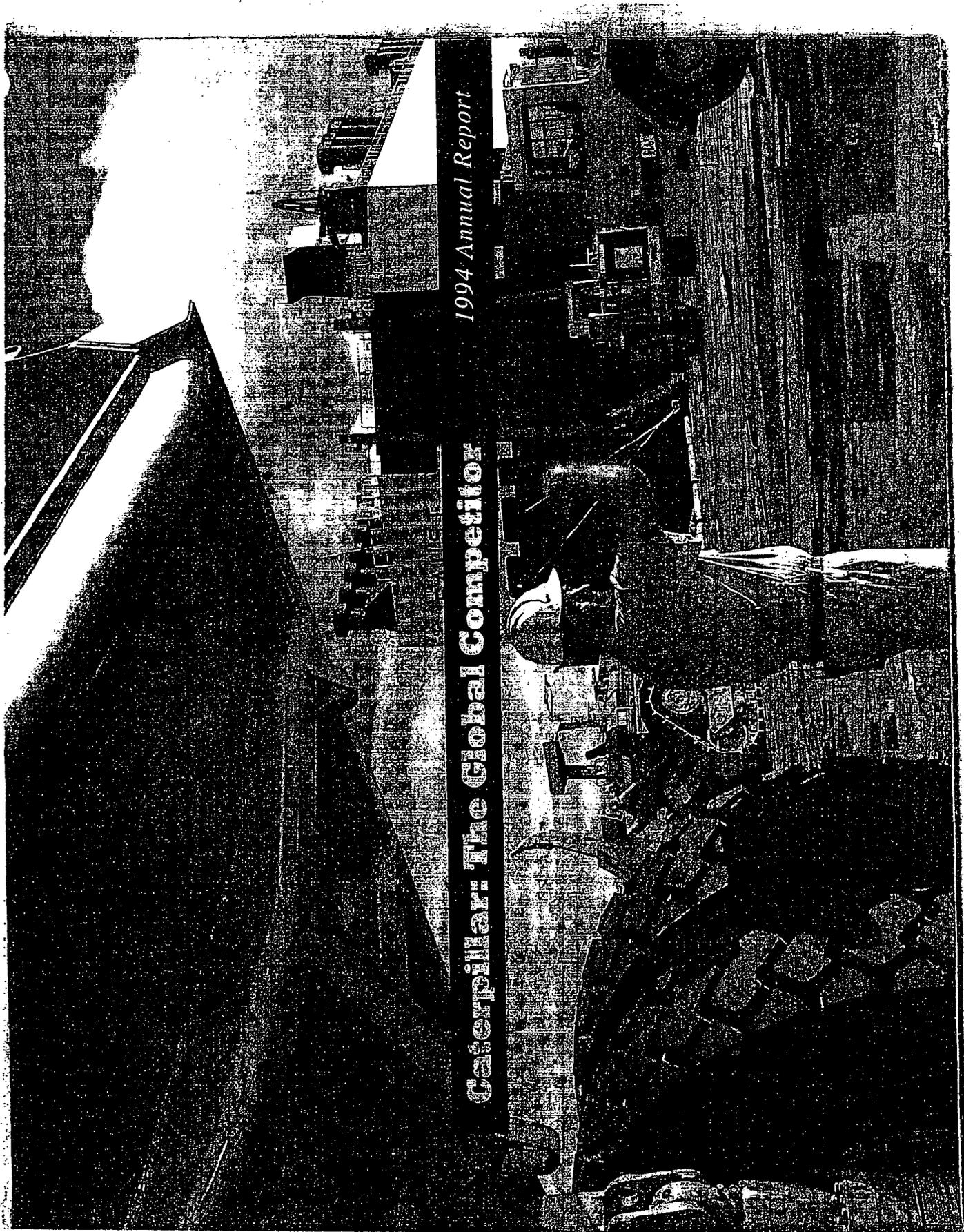
**Making progress possible.**

# Eleven-Year Financial Summary

## Years Ended December 31 (Dollars in millions except per share data)

	1995	1994	1993
Sales and revenues	\$ 16,072	14,328	11,615
Sales	\$ 15,451	13,863	11,235
Percent inside the United States	48%	51%	51%
Percent outside the United States	52%	49%	49%
Revenues	\$ 621	465	380
Profit (loss) <sup>(1)</sup>	\$ 1,136	955	652
As a percent of sales and revenues <sup>(1)</sup>	7.1%	6.7%	5.6%
Profit (loss) per share of common stock <sup>(1)</sup>	\$ 5.72	4.70	3.21
Dividends declared per share of common stock	\$ 1.30	.63	.30
Return on average common stock equity	36.1%	37.4%	34.6%
Capital expenditures:			
Land, buildings, machinery, and equipment	\$ 464	501	417
Equipment leased to others	\$ 215	193	215
Depreciation and amortization	\$ 682	684	668
Research and engineering expenses	\$ 532	435	455
As a percent of sales and revenues	3.3%	3.0%	3.9%
Provision (credit) for income taxes	\$ 501	354	42
Wages, salaries, and employee benefits	\$ 2,919	3,146	3,038
Average number of employees	54,263	52,778	50,443
<b>December 31</b>			
Total receivables:	\$ 2,657	3,096	2,769
Trade and other	\$ 4,820	3,988	3,140
Finance	\$ 1,921	1,835	1,525
Inventories	\$ 11,238	11,582	11,131
Total assets:	\$ 5,592	4,668	3,676
Machinery and Engines	\$ 2,049	1,934	2,030
Financial Products	\$ 1,915	2,336	1,865
Long-term debt due after one year:	\$ 2,219	2,037	2,387
Machinery and Engines	\$ 4,181	3,866	3,041
Financial Products	\$ 1,78 to 1	1.62 to 1	1.53 to 1
Total debt:	\$ 39.6%	41.2%	52.1%
Machinery and Engines			
Financial Products			
Ratios - excluding Financial Products:			
Ratio of current assets to current liabilities			
Percent of total debt to total debt and stockholders' equity			

<sup>(1)</sup>1992 loss is after effects of accounting changes; loss before effects of accounting changes was \$218 million, 2.1% as a percent of sales and revenues, and \$1.08 per share of common stock.



*1994 Annual Report*

**Caterpillar: The Global Competitor**

# ELECTRIC POWER FINANCIAL SUMMARY

## Years Ended December 31

(Dollars in millions except per share data)

	1993	1992
Sales and revenues	11,615	10,194
Sales	11,235	9,840
Percent inside the United States	51%	45%
Percent outside the United States	49%	55%
Revenues	380	354
Profit (loss) <sup>(1)</sup>	652	(2,435)
As a percent of sales and revenues <sup>(1)</sup>	5.6%	(23.9%)
Profit (loss) per share of common stock <sup>(1)</sup>	3.21	(12.06)
Dividends declared per share of common stock	.30	.30
Return on average common stock equity	34.6%	(86.7%)
Capital expenditures:		
Land, buildings, machinery, and equipment	417	515
Equipment leased to others	215	125
Depreciation and amortization	668	654
Research and engineering expenses	455	446
As a percent of sales and revenues	3.9%	4.4%
Provision (credit) for income taxes	42	(114)
Wages, salaries, and employee benefits	3,038	2,795
Average number of employees	50,443	52,340
<b>December 31</b>		
Total receivables:		
Trade and other	2,769	2,330
Finance	3,140	2,525
Inventories	1,525	1,675
Total assets:		
Machinery and Engines	11,131	10,979
Financial Products	3,676	2,956
Long-term debt due after one year:		
Machinery and Engines	2,030	2,753
Financial Products	1,865	1,366
Total debt:		
Machinery and Engines	2,387	3,271
Financial Products	3,041	2,401
Ratios - excluding Financial Products:		
Ratio of current assets to current liabilities	1.53 to 1	1.57 to 1
Percent of total debt to total debt and stockholders' equity	52.1%	67.5%

(1) 1992 loss is after effects of accounting changes; loss before effects of accounting changes was \$218 million, 2.1% as a percent of sales and revenues, and \$1.08 per share of common stock.

**Caterpillar Inc. 1993 Annual Report**



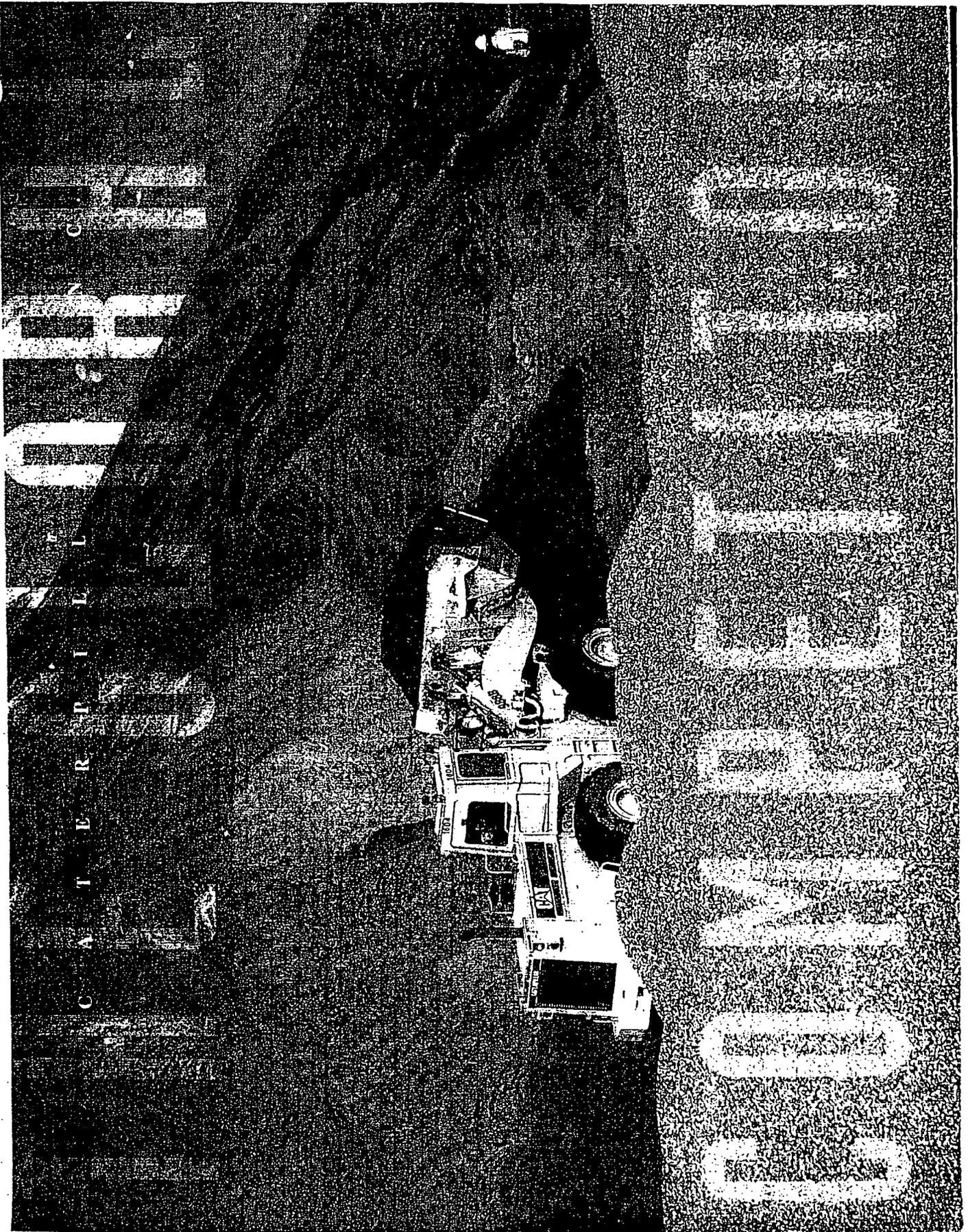
# eleven-year financial summary

## Years Ended December 31

(Dollars in millions except per share data)

	1992	1991
Sales and revenues	10,194	10,182
Sales	9,840	9,838
Percent inside the United States	45%	41%
Percent outside the United States	55%	59%
Revenues	354	344
Profit (loss) <sup>(1)</sup>	(2,435)	(404)
As a percent of sales and revenues <sup>(1)</sup>	(23.9%)	(4.0%)
Profit (loss) per share of common stock <sup>(1)</sup>	(24.12)	(4.00)
Dividends declared per share of common stock	.60	1.05
Return on average common stock equity	(86.7%)	(9.4%)
Capital expenditures:		
Land, buildings, machinery, and equipment	515	653
Equipment leased to others	125	121
Depreciation and amortization	654	602
Research and engineering expenses	446	441
As a percent of sales and revenues	4.4%	4.3%
Provision (credit) for income taxes	(114)	(152)
Wages, salaries, and employee benefits	2,795	3,051
Average number of employees	52,340	55,950
<b>December 31</b>		
Total receivables:		
Trade and other	2,330	2,133
Finance	2,525	2,145
Inventories	1,675	1,921
Total assets:		
Machinery and Engines	10,979	9,346
Financial Products	2,956	2,696
Long-term debt due after one year:		
Machinery and Engines	2,753	2,676
Financial Products	1,366	1,216
Total debt:		
Machinery and Engines	3,271	3,136
Financial Products	2,401	2,111
Ratios - excluding Financial Products:		
Ratio of current assets to current liabilities	1.57 to 1	1.74 to 1
Percent of total debt to total debt and stockholders' equity	67.5%	43.7%

(1) 1992 loss is after effects of accounting changes (note 2); loss before effects of accounting changes was \$2.18 million, 2.1% as a percent of sales and revenues, and \$2.16 per share of common stock.



ELEVEN-YEAR FINANCIAL SUMMARY

YEARS ENDED DECEMBER 31  
*(Dollars in millions except per share data)*

	1992	1991	1990	1989	1988
Sales and revenues	\$ 10,194	10,182	11,436	11,126	10,435
Sales	\$ 9,840	9,838	11,103	10,882	10,255
Percent inside the United States	45%	41%	45%	47%	50%
Percent outside the United States	55%	59%	55%	53%	50%
Revenues	\$ 354	344	333	244	180
Profit (loss) <sup>(1)</sup>	\$ (2,435)	(404)	210	497	616
As a percent of sales and revenues <sup>(1)</sup>	(23.9%)	(4.0%)	1.8%	4.5%	5.9%
Profit (loss) per share of common stock <sup>(1)</sup>	\$ (24.12)	(4.00)	2.07	4.90	6.07
Dividends declared per share of common stock	\$ .60	1.05	1.20	1.20	.86
Return on average common stock equity	(86.7%)	(9.4%)	4.7%	11.6%	16.0%
Capital expenditures:					
Land, buildings, machinery, and equipment	\$ 515	653	926	984	732
Equipment leased to others	\$ 125	121	113	105	61
Depreciation and amortization	\$ 654	602	533	471	434
Research and engineering expenses	\$ 446	441	420	387	334
As a percent of sales and revenues	4.4%	4.3%	3.7%	3.5%	3.2%
Provision (credit) for income taxes	(114)	(152)	78	162	262
Wages, salaries, and employee benefits	\$ 2,795	3,051	3,032	2,888	2,643
Average number of employees	52,340	55,950	59,662	60,784	57,954
DECEMBER 31					
Total receivables:	\$ 2,330	2,133	2,361	2,353	2,349
Trade and other	\$ 2,525	2,145	1,891	1,498	1,222
Finance	\$ 1,675	1,921	2,105	2,120	1,986
Inventories	\$ 10,979	9,346	9,626	9,100	8,226
Total assets:	\$ 2,956	2,696	2,325	1,826	1,460
Machinery and Engines	\$ 2,753	2,676	2,101	1,797	1,428
Financial Products	\$ 1,366	1,216	789	491	525
Long-term debt due after one year:	\$ 3,271	3,136	2,873	2,561	2,116
Machinery and Engines	\$ 2,401	2,111	1,848	1,433	1,144
Financial Products					
Total debt:					
Machinery and Engines					
Financial Products					
Ratios - excluding Financial Products:					
Ratio of current assets to current liabilities	1.57 to 1	1.74 to 1	1.67 to 1	1.78 to 1	1.76 to 1
Percent of total debt to total debt and stockholders' equity	67.5%	43.7%	38.8%	36.4%	34.0%

(1) 1992 loss is after effects of accounting changes (note 2); loss before effects of accounting changes was \$216 million, 2.1% as a percent of sales and revenues, and \$2.16 per share of common stock.

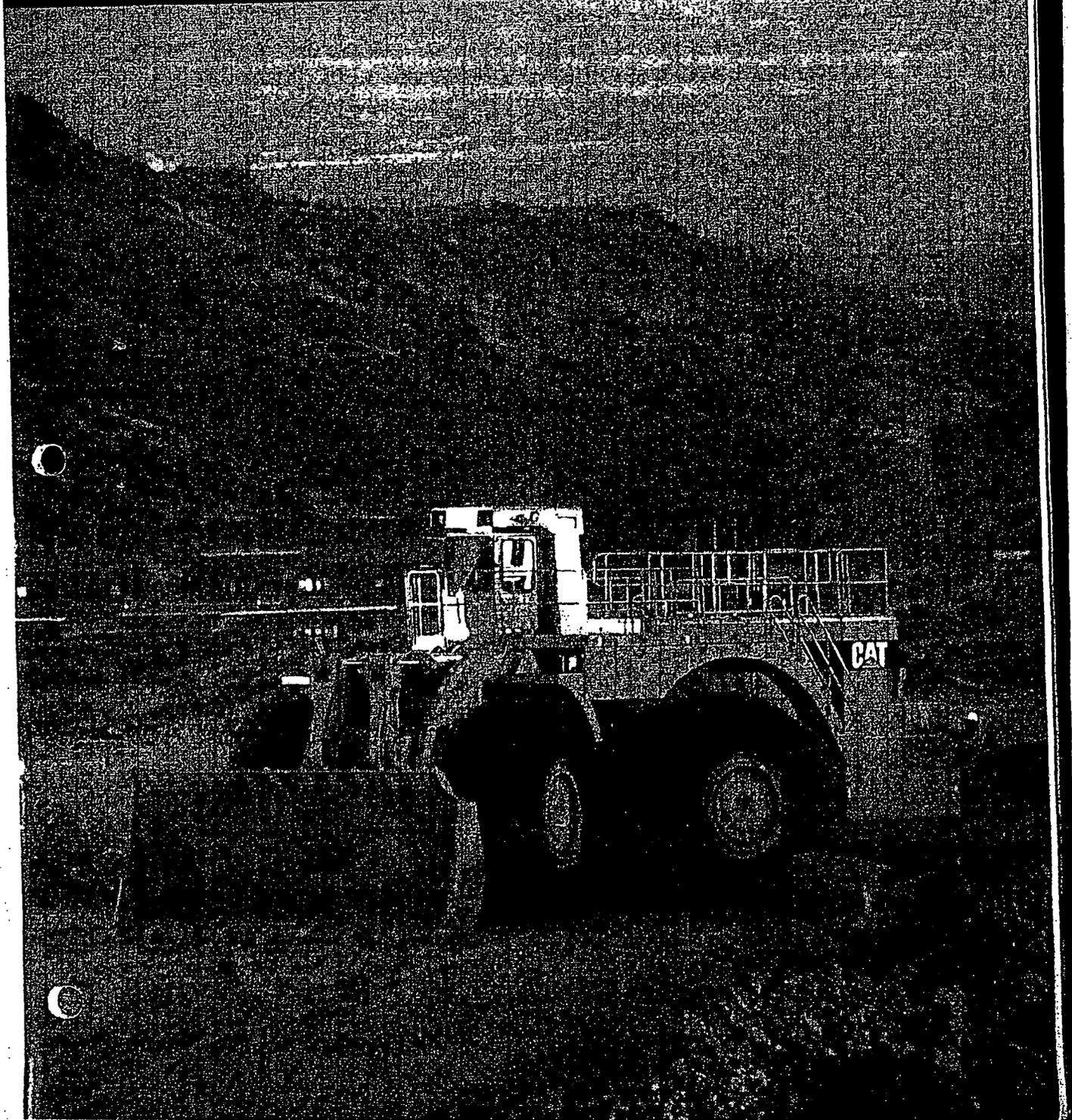
CATERPILLAR INC. ANNUAL REPORT 1991



## ELEVEN-YEAR FINANCIAL SUMMARY

Years Ended December 31  
(Dollars in millions except per share data)

	1991	1990	1989
Sales and revenues .....	\$ 10,182	11,436	11,126
Sales .....	\$ 9,838	11,103	10,882
Percent inside the United States .....	41%	45%	47%
Percent outside the United States .....	59%	55%	53%
Revenues .....	\$ 344	333	244
Profit (loss) .....	\$ (404)	210	497
As a percent of sales and revenues .....	(4.0%)	1.8%	4.5%
Profit (loss) per share of common stock .....	\$ (4.00)	2.07	4.90
Dividends declared per share of common stock .....	\$ 1.05	1.20	1.20
Return on average common stock equity .....	(9.4%)	4.7%	11.6%
Capital expenditures:			
Land, buildings, machinery, and equipment .....	\$ 653	926	984
Equipment leased to others .....	\$ 121	113	105
Depreciation and amortization .....	\$ 602	533	471
Research and engineering expenses .....	\$ 441	420	387
As a percent of sales and revenues .....	4.3%	3.7%	3.5%
Provision (credit) for income taxes .....	\$ (152)	78	162
Wages, salaries, and employee benefits .....	\$ 3,051	3,032	2,888
Average number of employees .....	55,950	59,662	60,784
December 31			
Total receivables:			
Trade and other .....	\$ 2,133	2,361	2,353
Finance .....	\$ 2,145	1,891	1,498
Inventories .....	\$ 1,921	2,105	2,120
Total assets:			
Machinery and Engines .....	\$ 9,346	9,626	9,100
Financial Products .....	\$ 2,696	2,325	1,826
Long-term debt due after one year:			
Machinery and Engines .....	\$ 2,676	2,101	1,797
Financial Products .....	\$ 1,216	789	491
Total debt:			
Machinery and Engines .....	\$ 3,136	2,873	2,561
Financial Products .....	\$ 2,111	1,848	1,433
Ratios — excluding Financial Products:			
Ratio of current assets to current liabilities .....	1.74 to 1	1.67 to 1	1.78 to 1
Percent of total debt to total debt and stockholders' equity ..	43.7%	38.8%	36.4%

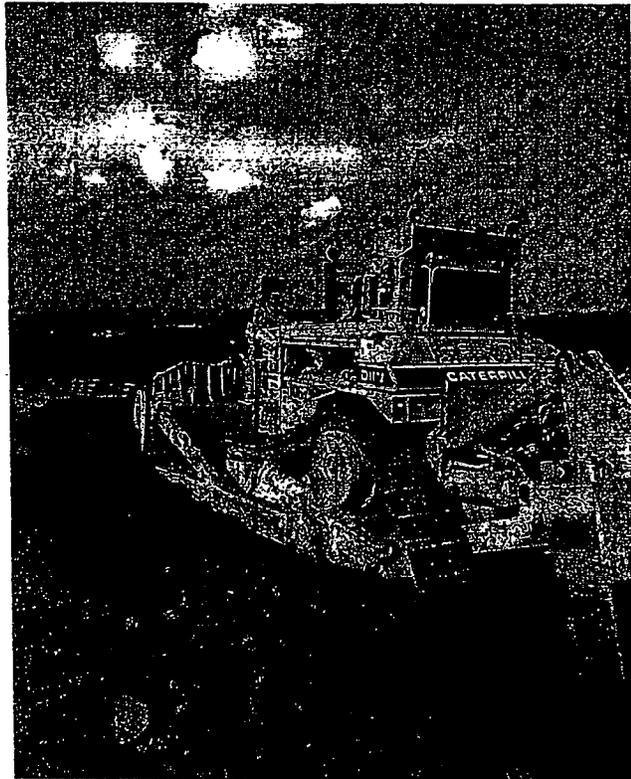


## Eleven-year Financial Summary

Years Ended December 31 (Dollars in millions except per share data)	1990	1989	1988
Sales and revenues .....	\$ 11,436	11,126	10,435
Sales .....	\$ 11,103	10,882	10,255
Percent inside the United States .....	45%	47%	50%
Percent outside the United States .....	55%	53%	50%
Profit (loss) .....	\$ 210	497	616
As a percent of sales and revenues .....	1.8%	4.5%	5.9%
Profit (loss) per share of common stock .....	\$ 2.07	4.90	6.07
Dividends paid per share of common stock .....	\$ 1.20	1.20	.75
Return on average common stock equity .....	4.7%	11.6%	16.0%
Capital expenditures:			
Land, buildings, machinery, and equipment .....	\$ 926	984	732
Equipment leased to others .....	\$ 113	105	61
Depreciation and amortization .....	\$ 533	471	434
Research and engineering expenses .....	\$ 420	387	334
As percent of sales and revenues .....	3.7%	3.5%	3.2%
Provision (credit) for income taxes .....	\$ 78	162	262
Wages, salaries, and employee benefits .....	\$ 3,032	2,888	2,643
Average number of employees .....	59,662	60,784	57,954
December 31 (Dollars in millions)	1990	1989	1988
Total receivables:			
Excluding financial subsidiaries .....	\$ 2,329	2,328	2,325
Financial subsidiaries .....	\$ 1,923	1,523	1,246
Inventories .....	\$ 2,105	2,120	1,986
Total assets:			
Excluding financial subsidiaries .....	\$ 9,626	9,100	8,226
Financial subsidiaries .....	\$ 2,325	1,826	1,460
Long-term debt due after one year:			
Excluding financial subsidiaries .....	\$ 2,101	1,797	1,428
Financial subsidiaries .....	\$ 789	491	525
Total debt:			
Excluding financial subsidiaries .....	\$ 2,873	2,561	2,116
Financial subsidiaries .....	\$ 1,848	1,433	1,144
Ratios — excluding financial subsidiaries:			
Ratio of current assets to current liabilities .....	1.67 to 1	1.78 to 1	1.76 to 1
Percent of total debt to total debt and ownership .....	38.8%	36.4%	34.0%

Caterpillar Inc.

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**1989  
Annual  
Report**

## Eleven-year Financial Summary

Years Ended December 31 (Dollars in millions except per share data)	1989	1988	1987	1986
Sales and revenues .....	\$ 11,126	10,435	8,294	7,380
Sales .....	\$ 10,882	10,255	8,180	7,321
Percent inside the U.S. ....	47%	50%	52%	54%
Percent outside the U.S. ....	53%	50%	48%	46%
Profit (loss) .....	\$ 497	616	350	76
As a percent of sales and revenues .....	4.5%	5.9%	4.2%	1.0%
Profit (loss) per share of common stock .....	\$ 4.90	6.07	3.51	.77
Dividends paid per share of common stock .....	\$ 1.20	.75	.50	.50
Return on average common stock equity .....	11.6%	16.0%	10.4%	2.4%
Capital expenditures:				
Land, buildings, machinery, and equipment .....	\$ 984	732	463	290
Equipment leased to others .....	\$ 105	61	30	41
Depreciation and amortization .....	\$ 471	434	425	453
Research and engineering expenses .....	\$ 387	334	298	308
As percent of sales and revenues .....	3.5%	3.2%	3.6%	4.2%
Provision (credit) for income taxes .....	\$ 162	262	118	21
Wages, salaries, and employee benefits .....	\$ 2,888	2,643	2,284	2,184
Average number of employees .....	60,784	57,954	53,770	54,024
December 31 (Dollars in millions)	1989	1988	1987	1986
Total receivables:				
Excluding financial subsidiaries .....	\$ 2,328	2,325	2,033	1,753
Financial subsidiaries .....	\$ 1,523	1,246	806	468
Inventories .....	\$ 2,120	1,986	1,323	1,211
Total assets:				
Excluding financial subsidiaries .....	\$ 9,100	8,226	6,647	6,134
Financial subsidiaries .....	\$ 1,826	1,460	984	627
Long-term debt due after one year:				
Excluding financial subsidiaries .....	\$ 1,797	1,428	900	963
Financial subsidiaries .....	\$ 491	525	387	171
Total debt:				
Excluding financial subsidiaries .....	\$ 2,561	2,116	1,484	1,582
Financial subsidiaries .....	\$ 1,433	1,144	712	370
Ratios — excluding financial subsidiaries:				
Ratio of current assets to current liabilities .....	1.78 to 1	1.76 to 1	1.55 to 1	1.50 to 1
Percent of total debt to total debt and ownership .....	36.4%	34.0%	29.4%	33.4%



**CATERPILLAR INC.**  
**1988**  
**ANNUAL REPORT**

Change for the future . . .

## ELEVEN-YEAR FINANCIAL SUMMARY

Years ended December 31

(Dollar amounts in millions except per share data)	1988	1987	1986	1985
Sales and revenues .....	\$ 10,435	8,294	7,380	6,760
Sales .....	\$ 10,255	8,180	7,321	6,725
Percent inside the U.S. ....	50%	52%	54%	56%
Percent outside the U.S. ....	50%	48%	46%	44%
Profit (loss) .....	\$ 616	350	76	198
As a percent of sales and revenues .....	5.9%	4.2%	1.0%	2.9%
Profit (loss) per share of common stock .....	\$ 6.07	3.51	.77	2.02
Dividends paid per share of common stock .....	\$ .75	.50	.50	.50
Return on average common stock equity .....	16.0%	10.4%	2.4%	6.7%
Capital expenditures .....	\$ 793	493	331	283
Depreciation and amortization .....	\$ 434	425	453	485
Research and engineering expenses .....	\$ 334	298	308	326
As percent of sales and revenues .....	3.2%	3.6%	4.2%	4.8%
Provision (credit) for income taxes .....	\$ 262	118	21	25
Wages, salaries, and employee benefits .....	\$ 2,643	2,284	2,184	2,173
Average number of employees .....	57,954	53,770	54,024	55,815
<b>December 31</b>				
(Dollar amounts in millions)	1988	1987	1986	1985
Total receivables:				
Excluding financial subsidiaries .....	\$ 2,325	2,033	1,753	1,296
Financial subsidiaries .....	\$ 1,246	806	468	117
Inventories .....	\$ 1,986	1,323	1,211	1,139
Total assets:				
Excluding financial subsidiaries .....	\$ 8,226	6,647	6,134	5,951
Financial subsidiaries .....	\$ 1,460	984	627	235
Long-term debt due after one year:				
Excluding financial subsidiaries .....	\$ 1,428	900	963	1,177
Financial subsidiaries .....	\$ 525	387	171	87
Total debt:				
Excluding financial subsidiaries .....	\$ 2,116	1,484	1,582	1,404
Financial subsidiaries .....	\$ 1,144	712	370	130
Ratios — excluding financial subsidiaries:				
Ratio of current assets to current liabilities .....	1.76 to 1	1.55 to 1	1.50 to 1	1.69 to 1
Percent of total debt to total debt and ownership .....	34.0%	29.4%	33.4%	31.4%

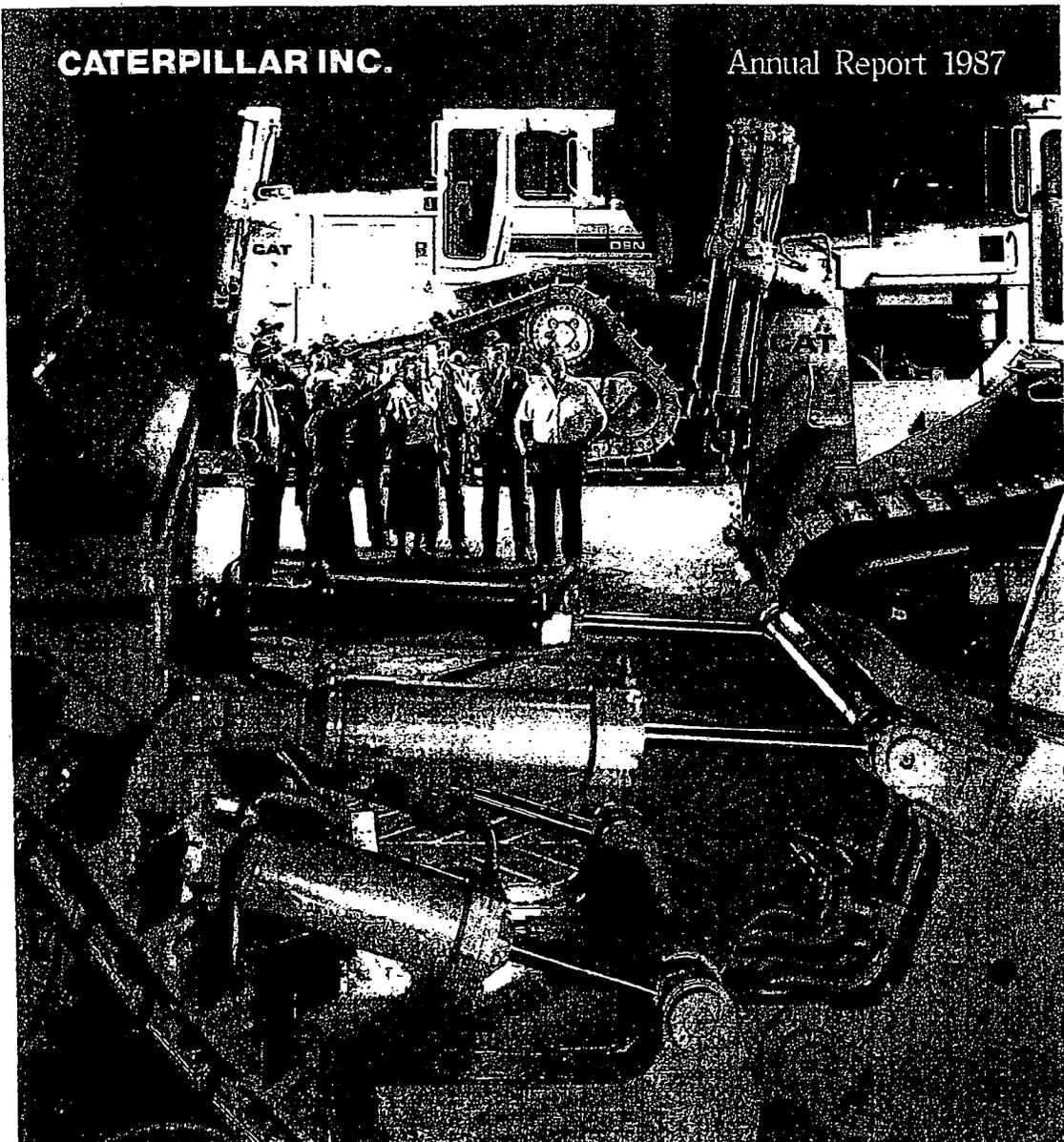
Financial data have been restated as required by SFAS 94, "Consolidation of All Majority-owned Subsidiaries." See note 1A for the basis of consolidation.

1984	1983	1982	1981	1980	1979	1978
6,597	5,429	6,472	9,160	8,603	7,618	7,222
6,576	5,424	6,469	9,154	8,598	7,613	7,219
58%	54%	43%	43%	43%	46%	52%
42%	46%	57%	57%	57%	54%	48%
(428)	(345)	(180)	579	565	492	566
(6.5%)	(6.4%)	(2.8%)	6.3%	6.6%	6.5%	7.8%
(4.47)	(3.74)	(2.04)	6.64	6.53	5.69	6.56
1.25	1.50	2.40	2.40	2.33	2.10	1.88
(13.8%)	(10.1%)	(4.9%)	15.9%	17.4%	16.9%	22.2%
257	327	535	836	749	676	543
497	507	505	448	370	312	257
345	340	376	363	326	283	256
5.2%	6.3%	5.8%	4.0%	3.8%	3.7%	3.5%
(115)	(264)	(303)	225	232	234	397
2,426	2,142	2,474	2,912	2,695	2,263	2,159
61,189	58,402	73,249	83,455	86,350	89,266	84,004

1984	1983	1982	1981	1980	1979	1978
1,133	1,451	965	992	910	687	749
66	74	64	50	66	71	46
1,246	1,193	1,801	2,214	1,750	1,670	1,522
6,084	6,849	7,153	7,233	6,045	5,383	5,000
169	96	68	50	66	71	47
1,384	1,894	2,389	961	932	952	1,018
4	5	—	—	—	—	—
1,861	2,247	2,612	1,808	1,378	1,415	1,165
26	7	1	—	—	—	—
1.43 to 1	2.07 to 1	2.81 to 1	1.47 to 1	1.67 to 1	1.86 to 1	2.07 to 1
39.5%	40.2%	42.8%	31.9%	28.6%	31.6%	29.7%

CATERPILLAR INC.

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**NOTES** *continued*

(Dollar amounts in millions except those stated on a per share basis)

**18. Selected quarterly financial data (unaudited)**

Financial data for interim periods were as follows:

	1987 Quarter				1986 Quarter			
	4th	3rd	2nd	1st	4th	3rd	2nd	1st
Sales	\$2,241	\$2,250	\$2,042	\$1,647	\$1,775	\$1,822	\$1,989	\$1,735
Gross margin	496	481	423	257	283	254	462	370
Profit (loss) — consolidated	170	146	118	(84)	(148)	(26)	139	111
Profit (loss) per share of common stock	\$ 1.67	\$ 1.47	\$ 1.20	\$ (.85)	\$ (1.50)	\$ (.26)	\$ 1.41	\$ 1.13

**Consolidated Financial Summary for the Eleven Years Ended December 31**

(Dollar amounts in millions except those stated on a per share basis)

	1987	1986	1985	1984
Sales	\$8,180	\$7,321	\$6,725	\$6,576
Percent inside the U.S.	52%	54%	56%	58%
Percent outside the U.S.	48%	46%	44%	42%
Profit (loss) — consolidated <sup>(1)</sup>	\$ 350	\$ 76	\$ 198	\$ (428)
As a percent of sales <sup>(1)</sup>	4.3%	1.0%	2.9%	(6.5)%
Profit (loss) per share of common stock <sup>(1)(2)</sup>	\$ 3.51	\$ .77	\$ 2.02	\$ (4.47)
Dividends paid per share of common stock	.50	.50	.50	1.25
Return on average common stock equity	10.4%	2.4%	6.7%	(13.8)%
Funds provided by operations	\$ 623	\$ 66	\$ 826	\$ 751
Capital expenditures	\$ 467	\$ 294	\$ 229	\$ 234
Depreciation and amortization	403	436	476	492
Research and engineering expenses	298	308	326	345
As a percent of sales	3.6%	4.2%	4.8%	5.2%
Provision (credit) for income taxes <sup>(3)</sup>	\$ 116	\$ 23	\$ 27	\$ (114)
Wages, salaries, and employee benefits	2,284	2,184	2,173	2,426
Average number of employees	53,770	54,024	55,815	61,189
At year-end:				
Receivable from customers and others	\$2,033	\$1,728	\$1,244	\$1,168
Inventories	1,323	1,211	1,139	1,246
Ratio of current assets to current liabilities	1.59 to 1	1.54 to 1	1.71 to 1	1.50 to 1
Total assets	\$6,866	\$6,288	\$6,016	\$6,223
Long-term debt due after one year	900	963	1,177	1,384
Total debt	1,484	1,582	1,404	1,861
Percent of total debt to debt and ownership <sup>(4)</sup>	29.3%	33.5%	31.2%	39.1%

<sup>(1)</sup> 1987 profit was after extraordinary tax benefit. Profit before extraordinary tax benefit was \$319 or 3.9% of sales, and \$3.20 per share of common stock.

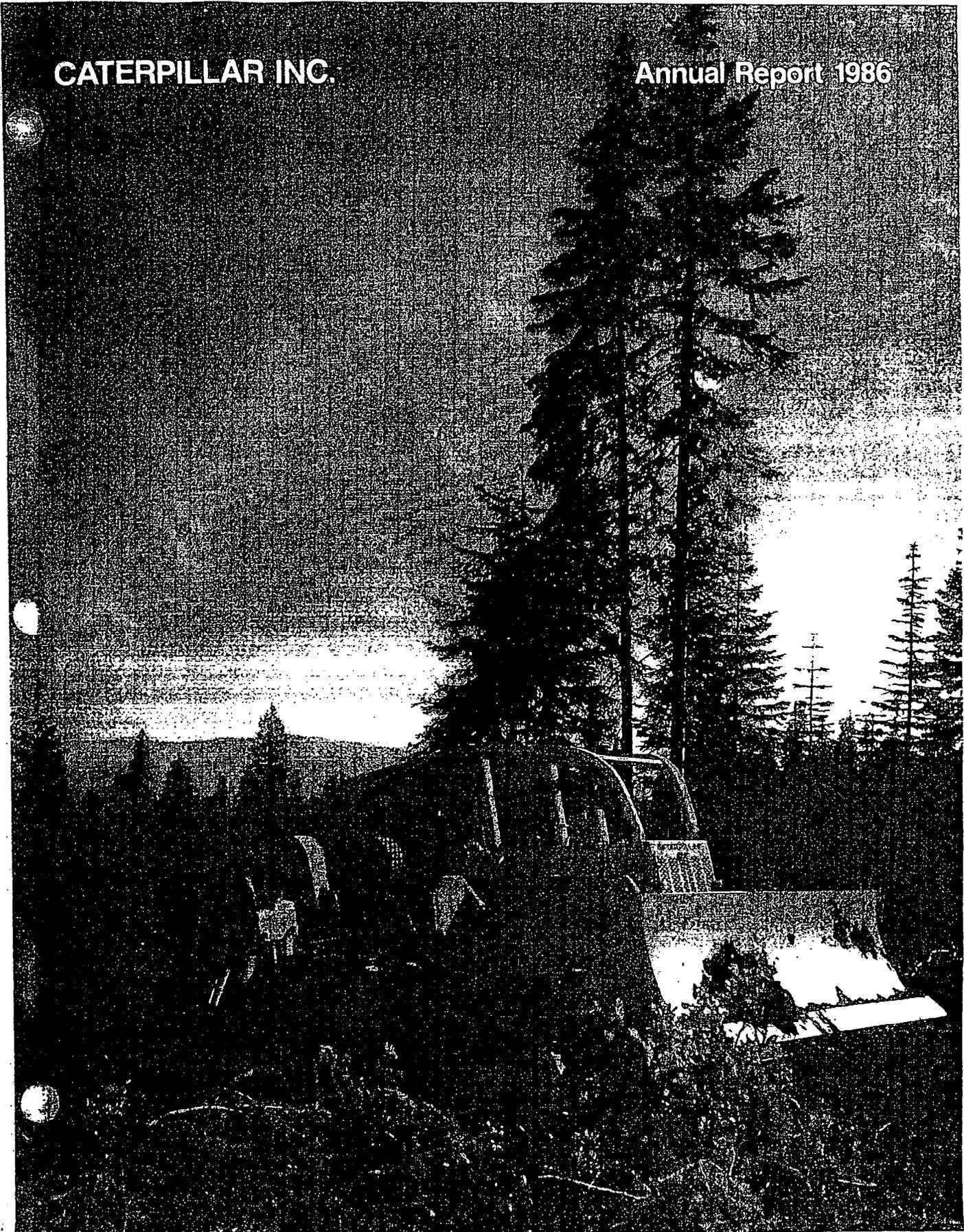
<sup>(2)</sup> Computed on weighted average number of shares outstanding.

<sup>(3)</sup> The 1987 provision for income taxes, including the reduction for the \$31 extraordinary tax benefit, was \$85.

<sup>(4)</sup> Total debt divided by the total of debt, long-term deferred income taxes, and ownership.

CATERPILLAR INC.

Annual Report 1986



## Consolidated Financial Summary for the Eleven Years Ended December 31

(Dollar amounts in millions except those stated on a per share basis)

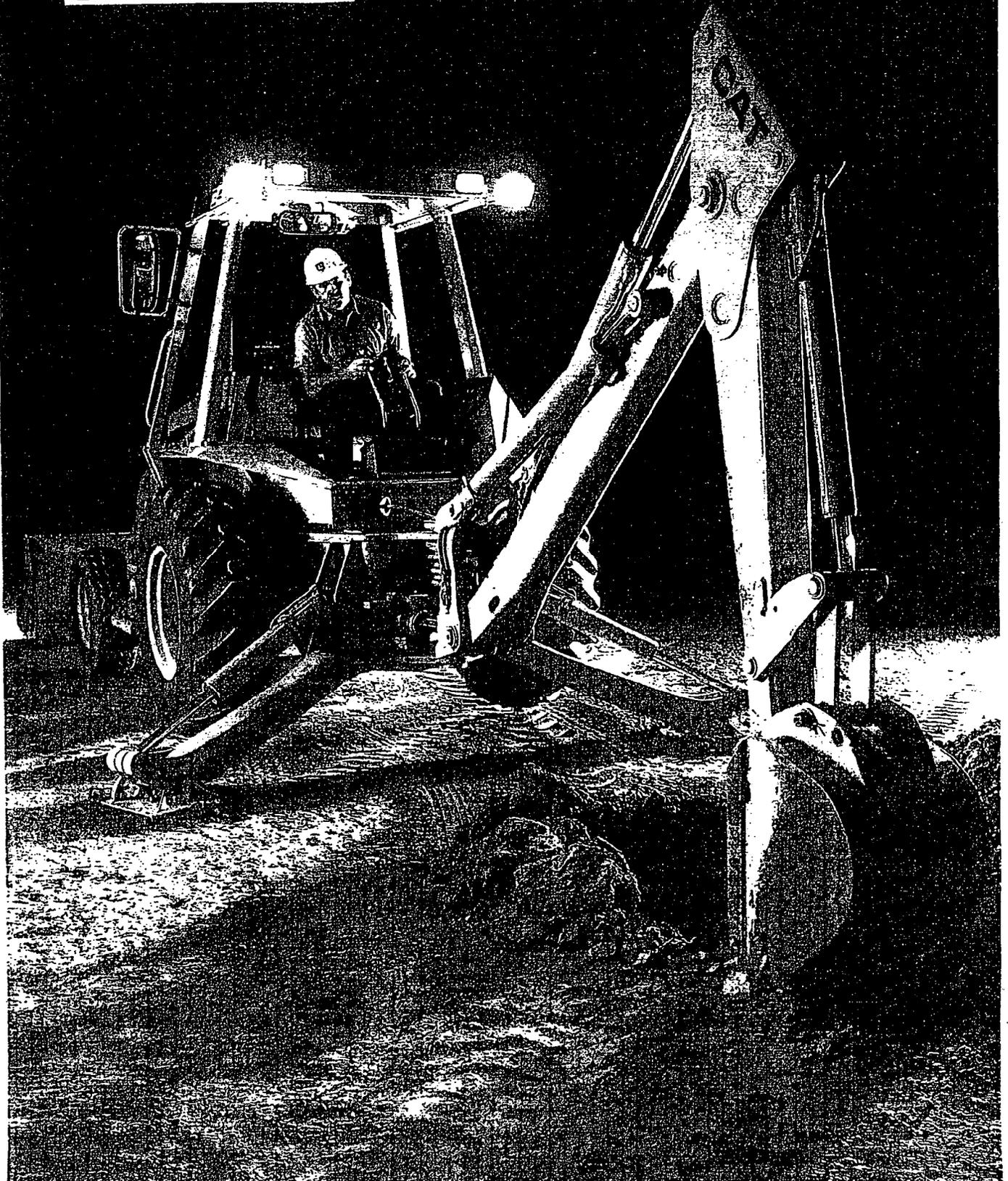
	1986	1985	1984	1983
Sales .....	\$7,321	\$6,725	\$6,576	\$5,424
Percent inside the U.S. ....	54%	56%	58%	54%
Percent outside the U.S. ....	46%	44%	42%	46%
Profit (loss) — consolidated .....	\$ 76	\$ 198	\$ (428)	\$ (345)
As a percent of sales .....	1.0%	2.9%	(6.5)%	(6.4)%
Profit (loss) per share of common stock <sup>(1)</sup> .....	\$ .77	\$ 2.02	\$ (4.47)	\$ (3.74)
Dividends paid per share of common stock .....	.50	.50	1.25	1.50
Return on average common stock equity .....	2.4%	6.7%	(13.8)%	(10.1)%
Funds provided by operations .....	\$ 66	\$ 826	\$ 751	\$ 513
Capital expenditures .....	\$ 294	\$ 229	\$ 234	\$ 324
Depreciation and amortization .....	436	476	492	506
Research and engineering expenses .....	308	326	345	340
As a percent of sales .....	4.2%	4.8%	5.2%	6.3%
Provision (credit) for income taxes .....	\$ 23	\$ 27	\$ (114)	\$ (263)
Wages, salaries, and employee benefits .....	2,184	2,173	2,426	2,142
Average number of employees .....	54,024	55,815	61,189	58,402
At year-end:				
Receivable from customers and others .....	\$1,728	\$1,244	\$1,168	\$1,504
Inventories .....	1,211	1,139	1,246	1,193
Ratio of current assets to current liabilities .....	1.54 to 1	1.71 to 1	1.50 to 1	2.15 to 1
Total assets .....	\$6,288	\$6,016	\$6,223	\$6,968
Long-term debt due after one year .....	963	1,177	1,384	1,894
Total debt .....	1,582	1,404	1,861	2,247
Percent of total debt to debt and ownership <sup>(2)</sup> .....	33.5%	31.2%	39.1%	39.1%

<sup>(1)</sup> Computed on weighted average number of shares outstanding.

<sup>(2)</sup> Total debt divided by the total of debt, deferred income taxes, and ownership.

 CATERPILLAR

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CAT 000724

## Consolidated Financial Summary for the Eleven Years Ended December 31

(Dollar amounts in millions except those stated on a per share basis)

	1985	1984	1983	1982
Sales .....	\$6,725	\$6,576	\$5,424	\$6,469
Profit (loss) for year — consolidated .....	198	(428)	(345)	(180)
Profit (loss) as a percentage of sales .....	2.9%	(6.5)%	(6.4)%	(2.8)%
Return on average common stock equity .....	6.7%	(13.8)%	(10.1)%	(4.9)%
Profit (loss) per share of common stock (1) (2) .....	\$ 2.02	\$ (4.47)	\$ (3.74)	\$ (2.04)
Dividends paid per share of common stock (2) .....	.50	1.25	1.50	2.40
Capital expenditures .....	\$ 229	\$ 234	\$ 324	\$ 534
Depreciation and amortization .....	476	492	506	505
Research and engineering expenses .....	326	345	340	376
Provision (credit) for income taxes .....	27	(114)	(263)	(303)
Wages, salaries, and employee benefits .....	2,173	2,426	2,142	2,474
Average number of employees .....	55,815	61,189	58,402	73,249
At year-end:				
Ratio of current assets to current liabilities .....	1.71 to 1	1.50 to 1	2.15 to 1	2.87 to 1
Total assets .....	\$6,016	\$6,223	\$6,968	\$7,201
Long-term debt due after one year .....	1,177	1,384	1,894	2,389
Total debt .....	1,404	1,861	2,247	2,612
Percent of total debt to debt and ownership (3) ..	31.2%	39.1%	39.1%	41.9%

(1) Computed on weighted average number of shares outstanding.

(2) 1975 has been adjusted for the 3 for 2 stock split effective in 1976.

(3) Total debt divided by the total of debt, deferred income taxes, and ownership.



**CATERPILLAR  
ANNUAL REPORT  
1984**

## STATEMENT 1

### Consolidated Results of Operations for the Years Ended December 31

(Millions of dollars except amounts stated on a per share basis)

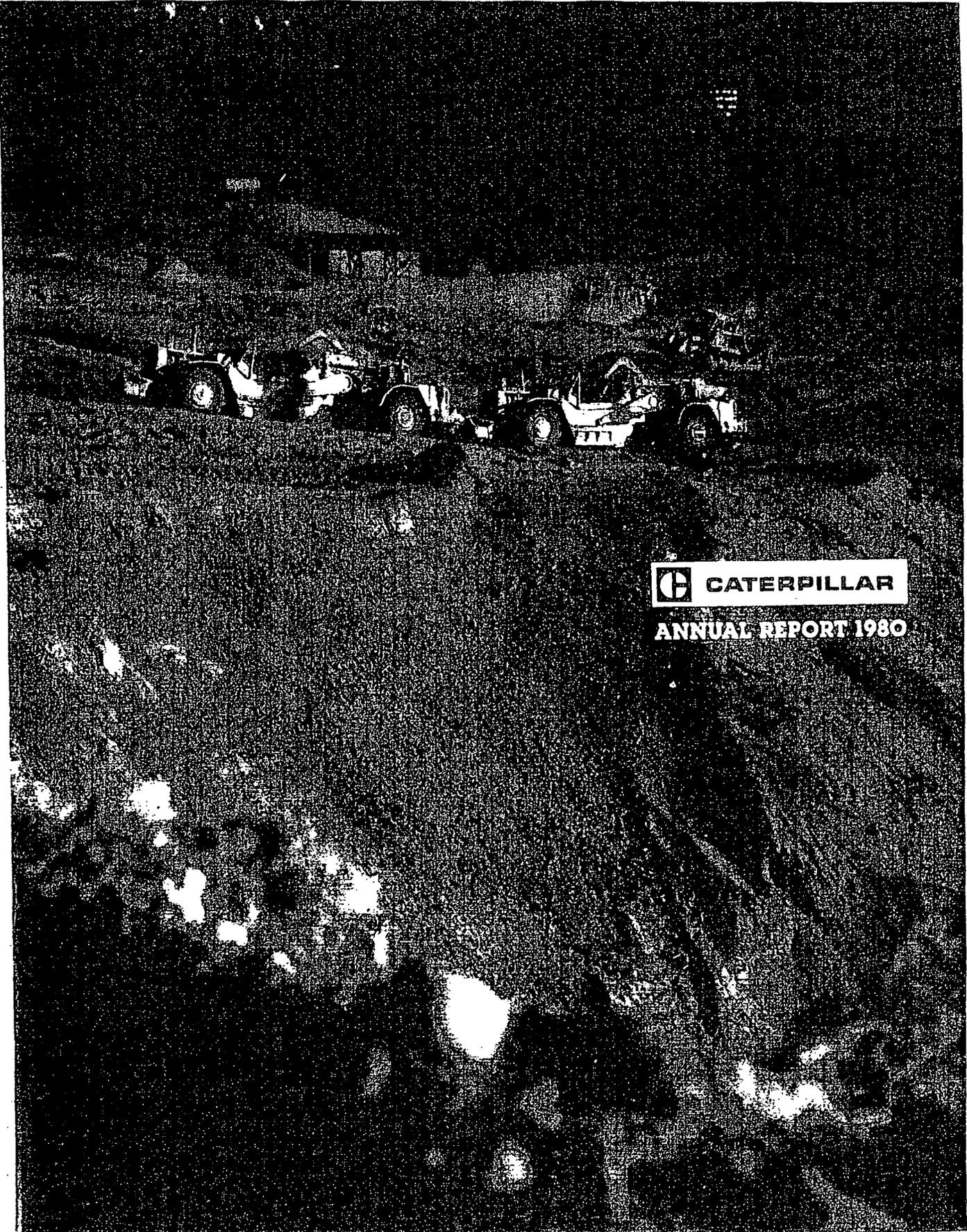
	1984	1983	1982
<b>Sales</b> .....	<b>\$6,576</b>	<b>\$5,424</b>	<b>\$6,469</b>
Operating costs:			
Cost of goods sold .....	5,596	4,666	5,556
Selling, general, and administrative expenses .....	862	848	932
Research and development expenses (note 3) .....	231	220	234
	<u>6,689</u>	<u>5,734</u>	<u>6,722</u>
Operating profit (loss) .....	(113)	(310)	(253)
Deduct:			
Interest expense .....	265	306	334
Provision for plant closing and consolidation costs (note 6) .....	226	112	-
	<u>(604)</u>	<u>(728)</u>	<u>(587)</u>
Add: Other income .....	63	129	101
	<u>(541)</u>	<u>(599)</u>	<u>(486)</u>
Deduct: Provision (credit) for income taxes (note 7) .....	(114)	(263)	(303)
Profit (loss) of consolidated companies .....	(427)	(336)	(183)
Equity in profit (loss) of affiliated companies (note 10) .....	(2)	(12)	2
Profit of subsidiary financial companies .....	1	3	1
<b>Profit (loss) for year — consolidated</b> .....	<b>\$ (428)</b>	<b>\$ (345)</b>	<b>\$ (180)</b>
Profit (loss) per share of common stock .....	\$ (4.47)	\$ (3.74)	\$ (2.04)
Dividends paid per share of common stock .....	\$ 1.25	\$ 1.50	\$ 2.40

## STATEMENT 2

### Changes in Consolidated Ownership for the Years Ended December 31

(Dollars in millions)

	1984	1983	1982
Common stock:			
Balance at beginning of year .....	\$ 576	\$ 266	\$ 235
Shares issued (note 14): 1984 — 1,641,834; 1983 — 6,888,108; 1982 — 674,951 .....	68	310	31
Balance at year-end .....	<u>644</u>	<u>576</u>	<u>266</u>
Profit employed in the business:			
Balance at beginning of year .....	2,748	3,231	3,622
Add: Profit (loss) for year — consolidated .....	(428)	(345)	(180)
Deduct: Dividends paid .....	120	138	211
Balance at year-end .....	<u>2,200</u>	<u>2,748</u>	<u>3,231</u>
Foreign currency translation adjustment (note 1B):			
Balance at beginning of year .....	13	(1)	-
Opening adjustment .....	-	-	15
Aggregate adjustment for year .....	(5)	14	(16)
Balance at year-end .....	<u>8</u>	<u>13</u>	<u>(1)</u>
Ownership at year-end .....	<u>\$2,852</u>	<u>\$3,337</u>	<u>\$3,496</u>



 **CATERPILLAR**  
**ANNUAL REPORT 1980**

## STATEMENT 1

### Consolidated Results of Operations for the Years Ended December 31

(Dollar amounts in millions except those stated on a per share basis)

	1980	1979	1978
<b>Sales</b> .....	<b><u>\$8,597.8</u></b>	<b><u>\$7,613.2</u></b>	<b><u>\$7,219.2</u></b>
Operating costs:			
Cost of goods sold .....	6,627.1	5,888.5	5,349.3
Selling, general, and administrative expenses .....	769.5	662.0	586.0
Depreciation .....	370.2	311.8	257.1
	<u>7,766.8</u>	<u>6,862.3</u>	<u>6,192.4</u>
Operating profit .....	831.0	750.9	1,026.8
Deduct: Interest expense .....	173.2	139.1	111.9
	657.8	611.8	914.9
Add: Other income .....	112.6	80.0	48.0
	770.4	691.8	962.9
Taxes based on income (note 6) .....	231.9	233.9	396.9
Profit of consolidated companies .....	538.5	457.9	566.0
Equity in profit of affiliated companies (note 10) .....	23.5	30.2	(.8)
Profit of subsidiary credit companies .....	2.8	3.5	1.1
<b>Profit for year — consolidated</b> .....	<b><u>\$ 564.8</u></b>	<b><u>\$ 491.6</u></b>	<b><u>\$ 566.3</u></b>
Profit per share of common stock (note 7):			
Assuming no dilution .....	\$ 6.53	\$ 5.69	\$ 6.56
Assuming full dilution .....	\$ 6.32	\$ 5.50	\$ 6.33
Dividends per share of common stock .....	\$2.325	\$2.100	\$1.875

## STATEMENT 2

### Consolidated Ownership

(Millions of dollars)

	1980	1979	1978
Common stock:			
Balance at beginning of year .....	\$ 177.1	\$ 174.0	\$ 169.2
Shares issued upon exercise of stock options:			
1980 — 34,584; 1979 — 68,746; 1978 — 96,418 .....	1.7	3.1	4.5
Shares issued upon conversion of convertible debentures:			
1980 — 24,351; 1979 — 198; 1978 — 4,950 .....	1.2	—	.3
Balance at end of year .....	<u>180.0</u>	<u>177.1</u>	<u>174.0</u>
Profit employed in the business:			
Balance at beginning of year .....	2,888.2	2,578.1	2,173.6
Add: Profit for year — consolidated .....	564.8	491.6	566.3
Deduct: Dividends paid .....	201.0	181.5	161.8
Balance at end of year .....	<u>3,252.0</u>	<u>2,888.2</u>	<u>2,578.1</u>
Ownership .....	<u>\$3,432.0</u>	<u>\$3,065.3</u>	<u>\$2,752.1</u>

See notes on pages 29 through 37.