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

Proceeding no.	92081980
Party	Plaintiff Zero Technologies, LLC
Correspondence address	ADAM W SIKICH DUNNER LAW PLLC 3243 P STREET NW WASHINGTON, DC 20007 UNITED STATES Primary email: asikich@dunnerlaw.com Secondary email(s): docketing@dunnerlaw.com, ldunner@dunnerlaw.com, david.lipson@raphaelbellum.com 202-298-6002
Submission	Plaintiff's Notice of Reliance
Filer's name	Adam W. Sikich
Filer's email	asikich@dunnerlaw.com
Signature	/Adam W. Sikich/
Date	05/06/2024
Attachments	Notice of Reliance.pdf(3567856 bytes)

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

ZERO TECHNOLOGIES, LLC, Petitioner, v. HANGZHOU YILIN TECHNOLOGY RESEARCH CO., LTD. Respondent.	Cancellation No. 92081980 Mark: **ZEROLIQUID** Reg. No.: 6870150 Registered: October 11, 2022

PETITIONER'S NOTICE OF RELIANCE

Petitioner hereby relies pursuant to Trademark Rules 2.120(k), 2.122(g) and 2.122(e) on the following documents:

EXHIBIT A – Respondent's Answers to Request for Admissions, specifically, Request Nos. 1 – 4 and Respondent's answers thereto. These four Request for Admissions answers are relevant because they demonstrate that Respondent sells the same type of goods that Petitioner sells or, at a minimum, goods that are highly related to the goods Petitioner sells.

EXHIBIT B – Respondent's Answers to First Set of Interrogatories, specifically, Interrogatory Nos. 5, 10, and 11. Interrogatory No. 5 is relevant to the issue of priority in that Respondent adopted the ZEROLIQUID mark many years after Petitioner first used and registered the ZEROWATER mark. Interrogatory No. 10 is relevant to show that Respondent sells its goods on Amazon.com, just like Petitioner. Interrogatory No. 11 is relevant to show that the target consumers of Respondent's goods are typical purchasers of drinking water filtration systems, just like Petitioner.

EXHIBIT C – Printed publication from www.dictionary.com showing the definitions of "water" and "liquid." These definitions are relevant to show that water is a type of liquid and that the two words have similar connotations. The connotation of these words speaks to the similarity of the ZEROLIQUID mark to the ZEROWATER mark.

ZERO TECHNOLOGIES, LLC

By: /Adam W. Sikich/

Lisa A. Dunner
Adam W. Sikich
Dunner Law PLLC
3243 P Street, N.W.
Washington, DC 20007
ldunner@dunnerlaw.com
asikich@dunnerlaw.com
Phone: 202-298-6002

David R. Lipson
Raphael Bellum PLLC
3190 Fairview Park Drive, Suite 1070
Falls Church, VA 22042
david.lipson@raphaelbellum.com
703-776-9953

Attorneys for Petitioner

Dated: May 6, 2024

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing, Petitioner's Notice of Reliance, was served by email on this 6th day of May 2024 upon counsel for Respondent at the following address of record:

Xionghui Murong
YK LAW LLP
12900 OXON ROAD
HERNDON, VA 20171
UNITED STATES
benmurong@126.com

/Adam W. Sikich/

Attorney for Petitioner

EXHIBIT A

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

In the Matter of Registration 6,870,150
For the Mark: ZEROLIQUID

Zero Technologies, LLC Petitioner, v. Hangzhou Yilin Technology Research Co., Ltd. Respondent	)	Cancellation No. 92081980

RESPONDENT'S RESPONSES TO PETITIONER'S FIRST SET OF REQUEST FOR ADMISSIONS

Pursuant to Rule 36 of the Federal Rules of Civil Procedure and Section 2.120 of the Trademark Rules of Practice, Respondent Hangzhou Yilin Technology Research Co., Ltd. ("Respondent"), hereby responds to Zero Technologies, LLC ("Petitioner") First Set of Requests for Admission ("Request") as follows:

REQUEST NO. 1:

Admit or deny that Respondent sells water pitchers and water dispensers that are branded with the ZEROLIQUID mark.

OBJECTIONS AND RESPONSE NO. 1:

In addition to the General Objections, Respondent objects to request as vague and ambiguous as the terms "branded" and "water dispensers" are undefined and subject to multiple interpretations.

Subject to the objections and clarifications stated above, Respondent admits it currently sells water pitchers under the ZEROLIQUID mark and denies the remainder of the Request.

REQUEST NO. 2:

Admit or deny that Respondent sells replacement filters for water pitchers and water dispensers that are branded with the ZEROLIQUID mark.

OBJECTIONS AND RESPONSE NO. 2:

In addition to the General Objections, Respondent objects to request as vague and ambiguous as the terms "branded" and "water dispensers" are undefined and subject to multiple interpretations.

Subject to the objections and clarifications stated above, Respondent admits it currently sells replacement filters for water pitchers under the ZEROLIQUID mark and denies the remainder of the Request.

REQUEST NO. 3:

Admit or deny that Respondent sells replacement filters that fit certain water pitchers and water dispensers that are sold by Petitioner and branded with Petitioner's ZEROWATER mark.

RESPONSE NO. 3:

In addition to the General Objections, Respondent objects to request as vague and ambiguous as the terms "branded" and "water dispensers" are undefined and subject to multiple interpretations.

Subject to the objections and clarifications stated above, Respondent admits it currently sells replacement filters that fit its own ZEROLIQUID water pitchers as well as other brands of water pitchers, including Petitioner's branded pitchers and dispensers. Respondent denies the remainder of the Request.

REQUEST NO. 4:

Admit or deny that Respondent has marketed, advertised, or otherwise offered for sale its ZEROLIQUID-branded replacement filters as being compatible with Petitioner's ZEROWATER-branded water pitchers, dispensers, or other products.

RESPONSE NO. 4:

In addition to the General Objections, Respondent objects to request as vague and ambiguous as the phrase and terms "otherwise offered", "branded" and "water dispensers" are undefined and subject to multiple interpretations.

Subject to the objections and clarifications stated above, Respondent admits that for a limited time its Amazon store included the following language regarding Respondents' ZEROLIQUID filters: "Fits all Zeroliquid systems and compatible with all Zerowater pitchers and dispensers." Respondent denies the remainder of the Request.

DATED: this 22th day of September, 2023

Respectfully Submitted,

/s/ Cindy Villanueva
Cindy Villanueva
DICKINSON WRIGHT PLLC
1850 N. Central Avenue, Suite 1400
Phoenix, Arizona 85004-4568
Attorneys for Applicant

Andrea Arndt
DICKINSON WRIGHT PLLC
607 W. 3rd Street
Suite 2500
Austin TX 78701
Attorneys for Applicant

EXHIBIT B

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

In the Matter of Registration 6,870,150
For the Mark: ZEROLIQUID

Zero Technologies, LLC Petitioner, v. Hangzhou Yilin Technology Research Co., Ltd. Respondent	)	Cancellation No. 92081980

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

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and 37 C.F.R. § 2.120,, Applicant, Hangzhou Yilin Technology Research Co., Ltd. ("Respondent"), by and through its attorneys, hereby responds to Zero Technologies, LLC ("Petitioner") First Set of Interrogatories ("Request").

INTERROGATORY NO. 5:

Describe in detail Respondent's selection and clearance of the ZEROLIQUID Mark, including without limitation:

a. How the ZEROLIQUID Mark was selected;

b. When Respondent selected the ZEROLIQUID Mark;

c. All persons involved in the selection and clearance of the ZEROLIQUID Mark; and

d. All other potential marks considered in the alternative to the ZEROLIQUID Mark.

RESPONSE NO. 5:

In addition to the General Objections above, Respondent further objects to this Interrogatory as vague and ambiguous as the phrase "selection and clearance" is undefined and

subject to multiple interpretations. In addition, Respondent objects to the Interrogatory as overbroad and unduly burdensome to the extent the Interrogatory is not limited to the ZEROLIQUID mark as used in the United States. Respondent will interpret the Interrogatory as seeking information about Respondent's selection and adoption of the ZEROLIQUID mark in the United States. Respondent also objects to this Interrogatory as to the extent that it calls for the disclosure of information protected by the attorney-client privilege, work product doctrine or any other applicable privilege.

Subject to these objections, Respondent states: The ZEROLIQUID mark was selected for use for products to be sold in the United States in 2021. Zhou Xiang was involved in the selection and adoption of the mark in the United States. Respondent is still looking for further information and will supplement should additional further information be obtained.

INTERROGATORY NO. 10:

Identify all Internet websites, other than the Amazon.com website, and bricks-and-mortar businesses through which Respondent markets or sells products in connection with the ZEROLIQUID Mark in the United States, and identify the persons most knowledgeable about that marketing and sales activity.

RESPONSE NO. 10:

In addition to the General Objections above, Respondent objects to the Interrogatory as improperly compound in that it contains multiple discrete subparts by requesting information as to websites and "brick-and-mortar businesses" through which it market and sales as well as the person most knowledgeable about those activities.

Subject to these objections, Respondent states: Respondent currently only markets and sells its ZEROLIQUID products in the United States on Amazon. The person most knowledgeable is Huang Huier, Sales Director.

INTERROGATORY NO. 11:

Identify with specificity who are Respondent's target customers for the products that it markets and sells in connection with the ZEROLIQUID Mark in the United States.

RESPONSE NO. 11:

In addition to the General Objections above, Respondent objects to the Interrogatory as vague and ambiguous as the phrases "target customers" is undefined and subject to multiple interpretations. Absent any definition of the phrases, Respondent will interpret the Interrogatory as seeking a description of the information known to Respondent about the class of customers who purchase goods offered by Respondent using Respondent's ZEROLIQUID mark in the United States.

Subject to these objections, Respondent states: The class of customers for Respondent's goods offered under Respondent's ZEROLIQUID Mark are the average consumers of water filtration systems.

DATED: this 22nd day of September, 2023

Respectfully Submitted,

/s/ Cindy Villanueva
Cindy Villanueva
DICKINSON WRIGHT PLLC
1850 N. Central Avenue, Suite 1400
Phoenix, Arizona 85004-4568
Attorneys for Applicant

Andrea Arndt
DICKINSON WRIGHT PLLC
607 W. 3rd Street
Suite 2500
Austin TX 78701
Attorneys for Applicant

EXHIBIT C

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View synonyms for water

American British

water

[waw-ter, wot-er] Phonetic (Standard) IPA

noun

1 a a transparent, odorless, tasteless liquid, a compound of hydrogen and oxygen, H 2 O, freezing at 32°F or 0°C and boiling at 212°F or 100°C, that in a more or less impure state constitutes rain, oceans, lakes, rivers, etc.: it contains 11.188 percent hydrogen and 88.812 percent oxygen, by weight.

b a special form or variety of this liquid, such as rain.

2 the liquid content of a river, inlet, etc., with reference to its relative height, especially as dependent on tide:

> *There is a difference of 20 feet between high and low water.*

3 the surface of a stream, river, lake, ocean, etc.:

> *above, below, or on the water.*

4 **waters,**

a flowing water, or water moving in waves:

> *The wreckage of the dock was carried away on the river's mighty waters.*

b the sea or seas bordering a particular country or continent or located in a particular part of the world:

> *We left San Diego and sailed south for Mexican waters.*

5 a liquid solution or preparation, especially one used for cosmetic purposes:

> *lavender water;*
>
> *lemon water.*

6 Often **waters.** *Medicine/Medical.*

a amniotic fluid.

b the bag of waters; amnion:

> *Her water broke at 2 a.m.*

7 any of various solutions of volatile or gaseous substances in water:

> *ammonia water.*

8 any liquid organic secretion that is mostly water, such as tears, perspiration, or urine:

> *At the sad news, her chin trembled, and water sprang to her eyes.*

Advertisement

9 Often **waters.** water in an impure state as obtained from a mineral spring:

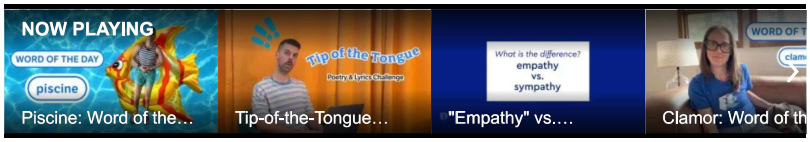
> *Last year we went to Marienbad for the waters.*

10 *Finance.* fictitious assets or the inflated values they give to the stock of a corporation.

11 a wavy, lustrous pattern or marking, as on silk fabrics or metal surfaces.

12 (formerly) the degree of transparency and brilliancy of a diamond or other precious stone:

> *They were diamonds of the first water.*



verb (used with object)

1 to sprinkle, moisten, or drench with water:

> *She watered the flowers with the hose.*
>
> *The fields were well watered by a heavy rain.*

2 to supply (animals) with water for drinking:

> *He filled the trough to water the horses.*

3 to furnish with a supply of water, as a ship.

4 to furnish water to (a region), as by streams, or to supply (land) with water, as by irrigation:

> *The valley is watered by a branch of the Colorado River.*
>
> *Our land is watered by the All-American Canal.*

5 to dilute, weaken, soften, or adulterate with, or as with, water (often followed by *down*):

> *We had to water the soup to make it go around.*
>
> *Don't water down the report, even if it's unfavorable.*

6 *Finance.* to issue or increase the par value of (shares of stock) without having the assets to warrant doing so (often followed by *down*).

verb (used without object)

Advertisement

1 to fill with or secrete water or liquid, as the eyes do when irritated, or as the mouth does at the sight or thought of tempting food:

> *The smoke from the bonfire made his eyes water.*
>
> *My mouth watered when I smelled the turkey roasting.*

2 (of an animal) to drink water:
> *The deer came down to water at the lake at dawn.*

3 to take in a supply of water, as a ship:
> *Our ship will water at Savannah.*

adjective

1 of or relating to water in any way:
> *a water journey.*

2 holding, or designed to hold, water:
> *a water jug.*

3 worked or powered by water:
> *a water turbine.*

4 heating, pumping, or circulating water (often used in combination):
> *hot-water furnace;*
> *city waterworks.*

5 used in or on water:
> *water skis.*

6 containing or prepared with water, as for hardening or dilution:
> *water mortar.*

7 located or occurring on, in, or by water:
> *water music;*
> *water frontage.*

8 residing by or in, or ruling over, water:
> *water people;*
> *water deities.*

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Other Words From

- **wa·ter·er** noun
- **wa·ter·less** adjective
- **wa·ter·less·ly** adverb
- **wa·ter·less·ness** noun
- **wa·ter·like** adjective
- **out·wa·ter** verb (used with object)
- **o·ver·wa·ter** verb
- **re·wa·ter** verb

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Word History and Origins

Origin of water[1]

Advertisement

First recorded before 900; (for the noun) *Middle English wæter, water, watre, Old English uæt(t)er, wæter;* cognate with *Dutch water, German Wasser, Old Norse vatn, vatr Gothic wato;* akin to Hittite *watar, Greek hýdōr, Irish uisce, Russian vodá;*

(for the verb) *Middle English watere(n), Old English wæterian, wetrian* “to give water to, irrigate, moisten,” derivative of the noun

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Idioms and Phrases

Idioms

1 **above water,** free from embarrassment or trouble, especially of a financial nature:

> *They had so many medical bills that they could hardly keep their heads above water.*

2 **break water,**

a to break the surface of the water by emerging from it.

b *Swimming.* to break the surface of the water with the feet, especially in swimming the breaststroke doing the frog kick.

c *Medicine/Medical.* to break the amniotic sac prior to parturition.

3 **by water,** by ship or boat:

> *to send goods by water.*

4 **hold water,**

a to be logical, defensible, or valid:

> *That accusation won't hold water.*

b to check the movement of a rowboat by keeping the oars steady with the blades vertical.

5 **in deep water,** in great distress or difficulty:

> *Their marriage has been in deep water for some time.*

6 **in hot water,** *Informal.* in trouble; in a predicament:

> *Unflattering comments about his rivals have landed the comedian in hot water.*

7 **like water,** lavishly; abundantly; freely:

> *The champagne flowed like water.*

8 **make one's mouth water,** to excite a desire or appetite for something:

> *The roasting turkey made our mouths water.*

9 **make water,**

a (of a boat) to allow water to enter; leak.

b to urinate.

10 **take (on) water,** (of a boat) to allow water to enter through leaks or portholes or over the side:

> *Our dinghy took water over the bow from time to time, as the lake was very rough.*

> *A distress call was received from a boat that was taking on water.*

11 **water under the bridge,** something that is past and cannot be changed, and is therefore not worth brooding or worrying about:

> *The whole experience left a bad taste in my mouth, but it’s all water under the bridge now and life has moved on.*

12 **dead in the water.** dead (def 41).

13 **tread water.** tread (def 24).

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More idioms and phrases containing *water*

- above water
- backwater

- blood is thicker than water
- blow out (of the water)
- come on in (the water's fine)
- dead in the water
- fish in troubled waters
- fish out of water
- head above water
- hell or high water
- high-water mark
- hold water
- hot water
- in deep (water)
- keep one's head (above water)
- like water off a duck's back
- make one's mouth water
- muddy the waters
- of the first water
- pour cold water on
- pour oil on troubled waters
- still waters run deep
- take to (like a duck to water)
- throw out the baby with the bath water
- tread water
- you can lead a horse to water

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Example Sentences

> The soil is also very dry, which counterintuitively makes it harder for water to infiltrate.

From Popular-Science

> What's more, the wetlands would prevent some of that water from moving inland, so flood levels around those homes would rise higher.

From Science News For Students

> The EPA's loan will cover almost half the project costs, said Lindsay Leahy, Oceanside's principal water engineer.

From Voice of San Diego

> As water freezes at 0 °C, I need a way to chill water to cooler than that.

From Science News For Students

> The Memphis Sands Aquifer, a crucial water supply for Mississippi, Tennessee, Arkansas and Louisiana, is already overdrawn by hundreds of millions of gallons a day.

From ProPublica

Advertisement

> Fluoride first entered an American water supply through a rather inelegant technocratic scheme.

From The Daily Beast

> When cities started adding chlorine to their water supplies, in the early 1900s, it set off public outcry.

From The Daily Beast

> Before anti-vaxxers, there were anti-fluoriders: a group who spread fear about the anti-tooth decay agent added to drinking water.

From The Daily Beast

> Placed in drinking water, fluoride can serve people who otherwise have poor access to dental care.

From The Daily Beast

> In secret, before the referendum, the council went ahead and fluoridated the water anyway.

From The Daily Beast

> Urbanity ushers in water that needs no apology, and gives a zest to the worst vintage.

From Project Gutenberg

> The two women had no intention of bathing; they had just strolled down to the beach for a walk and to be alone and near the water.

From Project Gutenberg

> Mrs. Woodbury paints in oils and water-colors; the latter are genre scenes, and among them are several Dutch subjects.

From Project Gutenberg

> But there was a breeze blowing, a choppy, stiff wind that whipped the water into froth.

From Project Gutenberg

> She threw out her arms as if swimming when she walked, beating the tall grass as one strikes out in the water.

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Related Words

- drink
- rain

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WORD OF THE DAY

MAY 06, 2024

piscine

[**pahy**-seen, **pis**-ahyn, **-een**]
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View synonyms for liquid

American British

liquid

[lik-wid] Phonetic (Standard) IPA

adjective

1 composed of molecules that move freely among themselves but do not tend to separate like those of gases; neither gaseous nor solid.

2 of, relating to, or consisting of liquids:
> *a liquid diet.*

3 flowing like water.

4 clear, transparent, or bright:
> *liquid eyes.*

5 (of sounds, tones, etc.) smooth; agreeable; flowing freely:
> *the liquid voice of a trained orator.*

6 in cash or readily convertible into cash without significant loss of principal:
> *liquid assets.*

7 *Phonetics.* characterizing a frictionless speech sound pronounced with only a partial obstruction of the breath stream and whose utterance can be prolonged as that of a vowel, especially *l* and *r*.

8 (of movements, gestures, etc.) graceful; smooth; free and unconstricted:
> *the ballerina's liquid arabesques.*

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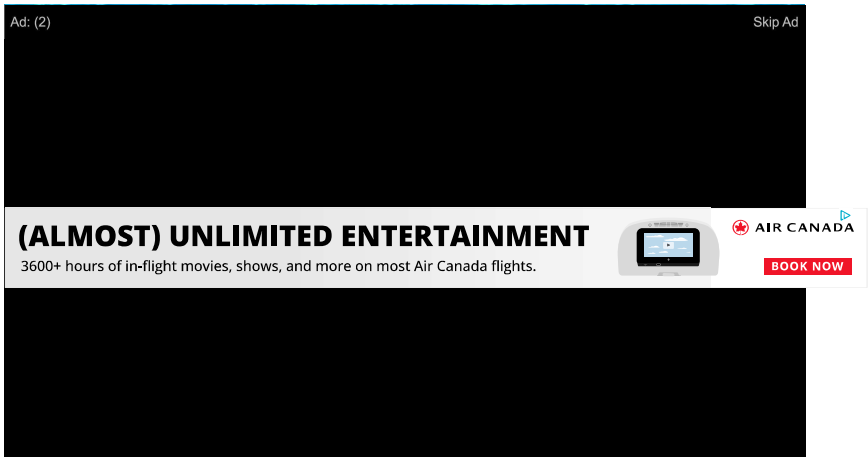

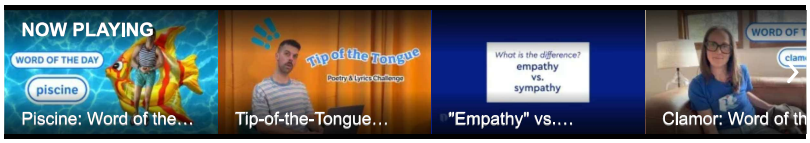

noun

1 a liquid substance.

2 *Phonetics*. either *r* or *l*, and sometimes *m*, *n*, *ng*.

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Other Words From

- **liq uid·ly** adverb
- **liq uid·ness** noun
- **non·liq uid** adjective noun
- **non·liq uid·ly** adverb
- **un·liq uid** adjective

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Word History and Origins

Origin of liquid[1]

First recorded in 1350–1400; *Middle English liquyd,* from *Latin liquidus,* equivalent to *liqu(ēre)* “to be liquid” + *-idus* -id [4]

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Synonym Study

Liquid, fluid agree in referring to matter that is not solid. Liquid commonly refers to substances, as water, oil, alcohol, and the like, that are neither solids nor gases: Water ceases to be a liquid when it is frozen or turned to steam. Fluid is applied to anything that flows, whether liquid or gaseous: Pipes can carry fluids from place to place.

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Example Sentences

> Plus, you won't have to worry about the snow because these gloves are designed with an outer waterproof shell, which protects the batteries from any liquid damage.

From Popular-Science

> In 2019 he started working with SmartWater CSI, a Florida-based company that produces a proprietary traceable liquid.

From Popular-Science

> If you leave your boiling pot unattended and the liquid level gets too low, it's very possible to scorch your tree syrup.

From Popular-Science

> There isn't actually that much onscreen, you know, liquids, which is the only way I can put it.

From Vox

> The action in GameStop proves that liquid, high-volume markets aren't necessarily efficient markets.

From Axios

> Total oil production figures include crude oil, natural gas liquids, and other liquid energy products.

From The Daily Beast

> During the height of his disenchantment, he visited his hometown where an old friend gave him some liquid acid.

From The Daily Beast

> How can a chilled, acidic, and bubbly liquid make you feel all warm and fuzzy inside?

From The Daily Beast

> Slow at first, then steadily, a stream of liquid drips off the incision.

From The Daily Beast

> We want to be the global auction house for the new collector at lower price points and create a more liquid market.

From The Daily Beast

Advertisement

> Aristide stood gossiping until the Mayor invited him to take a place at the table and consume liquid refreshment.

From Project Gutenberg

> Carbolic Acid ... liquid ... oil ... sweet oil ... castor oil ... aperient ... Epsom Salts ... white ... white of egg.

From Project Gutenberg

> On the other hand, the rapidity with which liquid manure produces its effect must be taken into account.

From Project Gutenberg

> The quantity of this liquid distributed per acre is about 50,000 gallons, at a cost of 2d.

From Project Gutenberg

> In its liquid form, however, sewage manure has been employed with the best possible effect in the cultivation of meadows.

From Project Gutenberg

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MAY 06, 2024

piscine

[**pahy**-seen, **pis**-ahyn, **-een**]
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comparative adjective.

compound adjective.

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