

Paper No. \_\_\_\_\_  
Filed: August 31, 2022

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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WIRTGEN AMERICA, INC.,  
Petitioner,

v.

CATERPILLAR INC.,  
Patent Owner.

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Case No. IPR2022-01397  
Patent No. 9,975,538

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**PATENT OWNER'S MANDATORY NOTICES  
UNDER 37 C.F.R. § 42.8**

Pursuant to 37 C.F.R. § 42.8, the undersigned on behalf of and acting in a representative capacity for Patent Owner Caterpillar Inc. (Caterpillar), hereby submits the following mandatory notices in connection with the *inter partes* review of U.S. Patent No. 9,975,538, Case IPR2022-01397.

**A. Real Party-In-Interest (37 C.F.R. § 42.8(b)(1))**

Patent Owner identifies Caterpillar Inc. as the real party-in-interest.

**B. Related Matters (37 C.F.R. § 42.8(b)(2))**

Patent Owner identifies the following related matters:

*Wirtgen America Inc. v. Caterpillar Inc.*, Case No. 1:17-cv-00770 (D. Del.);  
*Wirtgen America Inc. v. Caterpillar Inc.*, Case Nos. IPR2022-01394 and IPR2022-01395 (PTAB) re: U.S. Patent No. 7,523,995; and *Wirtgen America Inc. v. Caterpillar Inc.*, Case No. IPR2022-01396 (PTAB) re: U.S. Patent No. 9,371,618.

**C. Lead and Back-up Counsel (37 C.F.R. § 42.8(b)(3))**

Patent Owner provides the following designation of counsel:

<b>Lead Counsel</b>	<b>Back-Up Counsel</b>
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A power of attorney accompanies this notice.

**D. Electronic Service**

Patent Owner consents to electronic service by email at the email addresses provided above.

Respectfully submitted,

Dated: August 31, 2022

/ Matthew A. Argenti /  
Matthew A. Argenti, Lead Counsel  
Reg. No. 61,836

## **CERTIFICATE OF SERVICE**

I certify that the foregoing Patent Owner's Mandatory Notices under 37 C.F.R. § 42.8 and Power of Attorney were served August 31, 2022, on the Petitioner at the electronic service addresses of the Petitioner as follows:

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Respectfully submitted,

Dated: August 31, 2022

/ Matthew A. Argenti /  
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