

# **EXHIBIT F**

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Mark: NYAN CAT

# Nyan Cat

US Serial Number: 85357643

Application Filing Date: Jun. 28, 2011

US Registration Number: 4376980

Registration Date: Jul. 30, 2013

Register: Principal

Mark Type: Trademark

Status: The Trademark Trial and Appeal Board has terminated a cancellation proceeding. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Jan. 14, 2019

Publication Date: May 15, 2012

Notice of Allowance Date: Nov. 13, 2012

## Mark Information

Mark Literal Elements: NYAN CAT

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "CAT"

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

For: Computer application software for use with mobile phones and portable media players, namely, software for manipulating a character through a series of challenges displayed on the device's screen or monitor

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 30, 2011

Use in Commerce: Apr. 30, 2011

For: T-shirts \* related to an Internet meme of an animated cat \*

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 31, 2012

Use in Commerce: Jul. 31, 2012

## Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: Yes

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

**Owner Name:** Torres, Christopher Orlando

**DBA, AKA, Formerly:** AKA PRGuitarman

**Owner Address:** 1900 Avenue of the Stars, 25th Floor  
c/o Kia Kamran P.C.  
Los Angeles, CALIFORNIA 900674301  
UNITED STATES

**Legal Entity Type:** INDIVIDUAL

**Citizenship:** UNITED STATES

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Kia Kamran

**Attorney Primary Email Address:** [kia@tunelaw.com](mailto:kia@tunelaw.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** Kia Kamran  
C/O KIA KAMRAN PC  
25TH FLOOR  
1900 AVENUE OF THE STARS  
LOS ANGELES, CALIFORNIA 900674301  
UNITED STATES

**Phone:** 310-284-8600

**Fax:** 310-919-1444

**Correspondent e-mail:** [kia@tunelaw.com](mailto:kia@tunelaw.com) [matthew@tunelaw.com](mailto:matthew@tunelaw.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Apr. 10, 2019	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Apr. 10, 2019	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70833
Jan. 15, 2019	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Jan. 14, 2019	CANCELLATION TERMINATED NO. 999999	69047
Dec. 27, 2018	AMENDMENT UNDER SECTION 7 - ISSUED	73376
Dec. 22, 2018	CANCELLATION DENIED NO. 999999	69047
Oct. 31, 2018	POST REGISTRATION ACTION MAILED - SEC. 8 & 15	70833
Sep. 10, 2018	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70833
Aug. 30, 2018	TEAS SECTION 8 & 15 RECEIVED	
Aug. 30, 2018	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 30, 2018	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jul. 27, 2018	CANCELLATION INSTITUTED NO. 999999	69047
Mar. 04, 2014	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 04, 2014	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jan. 30, 2014	NOTICE OF SUIT	
Dec. 17, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 30, 2013	REGISTERED-PRINCIPAL REGISTER	
Jun. 28, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE MAILED	
Jun. 27, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	70138
Jun. 20, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 18, 2013	STATEMENT OF USE PROCESSING COMPLETE	69302
May 13, 2013	USE AMENDMENT FILED	69302
Jun. 08, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	69302
May 13, 2013	TEAS STATEMENT OF USE RECEIVED	

Nov. 13, 2012	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 28, 2012	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Jun. 14, 2012	EXTENSION OF TIME TO OPPOSE RECEIVED	
May 15, 2012	PUBLISHED FOR OPPOSITION	
Apr. 25, 2012	NOTICE OF PUBLICATION	
Apr. 06, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Apr. 02, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 23, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	70138
Mar. 23, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	70138
Mar. 16, 2012	ASSIGNED TO LIE	70138
Mar. 02, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 02, 2011	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Nov. 02, 2011	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Oct. 17, 2011	NOTIFICATION OF PRIORITY ACTION E-MAILED	6326
Oct. 17, 2011	PRIORITY ACTION E-MAILED	6326
Oct. 17, 2011	PRIORITY ACTION WRITTEN	78324
Oct. 15, 2011	ASSIGNED TO EXAMINER	78324
Jul. 05, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 01, 2011	NEW APPLICATION ENTERED IN TRAM	

## Maintenance Filings or Post Registration Information

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Change in Registration:** Yes

**Amendment to a Registration/Renewal Certificate:** In the Statement, line 10, after T-SHIRTS, "related to an Internet meme of an animated cat" is inserted.

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** TMO LAW OFFICE 113

**Date in Location:** Apr. 10, 2019

## Proceedings

### Summary

**Number of Proceedings:** 2

### Type of Proceeding: Cancellation

**Proceeding Number:** [92069047](#)

**Filing Date:** Jul 27, 2018

**Status:** Terminated

**Status Date:** Jan 14, 2019

**Interlocutory Attorney:** YONG OH (RICHARD) KIM

#### Defendant

**Name:** Christopher Orlando Torres aka PRGuitarman

**Correspondent Address:** KIA KAMRAN  
KIA KAMRAN PC  
1900 AVENUE OF THE STARS, 25TH FLOOR  
LOS ANGELES CA , 900674301  
UNITED STATES

**Correspondent e-mail:** [pr@prguitarman.com](mailto:pr@prguitarman.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
NYAN CAT	Cancellation Terminated - See TTAB Records	<a href="#">85357643</a>	<a href="#">4376980</a>

**Plaintiff(s)**

**Name:** Caterpillar, Inc.

**Correspondent Address:** NARESH KILARU  
FINNEGAN HENDERSON FARABOW GARRETT & DUNNER LLP  
901 NEW YORK AVENUE NW  
WASHINGTON DC , 20001  
UNITED STATES

**Correspondent e-mail:** [docketing@finnegan.com](mailto:docketing@finnegan.com) , [naresh.kilaru@finnegan.com](mailto:naresh.kilaru@finnegan.com) , [christopher.foley@finnegan.com](mailto:christopher.foley@finnegan.com) , [laura.johnson@finnegan.com](mailto:laura.johnson@finnegan.com) , [TTAB-Legal-Assistants@finnegan.com](mailto:Legal-Assistants@finnegan.com)

Associated marks			
Mark	Application Status	Serial Number	Registration Number
NYAN CAT	Cancellation Terminated - See TTAB Records	<a href="#">85357643</a>	<a href="#">4376980</a>
CAT	REGISTERED AND RENEWED	<a href="#">73392831</a>	<a href="#">1298364</a>
CAT	REGISTERED AND RENEWED	<a href="#">75455116</a>	<a href="#">2234260</a>
CAT	REGISTERED AND RENEWED	<a href="#">74451720</a>	<a href="#">1908556</a>
CAT	REGISTERED AND RENEWED	<a href="#">77184659</a>	<a href="#">3365449</a>
CAT	REGISTERED AND RENEWED	<a href="#">75296705</a>	<a href="#">2172769</a>
CAT	REGISTERED AND RENEWED	<a href="#">75621863</a>	<a href="#">2488264</a>
CAT ENGINEERED DURABILITY	REGISTERED AND RENEWED	<a href="#">76384020</a>	<a href="#">2674815</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 27, 2018	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 27, 2018	Sep 05, 2018
3	PENDING, INSTITUTED	Jul 27, 2018	
4	D MOT FOR EXT W/ CONSENT	Aug 29, 2018	
5	EXTENSION OF TIME GRANTED	Aug 29, 2018	
6	D MOT FOR EXT W/ CONSENT	Sep 27, 2018	
7	EXTENSION OF TIME GRANTED	Sep 28, 2018	
8	D MOT FOR EXT W/ CONSENT	Oct 31, 2018	
9	EXTENSION OF TIME GRANTED	Oct 31, 2018	
10	D MOT FOR EXT W/ CONSENT	Dec 03, 2018	
11	EXTENSION OF TIME GRANTED	Dec 03, 2018	
12	MOT TO AMEND REGISTRATION (FEE)	Dec 11, 2018	
13	BD DECISION: CAN DENIED	Dec 22, 2018	
14	TERMINATED	Jan 14, 2019	

**Type of Proceeding: Extension of Time**

**Proceeding Number:** [85357643](#)      **Filing Date:** Jun 14, 2012  
**Status:** Terminated      **Status Date:** Sep 28, 2012  
**Interlocutory Attorney:**

**Defendant**

**Name:** Torres, Christopher Orlando  
**Correspondent Address:** Kia Kamran  
Kia Kamran, P.C.  
15th Floor 1100 Glendon Avenue  
Los Angeles CA , 90024  
UNITED STATES

Associated marks			
Mark	Application Status	Serial Number	Registration Number
NYAN CAT	Cancellation Terminated - See TTAB Records	<a href="#">85357643</a>	<a href="#">4376980</a>

Potential Opposer(s)

**Name:** Socialsoft inc

**Correspondent** Cam-Hoan Ton-That

**Address:** Socialsoft inc  
81 encina ave  
palo alto CA , 94301  
UNITED STATES

**Correspondent e-mail:** [trademarks@thesocialsoft.com](mailto:trademarks@thesocialsoft.com)

**Name:** Jasongraham

**Correspondent** Jason graham

**Address:** 140 college ave  
san francisco CA , 94112  
UNITED STATES

**Correspondent e-mail:** [frazkran+uspto@gmail.com](mailto:frazkran+uspto@gmail.com)

Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Jun 14, 2012	
2	EXTENSION OF TIME GRANTED	Jun 14, 2012	
3	INCOMING - EXT TIME TO OPPOSE FILED	Jun 14, 2012	
4	EXTENSION OF TIME GRANTED	Jun 15, 2012	
5	INCOMING - EXT TIME TO OPPOSE FILED	Jul 12, 2012	
6	EXTENSION OF TIME GRANTED	Jul 12, 2012	
7	INCOMING - EXT TIME TO OPPOSE FILED	Jul 12, 2012	
8	EXTENSION OF TIME GRANTED	Jul 12, 2012	

# United States of America

United States Patent and Trademark Office

## Nyan Cat

**Reg. No. 4,376,980**

**Registered Jul. 30, 2013**

**Amended Jan. 29, 2019**

**Int. Cl.: 9, 25**

**Trademark**

**Principal Register**

Torres, Christopher Orlando (UNITED STATES INDIVIDUAL), AKA PRGuitarman  
1900 Avenue Of The Stars, 25th Floor  
C/o Kia Kamran P.c.  
Los Angeles, CALIFORNIA 900674301

CLASS 9: Computer application software for use with mobile phones and portable media players, namely, software for manipulating a character through a series of challenges displayed on the device's screen or monitor

FIRST USE 4-30-2011; IN COMMERCE 4-30-2011

CLASS 25: T-shirts \* related to an Internet meme of an animated cat \*

FIRST USE 7-31-2012; IN COMMERCE 7-31-2012

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

No claim is made to the exclusive right to use the following apart from the mark as shown: "CAT"

SER. NO. 85-357,643, FILED 06-28-2011



*Andrei Iancu*

Director of the United States  
Patent and Trademark Office