

UNITED STATES DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

In Re the Trademark Application of:

Applicant: Gemini Data, Inc.

Mark:



(GEMINI Design)

Serial No: 88421657

Classes: 9, 42

Filed: May 8, 2019

Mailing Date: July 7, 2019

Trademark Law Office: 101

Examiner: Russ Herman

**DECLARATION OF ROSE KAUTZ**

I, Rose Kautz, hereby declare that:

1. I am a U.S. citizen over the age of 18, and I have personal knowledge of the facts set forth in this declaration. I submit this declaration in support of Applicant Gemini Data, Inc.'s Response to Office Action filed concurrently herewith.

2. Attached as **Exhibit A** is a true and correct copy of the McDermott, Inc. "Who We Are" webpage, available online at <https://www.mcdermott.com/Who-We-Are> (last accessed Jan. 6, 2020).

3. Attached as **Exhibit B** is a true and correct copy of the TSDR status page for U.S. Serial No. 87778488, available online at [http://tsdr.uspto.gov/#caseNumber=87778488&caseSearchType=US\\_APPLICATION&caseType=DEFAULT&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=87778488&caseSearchType=US_APPLICATION&caseType=DEFAULT&searchType=statusSearch) (last accessed Jan. 6, 2020).

4. Attached as **Exhibit C** is a true and correct copy of the TSDR status page for U.S. Serial No. 87781672, available online at <http://tsdr.uspto.gov/#caseNumber=87781672&>

[caseSearchType=US\\_APPLICATION&caseType=DEFAULT&searchType=statusSearch](#) (last accessed Jan. 6, 2020).

5. Attached as **Exhibit D** is a true and correct copy of an article on the McDermott, Inc. webpage titled “McDermott Digital Efforts Featured In The Journal Of Petroleum Technology,” available online at <https://www.mcdermott.com/Newsroom/In-The-News/McDermott-Digital-Efforts> (last accessed Jan. 6, 2020).

6. Attached as **Exhibit E** is a true and correct copy of a webpage titled “CIO100 2018 Winner Profile: McDermott International Inc.,” available online at <https://www.cio.com/cio100/detail/2853> (last accessed Jan. 6, 2020).

7. Attached as **Exhibit F** is a true and correct copy of a report from *The American Oil & Gas Reporter* titled “Digital Technologies Enable New Project Design, Management Capabilities,” available online at <https://www.mcdermott.com/MDRSite/media/DocumentDownloadLibrary/0618-McDermott-Eprint.pdf> (last accessed Jan. 6, 2020).

8. Attached as **Exhibit G** is a true and correct copy of an article titled “Finding Meaning, Application for the Much-Discussed Digital Twin,” available online at <https://assets.new.siemens.com/siemens/assets/api/uuid:6c93082fae790f2cefd4643bc7f03dad383e238e/version:1532447223/digitaltwin-june18-lr.pdf> (last accessed Jan. 6, 2020).

9. Attached as **Exhibit H** is a true and correct copy of Applicant’s webpage, available online at <https://www.geminidata.com> (last accessed Jan. 6, 2020).

10. Attached as **Exhibit I** is a true and correct copy of the “About” section of Applicant's Facebook page, available online at [https://www.facebook.com/pg/geminidataco/about/?ref=page\\_internal](https://www.facebook.com/pg/geminidataco/about/?ref=page_internal) (last accessed Jan. 6, 2020).

11. Attached as **Exhibit J** is a true and correct copy of the TSDR status page for U.S. Serial No. 87831085, available online at <http://tsdr.uspto.gov/#caseNumber=87831085&>

[caseSearchType=US\\_APPLICATION&caseType=DEFAULT&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=5892193&caseSearchType=US_APPLICATION&caseType=DEFAULT&searchType=statusSearch) (last accessed Jan. 6, 2020).

12. Attached as **Exhibit K** is a true and correct copy of the TSDR status page for U.S. Reg. No. 5892193, available online at [http://tsdr.uspto.gov/#caseNumber=5892193&caseSearchType=US\\_APPLICATION&caseType=DEFAULT&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=5892193&caseSearchType=US_APPLICATION&caseType=DEFAULT&searchType=statusSearch) (last accessed Jan. 6, 2020).

13. Attached as **Exhibit L** is a true and correct copy of the TSDR status page for U.S. Serial No. 88210731, available online at [http://tsdr.uspto.gov/#caseNumber=88210731&caseSearchType=US\\_APPLICATION&caseType=DEFAULT&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=88210731&caseSearchType=US_APPLICATION&caseType=DEFAULT&searchType=statusSearch) (last accessed Jan. 6, 2020).

14. Attached as **Exhibit M** is a true and correct copy of the TSDR status page for U.S. Reg. No. 5582000, available online at [http://tsdr.uspto.gov/#caseNumber=5582000&caseSearchType=US\\_APPLICATION&caseType=DEFAULT&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=5582000&caseSearchType=US_APPLICATION&caseType=DEFAULT&searchType=statusSearch) (last accessed Jan. 6, 2020).

15. Attached as **Exhibit N** is a true and correct copy of the TSDR status page for U.S. Reg. No. 5553510, available online at [http://tsdr.uspto.gov/#caseNumber=5553510&caseSearchType=US\\_APPLICATION&caseType=DEFAULT&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=5553510&caseSearchType=US_APPLICATION&caseType=DEFAULT&searchType=statusSearch) (last accessed Jan. 6, 2020).

16. Attached as **Exhibit O** is a true and correct copy of the TSDR status page for U.S. Reg. No. 4762398, available online at [http://tsdr.uspto.gov/#caseNumber=4762398&caseSearchType=US\\_APPLICATION&caseType=DEFAULT&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=4762398&caseSearchType=US_APPLICATION&caseType=DEFAULT&searchType=statusSearch) (last accessed Jan. 6, 2020).

17. Attached as **Exhibit P** is a true and correct copy of the TSDR status page for U.S. Reg. No. 4206336, available online at <http://tsdr.uspto.gov/#caseNumber=4206336>

[&caseSearchType=US\\_APPLICATION&caseType=DEFAULT&searchType=statusSearch](#) (last accessed Jan. 6, 2020).

18. Attached as **Exhibit Q** is a true and correct copy of the TSDR status page for U.S. Reg. No. 1410190, available online at [http://tsdr.uspto.gov/#caseNumber=1410190&caseSearchType=US\\_APPLICATION&caseType=DEFAULT&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=1410190&caseSearchType=US_APPLICATION&caseType=DEFAULT&searchType=statusSearch) (last accessed Jan. 6, 2020).

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Date: Jan. 7, 2020



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Rose Kautz