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By Trade Remedies Service and email

Trade Remedies Authority  
Premier House,  
60 Caversham Road,  
Reading, RG1 7EB  
United Kingdom

[AR0089@traderemedies.gov.uk](mailto:AR0089@traderemedies.gov.uk)

Mayer Brown Europe-Brussels LLP  
Avenue des Arts 52  
Brussels 1000  
Belgium

T: +32 2 502 5517  
F: +32 2 502 5421  
mayerbrown.com

**Nikolay Mizulin**  
T: +32 2 551 5967  
F: +32 2 502 5421  
NMizulin@mayerbrown.com

8 June 2025

Dear Sir or Madam

**Absorption Review AR0089 - certain excavators originating from the People's Republic of China**

**Response to JCB Heavy Products Limited ("JCB") allegations regarding Caterpillar's registration form**

This submission is made on behalf of our clients in this review: Caterpillar (Xuzhou) Limited, Caterpillar SARL, Caterpillar SARL Singapore Branch, Caterpillar (China) Investment Co., Ltd (together -- "**Caterpillar**").

We write with reference to JCB's submission dated 22 May 2026, made public on Trade Remedies Authority ("**TRA**") website on 6 June 2026. In Section 2 of its submission, JCB makes a number of serious allegations regarding Caterpillar's conduct and credibility in connection with the above review. Caterpillar strongly rejects these claims.

For example, JCB suggests (without any documentary or other evidence) that Caterpillar's claim not to have exported Goods subject to review<sup>1</sup> to the UK since the imposition of anti-dumping duties lacks veracity and that the TRA should "work with HMRC" to assess these claims. JCB further speculates

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<sup>1</sup> The notice of initiation of the absorption review describes the Goods subject to review is as follows: Self-propelled track-laying (i.e. tracked) excavators with a 360-degree revolving superstructure and with an operating weight of 11,000 kg (i.e., 11 tonnes) or more, but less than 80,000kg (80 tonnes) originating in China.

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The Belgian resident partners are: Aymeric de Moncuit de Boisguillé (1), Pavlina Chopova-Leprêtre (2) (6), Nikolay Mizulin\* (4) (5), Jean-Philippe Montfort (2), and Paulette Vander Schueren (2)

(1) Avocat au Barreau de Paris, (2) Avocat au Barreau de Bruxelles - Advocaat bij de Balie van Brussel, Member of the Brussels Bar (List A), (3) Member of the Brussels Bar (List E), (4) Associated member of the Brussels Bar (List B), (5) Member of the Moscow City Bar, (6) Member of the Sofia Bar

by reference to aggregate import volumes, that Caterpillar must still be responsible for a significant share of Chinese excavator exports to the UK.

Caterpillar firmly rejects each of these allegations.

For the avoidance of doubt, Caterpillar confirms that Caterpillar (Xuzhou) Limited did not have any exports of Goods subject to review to the UK market in 2025. Caterpillar's export records have been thoroughly verified internally, and all necessary disclosures have been made to the TRA through the registration form submitted on 14 April 2026. If the TRA considers it helpful, Caterpillar is of course happy to participate in any verification process that the TRA may wish to conduct in this regard.

JCB's characterisation of Caterpillar's conduct and its insinuations regarding Caterpillar's credibility are rejected in the strongest terms. It is notable that JCB provides no evidence, whether from HMRC data, customs records, or any other source, to support its allegations. The TRA's findings in this review should be based on the facts as properly evidenced on the record, not on the speculation and rhetoric of an interested party. JCB's aggressive approach suggests that it may be seeking to use the trade remedies process to its commercial advantage.

The TRA is respectfully urged to treat JCB's unsubstantiated and false allegations with appropriate caution.

Naturally, Caterpillar is concerned that JCB, a competitor, has chosen to make these serious and false allegations in a public document, which now appears on the TRA's website. Caterpillar would invite the TRA to reconsider whether it is appropriate for such highly controversial material to be displayed in the public section of its website and explore whether it might be filed in a more suitable repository.

We look forward to your response. In the meantime, Caterpillar reserves all of its rights against JCB in connection with its submissions.

Yours faithfully,



**Mayer Brown Europe-Brussels LLP**