



Trademark Search and Analysis Report

TO: XXXXXX Labs Inc.

FROM: ZYL LAW FIRM LLC

DATE: 2025-12-02

SUBJECT: Search and Analysis of Candidate Mark NEXORA

I. Summary

Overall Recommendation

Based on a comprehensive USPTO and Common Law search for the candidate mark “NEXORA,” I do not recommend filing for registration in Class 009 (downloadable AI software) and Class 042 (AI SaaS services).

The search shows heavy commercial use of the mark in the AI and SaaS technology fields. The USPTO database already contains three pending “NEXORA” applications, two of which directly cover Classes 009 and 042. The Common Law investigation found at least 20 commercial entities using the name, including: (1) multinational conglomerate DCC Technology (2,500 employees) completed a rebrand to Nexora on December 2, 2025; (2) Nexora Group Inc., a U.S. subsidiary of NASDAQ-listed Erayak (NASDAQ: RAYA); (3) multiple U.S.-based AI automation companies (Nexora AI Solutions, NexoraAI) offering products nearly identical to the intended goods/services.

Considering the identical mark, highly overlapping goods/services, market strength of prior users, and the likelihood of USPTO refusals for likelihood of confusion, moving forward with this mark presents extremely high legal and commercial risk. I recommend selecting an alternative mark with stronger distinctiveness and registrability.

Assessment Overview

Candidate Mark	Recommendation Score	Risk Level	Key Conflicts	Recommendation
NEXORA	2/10	High	USPTO: 3 pending applications (including 2 covering 009/042); Common Law: 7 high-conflict	Not recommended; choose an alternative mark

			entities (direct business overlap) + 13 medium/low-conflict entities	
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II. Scope and Methodology

USPTO Database Search

This search fully covered the USPTO trademark database as follows:

- **International Classes (IC):** 009 (downloadable computer software), 042 (software as a service, SaaS)
- **Goods/Services Scope:** Downloadable AI software; SaaS featuring artificial intelligence for enterprise workflow automation and predictive analytics.
- **Search Strategy:** Intelligent variant queries combining exact match, phonetic similarity, and conceptual similarity. Query: CM:(NEXORA OR NEXORA* OR *NEXORA OR NEKSORA OR NEXAURA OR NEXOLA OR NEXOVA OR NEXURA OR MEXORA OR REXORA OR "NEX ORA" OR "NEX-ORA" OR NEXOR) AND GS:(Downloadable AI software; SaaS featuring artificial intelligence for enterprise workflow automation and predictive analytics.) AND LD:(true)
- **Result Count:**
 - NEXORA: 9 potential conflict records after initial screening

Common Law & Internet Sources

Through multi-platform searches, we investigated unregistered commercial use, covering:

- **Search Engines:** Google, Bing, and other major platforms
- **Business & Tech Databases:** Crunchbase, CB Insights, LinkedIn, etc.
- **Domain Registrations:** Registration and use of relevant domains
- **Social Media:** LinkedIn, Twitter/X, etc.
- **App Stores:** Google Play and other mobile app markets
- **Open-Source Community:** GitHub and other code hosting platforms
- **News Media:** PR Newswire, RAVE Publications, AVNetwork, and other trade media
- **Result Count:**
 - NEXORA: 20+ commercial entities identified; 7 high-conflict, 8 medium-conflict, 5 low-conflict

III. Detailed Risk Analysis of Candidate Marks

A. Candidate Mark: NEXORA

1. Assessment Summary

- **Inherent Strength:** As a coined combination (“Nex” + “Ora”), the mark has some fanciful quality, but it is already widely used in the AI/tech space, making the market crowded and diluting distinctiveness. Under the Abercrombie spectrum, in the specific use context it sits between suggestive and descriptive: “Nex” hints at “next/future,” “Ora” may suggest “oracle/insight”; together, in AI and predictive analytics they are suggestive. Due to numerous same or similar users, the mark’s ability to identify a single source is limited in practice.
- **Recommendation Score: 2/10**
- **Risk Level: High**
- **One-Sentence Conclusion:** Because of multiple prior USPTO pending applications and at least seven Common Law users with direct business overlap, plus a crowded market, the likelihood of registration success is low; even if registered, the mark would face ongoing legal challenges and brand-building difficulty. Not recommended.

2. USPTO Search Analysis

The USPTO search found nine potential conflict records, three of which present significant barriers:

2.1 Primary Conflict 1: NEXORA (SN: 99132320)

- **Owner:** GrowPath, LLC (Delaware, USA)
- **Goods/Services:** IC 042 - Software as a service (SAAS) services featuring software for [specific functionality TBD]
- **Status:** LIVE PENDING
- **Filing Date:** Estimated 2024 (based on serial number)
- **Likelihood of Confusion Analysis:**
 - **Mark Similarity (DuPont Factor 1):** Identical. No visual, aural, or conceptual differences; very high likelihood of confusion.
 - **Goods/Services Similarity (DuPont Factor 2):** Extremely high. Covers 042 SaaS directly overlapping core services. Even if functionality differs, SaaS in this class is a clear conflict.
 - **Trade Channels (DuPont Factor 3):** Fully overlapping. Both offer online SaaS to enterprise customers; target markets align.
 - **Market Strength (DuPont Factor 5):** GrowPath, LLC is a Delaware software provider with established market presence.
 - **Conclusion:** Direct registration obstacle. USPTO likely to issue a Section 2(d) refusal. Overcoming it would be difficult given identical marks and overlapping classes.

2.2 Primary Conflict 2: NEXORA (SN: 99203230)

- **Owner:** Nexora Technologies LLC (Virginia, USA)
- **Goods/Services:** IC 009 - Downloadable computer software for managing cryptocurrency [specific functionality TBD]
- **Status:** LIVE PENDING
- **Likelihood of Confusion Analysis:**
 - **Mark Similarity (DuPont Factor 1):** Identical.
 - **Goods/Services Similarity (DuPont Factor 2):** High. Though focused on crypto management, both are IC 009 software involving data processing/analytics. USPTO typically presumes relatedness for software in the same class, especially for enterprise or tech-heavy use.
 - **Trade Channels (DuPont Factor 3):** Partially overlapping. Both deliver software online to tech users; customer bases differ but may intersect.
 - **Market Strength (DuPont Factor 5):** Company name includes “Nexora,” indicating core brand significance and likely strong enforcement interest.
 - **Conclusion:** Significant risk. Even with differing features, same class software is presumed related; examiner may require narrowed identification or evidence of differentiation.

2.3 Primary Conflict 3: NEXORA (SN: 99176387)

- **Owner:** Acelsa Enterprise LLC (Florida, USA)
- **Goods/Services:** IC 041 - Provision of non-downloadable films and television programs [details TBD]
- **Status:** LIVE PENDING
- **Likelihood of Confusion Analysis:**
 - **Mark Similarity (DuPont Factor 1):** Identical.
 - **Goods/Services Similarity (DuPont Factor 2):** Low. Entertainment services (041) differ from 009/042 software services.
 - **Purchaser Care (DuPont Factor 10):** Purchase decisions differ significantly between entertainment and enterprise software.
 - **Conclusion:** Lower obstacle due to class differences, but adds complexity; edge cases (e.g., AI used in entertainment content) could still create association.

2.4 Other Notable USPTO Records

- **NEXORAI (SN: 99247475)** - IC 042, tech consulting, pending; highly similar mark (adds “I”), overlapping AI consulting services; additional risk.
- **NEXOR (SN: 75126772)** - IC 009, 042, LIVE REGISTERED, Nexor Limited (UK), computer programs and software services; highly similar in sight and sound; may be cited for confusion.
- **NEXORALEGAL.COM (SN: 99132344)** - IC 042, GrowPath, LLC (same owner as Conflict 1), showing comprehensive brand protection for “NEXORA.”

USPTO Search Summary:

Prior USPTO filings and registrations create serious barriers. In particular, SN 99132320 (Class 042 SaaS) and SN 99203230 (Class 009 software) directly conflict and are identical marks. Section 2(d) refusals are highly likely. Even with detailed arguments or narrowed identifications, success probability is low and would increase cost/time.

3. Common Law Conflicts Analysis

Common Law searches found 20+ entities using “NEXORA” or close variants, indicating a crowded tech/AI space. Key high-risk entities:

3.1 Primary Conflict 1: Nexora AI Solutions (nexoraaisolutions.com)

- **Form of Use:** “Nexora AI Solutions” (company name and branding)
- **Business Scope:** AI automation for businesses, workflow automation, predictive analytics, marketing campaigns, customer service automation
- **Geographic Scope:** Global online operations
- **Evidence of Use:** Active website; professional services suggest ongoing commercial use
- **Risk Analysis:**
 - **Direct Product/Service Conflict:** Core services nearly identical.
 - **Prior Use Threat:** If prior use is proven, may oppose USPTO application or seek cancellation.
 - **Market Confusion:** Identical name and services create high confusion risk.
 - **DuPont Factors:** Identical mark; nearly identical goods/services; fully overlapping channels; enterprise buyers with care but still prone to confusion.
 - **Conclusion:** High legal risk; likely to oppose or claim infringement.

3.2 Primary Conflict 2: NexoraAI (nexoraai.co)

- **Form of Use:** “NexoraAI” / “Nexora AI Solutions”
- **Business Scope:** AI-powered automation solutions, custom AI solutions, data analytics, business intelligence
- **Geographic Scope:** U.S.-based (San Diego, CA; phone +1-619-399-234)
- **Evidence of Use:** Active website with structured Schema markup; six core service categories; contact email reach@nexoraai.co
- **Risk Analysis:**
 - **Same Jurisdiction:** Operates in the U.S.; high conflict risk.
 - **Highly Overlapping Services:** Six categories all overlap with workflow automation and predictive analytics.
 - **Prior Use:** U.S. operations may confer Common Law priority in its market.
 - **Confusion:** Mark nearly identical (only “AI” suffix, common in the industry); identical services and customers.

- **Conclusion:** High risk, especially in California and U.S. markets; potential Common Law infringement claims.

3.3 Primary Conflict 3: DCC Technology → Nexora (2,500-employee multinational group)

- **Form of Use:** “Nexora” (corporate brand name)
- **Business Scope:** ProAV, home technology, business infrastructure solutions
- **Geographic Scope:** Europe (DACH, France, Italy, Iberia, Nordics) and North America
- **Evidence of Use:** Official rebrand announced Dec 2, 2025 via multiple industry press outlets (RAVE Publications, AVNetwork, Commercial Integrator)
- **Company Size:** 27 business units, ~2,500 employees
- **Risk Analysis:**
 - **Legal Weight of Rebrand:** Large rebrand suggests prior diligence and potential filings.
 - **Resource Advantage:** Likely to enforce brand robustly.
 - **Business Overlap Potential:** Broad “business infrastructure solutions” may intersect with enterprise software/automation.
 - **Monitoring/Enforcement:** Likely active trademark monitoring.
 - **Conclusion:** Lower direct overlap than above, but scale and enforcement capability pose potential threat, especially if they file in 009/042 or expand into AI/software.

3.4 Primary Conflict 4: Nexora Group Inc. (NASDAQ subsidiary)

- **Form of Use:** “Nexora Group Inc.” (registered company name)
- **Business Scope:** Power equipment, RV solutions, renewable energy
- **Geographic Scope:** U.S. HQ; plans for South America and Europe
- **Evidence of Use:** Formation announced Oct 17, 2025 via PR Newswire
- **Background:** U.S. subsidiary of Erayak Power Solution Group Inc. (Nasdaq: RAYA)
- **Risk Analysis:**
 - **Public Company Resources:** Strong legal/financial capacity to protect brand.
 - **Corporate Registration:** Company name enjoys protection under corporate and trademark principles.
 - **Business Differences:** Distinct from AI software, reducing immediate conflict.
 - **Cross-Industry Expansion Risk:** Possible future entry into smart energy software could create conflict.
 - **Conclusion:** Medium current risk; long-term legal risk given resources and expansion potential.

3.5 Primary Conflict 5: Nexora Technologies (4,500-employee global company)

- **Form of Use:** “Nexora Technologies”
- **Business Scope:** Cloud-based AI solutions for businesses, machine learning, analytics

- **Geographic Scope:** Global (North America, Europe, Asia)
- **Company Size:** 4,500 employees
- **Evidence of Use:** Featured on consulting platform Flevy; LinkedIn company page
- **Risk Analysis:**
 - **Largest Same-Name Entity:** Market influence and brand value are significant.
 - **Core Business Conflict:** AI/cloud solutions and analytics directly overlap.
 - **Global Reach Including North America:** Directly covers target markets.
 - **Acquired Distinctiveness:** Long-term use may have built recognition.
 - **Prior Use Priority:** If prior U.S. use is proven, Common Law rights may prevail.
 - **Conclusion:** High legal risk; scale, overlap, and reach make disputes costly.

3.6 Primary Conflict 6: Nexora (Fintech AI company acquired by Vector8)

- **Form of Use:** “Nexora”
- **Business Scope:** Fintech AI solutions, full-cycle financial application development
- **Geographic Scope:** North Macedonia (Skopje); serves finance and investment clients
- **Evidence of Use:** Acquired by Vector8 on Sept 4, 2024; operated before acquisition
- **Risk Analysis:**
 - **Specialized AI Provider:** Core tech (AI, data analytics) overlaps despite industry focus.
 - **International AI Acquisition:** Signals recognized tech value.
 - **Timing:** Pre-2024 use suggests earlier priority.
 - **Geographic Buffer:** Primarily European, reducing direct U.S. impact.
 - **Conclusion:** Medium-to-high risk; international presence and AI focus add to overall conflict landscape.

3.7 Primary Conflict 7: NEXORA Technology Solutions Provider (nexora.lt - Lithuania)

- **Form of Use:** “NEXORA”
- **Business Scope:** Web, mobile & AI development; intelligent virtual assistants; AI-powered automation; machine learning solutions
- **Geographic Scope:** Lithuania (registered); global operations (India contact +91)
- **Evidence of Use:** Founded in 2025 by Anshdeep Singh Randev; showcases three featured projects
- **Risk Analysis:**
 - **New but Direct Overlap:** Founded in 2025; core services directly conflict.
 - **Ongoing Attraction of the Name:** New entrants adopting “NEXORA” show continued crowding.
 - **Global Intent:** Bilingual site and India contact indicate global reach.
 - **Conclusion:** Lower current legal threat, but adds to confusion and crowding.

Common Law Search Summary:

Common Law investigation reveals a crowded landscape. At least seven entities use “NEXORA” in highly related or identical fields, several in or serving the U.S. These pose multiple legal threats:

1. **USPTO Opposition Risk:** Prior users may oppose during the publication period.
2. **Common Law Infringement Risk:** Even with registration, use of “NEXORA” could infringe prior Common Law rights.
3. **Market Confusion and Dilution:** Multiple “NEXORA” brands dilute distinctiveness and increase consumer confusion.
4. **Ongoing Legal Costs:** Monitoring and responding to multiple potential challenges increases operational costs.

Combined with USPTO findings, “NEXORA” is not a viable choice for registration or long-term branding.

4. DuPont Factor Analysis

Based on the 13 factors in *In re E.I. du Pont de Nemours & Co.*, key factors are evaluated below:

Factor 1: Similarity or Dissimilarity of the Marks

- **Analysis:** The applied-for “NEXORA” is identical to at least three USPTO pending applications (SN 99132320, 99203230, 99176387) and highly similar to “NEXORAI” (SN 99247475) and “NEXOR” (SN 75126772). There are virtually no distinguishing differences in sight, sound, or meaning.
- **Weight:** Identical marks strongly support likelihood of confusion. Even stylization cannot overcome identical wording.
- **Conclusion:** Unfavorable.

Factor 2: Similarity or Dissimilarity of the Goods/Services

- **Analysis:** Classes 009 (downloadable AI software) and 042 (AI SaaS for enterprise workflow automation and predictive analytics) directly overlap with prior pending applications SN 99132320 (042 SaaS) and SN 99203230 (009 software). USPTO presumes relatedness for software in the same class, especially involving AI, enterprise use, and data processing.
- **Common Law Evidence:** Nexora AI Solutions and NexoraAI offer nearly identical services, reinforcing high relatedness.
- **Weight:** Direct overlap is a major factor supporting confusion.
- **Conclusion:** Unfavorable.

Factor 3: Similarity or Dissimilarity of Trade Channels

- **Analysis:** Prior users distribute via online channels (websites, SaaS platforms) to enterprise customers—typical B2B SaaS. Channels fully overlap.

- **Purchaser Profile:** Buyers are enterprise decision-makers seeking AI automation and workflow optimization.
- **Weight:** Overlapping channels increase exposure to multiple “NEXORA” brands, heightening confusion risk.
- **Conclusion:** Unfavorable.

Factor 5: Fame/Strength of the Prior Mark

- **Analysis:** While most prior users are not “famous” marks, some entities (e.g., Nexora Technologies with 4,500 employees; DCC Technology/Nexora with 2,500 employees) may have established recognition in their niches.
- **Acquired Distinctiveness:** Long-term use can strengthen protectability in their markets.
- **Contrast:** The applicant’s brand recognition under “NEXORA” is likely weaker as a new entrant.
- **Weight:** Greater strength of prior marks broadens their protection and increases confusion risk.
- **Conclusion:** Unfavorable. Not famous, but market presence still reinforces confusion.

Factor 10: Degree of Care Exercised by Consumers

- **Analysis:** Enterprise software/SaaS purchases are high-value, high-involvement decisions; buyers exercise care.
- **However:** Identical marks with highly overlapping services still cause confusion; buyers may assume affiliation, sponsorship, or a product line relationship.
- **Market Reality:** In fast-moving AI/SaaS markets, exposure via search, forums, and social channels can still cause confusion even among careful buyers.
- **Weight:** Slightly favorable to applicant but insufficient to offset other factors.
- **Conclusion:** Slightly favorable but not decisive.

Factor 13: Other Relevant Facts

- **Market Crowding:** At least 20+ users create a crowded environment:
 - **Dilution of Distinctiveness:** Multiple users weaken single-source significance.
 - **Actual Confusion Risk:** Confusion risk is real, not hypothetical.
 - **Enforcement Difficulty:** Enforcing rights would be costly against many users.
- **USPTO Trends:** Examiners are stricter in AI/tech; “NEXORA” (Nex + Ora) may be viewed as suggestive or descriptive (“next” + “oracle/insight”), further hurting registrability.
- **Conclusion:** Crowding and scrutiny trends increase risk.

DuPont Overall Conclusion:

Key factors supporting confusion (1, 2, 3, 5, 13) outweigh the limited mitigating factor (10). Identical marks and overlapping goods/services are decisive.

Prediction: High probability of Section 2(d) refusal. Even robust responses have low success rates and increase costs.

5. Office Action Prediction and Response Strategies

Expected Office Actions:

5. **Section 2(d) Likelihood of Confusion Refusal** — High probability
 - Based on prior pending applications SN 99132320 (042) and/or SN 99203230 (009)
 - Examiner will analyze DuPont factors with focus on identical marks and related services
 - May also cite other applications/registrations (e.g., NEXOR SN 75126772, NEXORAI SN 99247475)
6. **Potential Section 2(e)(1) Descriptiveness Refusal** — Medium probability
 - If examiner deems “NEXORA” suggestive/descriptive in AI and predictive analytics
 - Especially if “NEX” is read as “next” and “ORA” as “oracle,” suggesting “next-generation insight”

Response Strategies (if proceeding):

Strategy 1: Restrict Goods/Services - Method: Narrow descriptions to specific, tight use cases to avoid overlap with prior applications. - **Example:** Limit “SaaS featuring artificial intelligence for enterprise workflow automation and predictive analytics” to a narrow industry/function (e.g., pharmaceutical research workflow automation). - **Risk:** Over-narrowing weakens commercial value and protection scope.

Strategy 2: Coexistence Argument - Method: Argue multiple “NEXORA” users already coexist, suggesting consumers can differentiate. - **Challenge:** Weak; existing confusion supports examiner concerns. USPTO rarely accepts increased confusion as justification.

Strategy 3: Consent Agreement - Method: Negotiate written consent from prior applicants (e.g., GrowPath, LLC or Nexora Technologies LLC) to coexist. - **Feasibility:** Requires cooperation and likely business/financial terms; consent may be unlikely. - **Limitation:** USPTO retains discretion and consent does not resolve conflicts with all users.

Strategy 4: Abandon and Choose an Alternative Mark (Recommended) - Reason: Low success odds, high legal cost, ongoing enforcement difficulty, and market confusion. - **Alternative Approaches:** - Fanciful marks (e.g., “ZYPHORA,” “LUMIVEX,” “QUANTARA”) — subject to clearance. - Add unique modifiers (e.g., “NEXORA FLOW,” “NEXORA QUANTUM”) — but still inherit “NEXORA” conflicts. - Different naming strategy based on vision, tech, or founder attributes.

IV. Legal Disclaimer

This report is based on publicly available USPTO data and Common Law web searches, providing preliminary risk assessment and strategy suggestions. It is not formal legal advice and does not replace guidance from a licensed trademark attorney.

Trademark searches have inherent limitations, including: (1) USPTO pending applications may not be fully public; (2) Common Law uses not disclosed online may be missed; (3) Other jurisdictions (state trademarks, international filings) were outside scope; (4) Trademark law and examination practices evolve.

Risk levels and recommendations reflect professional judgment and historical trends but do not guarantee USPTO or court outcomes. Any trademark filings, business decisions, or legal actions based on this report should follow consultation with a licensed trademark attorney and further due diligence.

Clients should understand that trademark applications involve uncertainty and risk; even marks assessed as low risk may encounter unexpected obstacles. Consult experienced trademark counsel before filing any application.