

ESTTA Tracking number: **ESTTA1176353**Filing date: **12/03/2021**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	The & Partners Group Limited
Granted to Date of previous extension	12/05/2021
Address	7 RATHBONE STREET, LONDON LONDON, W1T1LY UNITED KINGDOM
Attorney information	JEFFREY C. KATZ, ESQ. DAVIS & GILBERT LLP 1675 BROADWAY, 31ST FLOOR NEW YORK, NY 10019 UNITED STATES Primary Email: jkatz@dglaw.com Secondary Email(s): ksohn@dglaw.com, tsuhay@dglaw.com, chinton@dglaw.com, trademarks@dglaw.com 2124684823
Docket Number	26172-22-6

Applicant Information

Application No.	88580145	Publication date	06/08/2021
Opposition Filing Date	12/03/2021	Opposition Period Ends	12/05/2021
Applicant	National Cable Communications LLC 151 WEST 42ND STREET 11TH FLOOR NEW YORK, NY 10036 UNITED STATES		

Goods/Services Affected by Opposition

Class 035. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Advertising, marketing, and promotion services; Online and internet advertising services; Digital advertising services; Television advertising; Mobile advertising services for others; Advertising technology services, namely, using software algorithms and data analytics to generate targeted advertising and to measure advertising effectiveness in the nature of placing advertisements on websites for others to generate targeted advertising and to measure advertising effectiveness using specialized computer software with software algorithms and data analytics; Television advertising and television marketing sales services in the nature of television promotional marketing services for sales to the public sector; Digital, internet, and multimedia advertising sales, namely, providing information about products via digital telecommunication networks for advertising and sales purposes; Collecting, analyzing, and using subscriber and

user data to optimize advertising effectiveness; Online advertising services, namely, digital ad buying being a type of online advertising service performed for others; Social media analytics services, namely, social mediabusiness data analysis, analyzing and compiling social media business data; Advertising optimization services, namely, utilizing algorithms, artificial intelligence, business data analytics, augmented reality, virtual reality, and ad buying and bidding tools; Advertising and marketing services, namely, providing audience insights to others by development of marketing strategies, concepts, and tactics being audience measuring, targeting, development, audience analytics, analysis, and reporting, brand awareness, online community building and digital word of mouth communication; Advertising and marketing consulting services, namely, business consulting in the field of advertising and marketing; business Consulting services in the fields of data analytics, advertising, marketing, and social analytics; business consulting services in the fields of data-driven advertising, television advertising, cross-platform advertising, addressable advertising, linear advertising, data-driven marketing, digital advertising and marketing, advertising technology, and advertising campaign optimization; Research and consumer analytics services in the fields of advertising and marketing, namely, analyzing and compiling business data for market research on consumers in the field of advertising and marketing, market research and business analyses on consumers in the field of advertising and marketing; Digital ad buying services being a type of digital advertising service performed for others

Class 042. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Providing online non-downloadable computer software for use to enable the creation, tracking, and servicing of advertising and marketing materials and campaigns; Providing online non-downloadable computer programs for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, digital advertising campaigns, and advertising campaigns utilizing algorithms, artificial intelligence, augmented reality and virtual reality, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, and ad buying and bidding relating to advertising and promotion; Providing online non-downloadable computer programs for use in acquiring advertising inventory and for use in placing advertisements based on consumer habits, web browsing data, and economic trends; Providing online non-downloadable software for use in generating online marketing programs; Providing online non-downloadable computer programs for use in reporting the extent and success of online advertising campaigns

Applicant Information

Application No.	88496858	Publication date	06/08/2021
Opposition Filing Date	12/03/2021	Opposition Period Ends	
Applicant	National Cable Communications LLC 151 WEST 42ND STREET, 11TH FLOOR NEW YORK, NY 10036 UNITED STATES		

Goods/Services Affected by Opposition

Class 009. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, and reviewing and generating reports, all in connection with, and for providing, advertising and marketing products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social

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campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, data-driven augmented reality advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, data-driven advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, data analytics products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, data analytics services, namely, collecting, analyzing, and using data to target and measure advertising effectiveness; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, the ability to collect, analyze, and use subscriber and user data to optimize advertising effectiveness; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, online advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, augmented reality advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, online advertising products and services, namely, digital ad buying; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring

and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, on-line advertising services, namely, coordinating digital and TV advertising; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, social analytics products and services; Downloadable mobile and desktop computer software for use the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, advertising optimization products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, TV advertising optimization products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, addressable advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, addressable, linear, and video on demand TV advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, digital advertising and marketing products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing

return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, digital advertising and technology products and services; Downloadable mobile and desktop computer software for use in the coordination, planning,management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business dataanalytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing,TV, multimedia, internet, digital, mobile, desktop, cross-and-multi platform, cross-and-multi device, cross-and-multi screen, out-of-home, digital out-of-home,social media, audio, connected tv, streaming, over-the-top TV, virtual, augmented reality, cable, banner, video, video on demand, and display advertising and marketing products and services; Downloadable mobile and desktop computer software for use in the coordination, planning,management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business dataanalytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing,data-driven TV, multimedia, internet, digital, mobile, desktop, cross-plat-form,cross-device, out-of-home, digital out-of-home, social media, audio, connected tv, streaming, over-the-top TV, virtual,augmented reality, cable, banner, video, video on demand, and display advertising and marketing products and services; Downloadable mobile and desktop computersoftware for use in the coordination, planning, management, analysis, monitoring, optimization, and imple-mentation of advertising and marketing campaigns, measuring and assessing return on investment-and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, programmatic advertising products and services; Downloadable mobile anddesktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and mar-keting campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and on-line usage and data analytics, ad buying, ad bidding, and generating reports, all in connectionwith, and for providing, programmatic ad buying products and services; Downloadable mobile and desktop computer software for use in the coordination, planning,management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business dataanalytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing,programmatic TV advertising products and services; Downloadable mobile and desktop computer software for use in the co-ordination, planning, management, analysis, monitoring, optimization, and implementation of advert-ising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing al-gorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing,programmatic augmented reality advertising products and ser-vices; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertisingand mar-keting campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media,digital and on-line usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, andfor providing, programmatic online advertising products and services; Downloadable mobile and desktop computer softwarefor use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring andassessing return on investment and effectiveness of advertising and marketing campaigns, database manage-

ment, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, programmatic advertising products and services, namely, real-time bidding; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, data-driven programmatic TV products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, advertising and marketing products and services, namely, providing audience insights to others; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, political advertising and marketing products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, advertising and marketing consulting services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, consulting services in the fields of data analytics, advertising, marketing, and social analytics; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, consulting services in the fields of data-driven advertising, tv advertising, augmented reality advertising, cross-platform advertising, addressable advertising, linear advertising, data-driven marketing, digital advertising and marketing, advertising technology, and advertising campaign optimization; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, analysis, coordination, management, monitoring, planning, counseling, measuring, and reporting on advertising and marketing campaigns for others; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bid-

ding, and generating reports, all in connection with, and for providing, advertising and marketing research, analysis and reporting; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, research and consumer analytics products and services in the fields of advertising and marketing; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, analysis, coordination, management, monitoring, planning, counseling, measuring, and reporting on TV, multimedia, internet, digital, mobile, desktop, cross-and-multi platform, cross-and-multi device, cross-and-multi screen, out-of-home, digital out-of-home, social media, audio, connected tv, streaming, over-the-top TV, virtual, augmented reality, cable, banner, video, video on demand, and display advertising and marketing campaigns for others; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, research and consumer analytics products and services driven by data collection and analysis for purposes of optimizing effectiveness and return on investment for cross-media TV and digital video advertising campaigns; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, advertising and marketing products and services, namely, data-driven consumer and viewer targeting; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, digital ad buying products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, digital ad buying products and services, namely, the coordination and management of ad buys; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, brand marketing products and services

Class 035. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Advertising and marketing services; Advertising, advertising technology and marketing services, namely, providing advertising and marketing services utilizing algorithms and artificial intelligence; Data-driven advertising and marketing services

for use by others to appear in professionally produced TV programming; Data-driven TV advertising services; Data-driven advertising services; Data-driven marketing services; Data-driven augmented reality advertising services; business data analytics services for others; Data analytics services, namely, collecting, analyzing, and using data to target and measure advertising effectiveness; Collecting, analyzing, and using subscriber and user data to optimize advertising effectiveness; Augmented reality advertising services; Online advertising services; Online advertising services, namely, digital ad buying for others as part of broader advertising services; Social analytics services being analyzing data derived from social media, digital, and online usage for others as part of broader advertising services; Advertising optimization services; TV advertising services; TV advertising optimization services; Augmented reality advertising optimization services; Addressable advertising services; Addressable, linear and video on demand TV advertising services; Cross-platform advertising services; Digital advertising and marketing services; TV, multimedia, internet, digital, mobile, desktop, cross-and-multi platform, cross-and-multi device, cross-and-multi screen, out-of-home, digital out-of-home, social media, audio, connected tv, streaming, over-the-top TV, virtual, augmented reality, cable, banner, video, video on demand, and display advertising and marketing services; Data-driven TV, multimedia, internet, digital, mobile, desktop, cross-platform, cross-device, out-of-home, digital out-of-home, social media, audio, connected tv, streaming, over-the-top TV, virtual, augmented reality, cable, banner, video, video on demand, and display advertising and marketing services; Programmatic advertising services; Programmatic ad buying services for others as part of broader advertising services; Programmatic TV advertising services; Programmatic online advertising services; Programmatic augmented reality advertising services; Programmatic advertising services, namely, real-time bidding services for others; Data-driven programmatic TV advertising services; Advertising and marketing services, namely, providing audience insights to others being advertising information; Political advertising and marketing services; Advertising and marketing consulting services; Consulting services in the fields of business data analytics, advertising, marketing, and business focused social analytics; Consulting services in the fields of data-driven advertising, tv advertising, cross-platform advertising, addressable advertising, linear advertising, data-driven marketing, digital advertising and marketing, and advertising campaign optimization; Analyzing, coordinating, managing, monitoring, planning, counseling, measuring, and reporting on advertising and marketing campaigns for others; Analyzing, coordinating, managing, monitoring, planning, counseling, measuring, and reporting on TV, multimedia, internet, digital, mobile, desktop, cross-and-multi platform, cross-and-multi device, cross-and-multiscreen, out-of-home, digital out-of-home, social media, audio, connected tv, streaming, over-the-top TV, virtual, augmented reality, cable, banner, video, video on demand, and display advertising and marketing campaigns for others; Advertising and marketing research, analysis and reporting services; Research and consumer analytics services in the fields of advertising and marketing; Research and consumer analytics services driven by data collection and analysis for purposes of optimizing effectiveness and return on investment for cross-media TV and digital video advertising campaigns; Advertising and marketing services, namely, data-driven consumer and viewer targeting; Digital ad buying services for others; Augmented reality ad buying services for others; Digital ad buying services, namely, coordinating and managing ad buys for others; Brand marketing services

Class 042. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and reviewing and generating reports, all for use in advertising and marketing services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, digital advertising campaigns, and advertising campaigns utilizing algorithms, artificial intelligence, augmented reality and virtual reality, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, and ad buying and bidding, for use in advertising technology services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis,

monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in advertising and marketing sales services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in TV advertising and marketing sales services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in data-driven advertising and marketing services for use by others to appear in professionally produced TV programming; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in digital, internet, and multimedia advertising sales; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in data-driven advertising technology services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in data-driven advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, measuring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in data-driven advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, measuring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, and the electronic storage of data, all for use in data analytics services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring,

optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, and the electronic storage of data, all for use in data analytics services, namely, collecting, analyzing, and using data to target and measure advertising effectiveness; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in collecting, analyzing, and using subscriber and user data to optimize advertising effectiveness; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, and for the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in online advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in online advertising services, namely, digital ad buying; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, and for the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in online advertising services, namely, coordinating digital and TV advertising campaigns; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in social analytics services to be used in the coordination, planning, management, analysis, monitoring, measuring, optimization, and implementation of advertising and marketing campaigns; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in advertising optimization services for the coordination, planning, management, analysis, monitoring, measuring and implementation of advertising and marketing campaigns; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of TV advertising campaigns, all for use in TV advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in TV advertising optimization services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, and for the coordination, planning, measuring, management, analysis, monitoring, optimization, and implementation of advertising campaigns, all for use in augmented reality advertising optimization services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in addressable advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in addressable, linear and video on demand TV advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, manage-

ment, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in cross-platform advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in digital advertising and marketing services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in digital advertising technology services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in TV, multimedia, internet, digital, mobile, desktop, cross-and-multi platform, cross-and-multi device, cross-and-multi screen, out-of-home, digital out-of-home, social media, audio, connected tv, streaming, over-the-top TV, virtual, augmented reality, cable, banner, video, video on demand, and display advertising and marketing services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in data-driven TV, multimedia, internet, digital, mobile, desktop, cross-platform, cross-device, out-of-home, digital out-of-home, social media, audio, connected tv, streaming, over-the-top TV, virtual, augmented reality, cable, banner, video, video on demand, and display advertising and marketing services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in programmatic advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in ad bidding ad buying, all for use in programmatic ad buying services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in programmatic TV advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in programmatic augmented reality advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in programmatic online advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in programmatic advertising services, namely, real-time bidding services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in data-driven programmatic TV services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in advertising and marketing services, namely, data collection, database management, and electronic storage of data for use in providing audience insights

toothers; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in political advertising and marketing services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in advertising and marketing consulting services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in consulting services in the fields of data analytics, advertising, marketing, and social analytics; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in consulting services in the fields of data-driven advertising, tv advertising, augmented reality advertising, cross-platform advertising, addressable advertising, linear advertising, data-driven marketing, digital advertising and marketing, advertising technology, and advertising campaign optimization; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying and ad bidding, all for use in analyzing, coordinating, managing, monitoring, planning, counseling, measuring, and reporting on advertising and marketing campaigns for others; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in analyzing, coordinating, managing, monitoring, planning, counseling, measuring, and reporting on TV, multimedia, internet, digital, mobile, desktop, cross-and-multiplatform, cross-and-multi device, cross-and-multi screen, out-of-home, digital out-of-home, social media, audio, connected tv, streaming, over-the-top TV, virtual, augmented reality, cable, banner, video, video on demand, and display advertising and marketing campaigns for others; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, business data analytics, electronic storage of data, ad buying, and ad bidding, all for use in advertising and marketing research, analysis and reporting services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, business data analytics, electronic storage of data, ad buying, and ad bidding, all for use in research and consumer analytics services in the fields of advertising and marketing; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) application for use in data collection, database management, business data analytics, electronic storage of data, ad buying, and ad bidding, all for use in research and consumer analytics services driven by data collection and analysis for purposes of optimizing effectiveness and return on investment for cross-media TV and digital video advertising campaigns; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, business data analytics, electronic storage of data, ad buying, and ad bidding, all for use in advertising and marketing services, namely, data-driven consumer and viewer targeting; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in digital ad buying services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in augmented reality ad buying services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in digital ad buying services, namely, coordinating and managing ad buys; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in

the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising and marketing campaigns, all for use in brand marketing services; coordinating digital and TV advertising campaigns using proprietary online, non-downloadable software and technology platform; Advertising technology services, namely, providing a website featuring technology for utilizing algorithms, artificial intelligence, business data analytics, social analytics, augmented reality, and virtual reality, and ad buying and bidding tools, for use in connection with advertising; Consulting services in the fields of advertising technology services being technology utilizing algorithms, artificial intelligence, business data analytics, social analytics, augmented reality, virtual reality, and ad buying and bidding

Applicant Information

Application No.	88496852	Publication date	06/08/2021
Opposition Filing Date	12/03/2021	Opposition Period Ends	
Applicant	National Cable Communications LLC 151 WEST 42ND STREET, 11TH FLOOR NEW YORK, NY 10036 UNITED STATES		

Goods/Services Affected by Opposition

Class 009. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, and reviewing and generating reports, all in connection with, and for providing, advertising and marketing products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, advertising technology products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, and reviewing and generating reports, all in connection with, and for providing, advertising and marketing sales products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, TV advertising and marketing sales products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, augmented reality advertising and marketing sales products

and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, data-driven advertising and marketing products and services for use by others to appear in professionally produced TV programming; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, data-driven advertising and marketing products and services for use by others to appear in professionally produced augmented reality programming; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, digital, internet, and multimedia advertising sales; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, data-driven advertising technology products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, data-driven TV advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, data-driven augmented reality advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, data-driven marketing products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage

and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, data analytics products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, data analytics services, namely, collecting, analyzing, and using data to target and measure advertising effectiveness; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, the ability to collect, analyze, and use subscriber and user data to optimize advertising effectiveness; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, online advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, augmented reality advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, online advertising products and services, namely, digital ad buying; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, online advertising services, namely, coordinating digital and TV advertising; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, social analytics products and services; Downloadable mobile and desktop computer software for use the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, advertising optimization products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented

reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, TV advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, TV advertising optimization products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, addressable advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, addressable, linear, and video on demand TV advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, cross-platform advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, digital advertising and marketing products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, TV, multimedia, internet, digital, mobile, desktop, cross-and-multi platform, cross-and-multi device, cross-and-multi screen, out-of-home, digital out-of-home, social media, audio, connected tv, streaming, over-the-top TV, virtual, augmented reality, cable, banner, video, video on demand, and display advertising and marketing products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, data-driven TV, multimedia, internet, digital, mobile, desktop, cross-platform, cross-device, out-of-home, digital out-of-home, social media, audio, connected tv, streaming,

over-the-top TV, virtual, augmented reality, cable, banner, video, video on demand, and display advertising and marketing products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, programmatic advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, programmatic advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, programmatic TV advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, programmatic augmented reality advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, programmatic online advertising products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, programmatic advertising products and services, namely, real-time bidding; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, data-driven programmatic TV products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, advertising and marketing products and services, namely, providing audience insights to others; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business

data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, political advertising and marketing products and services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, advertising and marketing consulting services; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, consulting services in the fields of data analytics, advertising, marketing, and social analytics; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, consulting services in the fields of data-driven advertising, tv advertising, augmented reality advertising, cross-platform advertising, addressable advertising, linear advertising, data-driven marketing, digital advertising and marketing, advertising technology, and advertising campaign optimization; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, analysis, coordination, management, monitoring, planning, counseling, measuring, and reporting on advertising and marketing campaigns for others; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, advertising and marketing research, analysis and reporting; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, research and consumer analytics products and services in the fields of advertising and marketing; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, analysis, coordination, management, monitoring, planning, counseling, measuring, and reporting on TV, multimedia, internet, digital, mobile, desktop, cross-and-multi platform, cross-and-multi device, cross-and-multi screen, out-of-home, digital out-of-home, social media, audio, connected tv, streaming, over-the-top TV, virtual, augmented reality, cable, banner, video, video on demand, and display advertising and marketing campaigns for others; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and market-

ing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, research and consumer analytics products and services driven by data collection and analysis for purposes of optimizing effectiveness and return on investment for cross-media TV and digital video advertising campaigns; Downloadable mobile and desktop computersoftware for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investmentand effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, advertising and marketing products and services, namely, data-driven consumer and viewer targeting; Downloadable mobile and desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digitaland online usage and data analytics, adbuying, ad bidding, and generating reports, all in connection with, and for providing, digital ad buying products and services, namely, the coordination and management of ad buys; Downloadable mobileand desktop computer software for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessingreturn on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, utilizing algorithms, artificial intelligence, augmented reality, and virtual reality, business data analytics, social media, digital and online usage and data analytics, ad buying, ad bidding, and generating reports, all in connection with, and for providing, brand marketing products and services

Class 035. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Advertising and marketing services; Advertising, advertising technology and marketing services, namely, providing advertising and marketing services utilizing algorithms and artificial intelligence; Data-driven advertising and marketing services for use by others to appear in professionally produced TV programming; Data-driven TV advertising services; Data-driven advertising services; Data-drivenmarketing services; Data-driven augmented reality advertising services; business data analytics services for others; Data analytics services, namely, collecting, analyzing, and using data to target and measure advertising effectiveness; Collecting, analyzing, and using subscriber and user data to optimize advertising effectiveness; Augmented reality advertising services; Online advertising services; Online advertising services, namely, digital ad buying for others as part of broader advertising services; Social analytics services being analyzing data derived from social media, digital, and online usage for others as part of broader advertising services; Advertising optimization services; TV advertising services; TV advertising optimization services; Augmented reality advertising optimization services; Addressable advertising services; Addressable, linear and video ondemand TV advertising services; Cross-platform advertising services; Digital advertising and marketing services; TV, multimedia, internet, digital, mobile, desktop, cross-and-multi platform, cross-and-multi device, cross-and-multi screen, out-of-home, digital out-of-home, socialmedia, audio, connected tv, streaming, over-the-top TV, virtual, augmented reality, cable, banner, video, video on demand, and display advertising and marketing services; Data-driven TV, multimedia, internet, digital, mobile, desktop, cross-platform, cross-device, out-of-home, digital out-of-home, social media, audio, connected tv, streaming, over-the-top TV, virtual, augmented reality, cable, banner, video, video on demand, and display advertising and marketing services; Programmatic advertising services; Programmatic ad buying services for others as part of broader advertising services; Programmatic TV advertising services; Programmatic online advertising services; Programmatic augmented reality advertising services; Programmatic advertising services, namely, real-time bidding services for others; Data-driven programmatic TV advertising services; Advertising and mar-

keting services, namely, providing audience insights to others being advertising information; Political advertising and marketing services; Advertising and marketing consulting services; Consulting services in the fields of business data analytics, advertising, marketing, and business focused social analytics; Consulting services in the fields of data-driven advertising, tv advertising, cross-platform advertising, addressable advertising, linear advertising, data-driven marketing, digital advertising and marketing, and advertising campaign optimization; Analyzing, coordinating, managing, monitoring, planning, counseling, measuring, and reporting on advertising and marketing campaigns for others; Analyzing, coordinating, managing, monitoring, planning, counseling, measuring, and reporting on TV, multimedia, internet, digital, mobile, desktop, cross-and-multi platform, cross-and-multi device, cross-and-multiscreen, out-of-home, digital out-of-home, social media, audio, connected tv, streaming, over-the-top TV, virtual, augmented reality, cable, banner, video, video on demand, and display advertising and marketing campaigns for others; Advertising and marketing research, analysis and reporting services; Research and consumer analytics services in the fields of advertising and marketing; Research and consumer analytics services driven by data collection and analysis for purposes of optimizing effectiveness and return on investment for cross-media TV and digital video advertising campaigns; Advertising and marketing services, namely, data-driven consumer and viewer targeting; Digital ad buying services for others; Augmented reality ad buying services for others; Digital ad buying services, namely, coordinating and managing ad buys for others; Brand marketing services

Class 042. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and reviewing and generating reports, all for use in advertising and marketing services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, digital advertising campaigns, and advertising campaigns utilizing algorithms, artificial intelligence, augmented reality and virtual reality, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, and ad buying and bidding, for use in advertising technology services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in advertising and marketing sales services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in TV advertising and marketing sales services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in data-driven advertising and marketing services for use by others to appear in professionally produced TV programming; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on invest-

ment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in digital, internet, and multimedia advertising sales; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in data-driven advertising technology services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in data-driven TV advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, measuring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in data-driven advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, measuring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in data-driven marketing services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, measuring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, and the electronic storage of data, all for use in data analytics services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, and the electronic storage of data, all for use in data analytics services, namely, collecting, analyzing, and using data to target and measure advertising effectiveness; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in collecting, analyzing, and using subscriber and user data to optimize advertising effectiveness; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, and for the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in online advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in online advertising services, namely, digital ad buying; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, and for the coordination, planning, management, analysis, monitoring, optimization, and implementation of advertising and marketing campaigns, measuring and assessing return on investment and effectiveness of advertising and marketing campaigns, database

management, electronic storage of data, business data analytics, social media, digital and online usage and data analytics, ad buying, and ad bidding, all for use in online advertising services, namely, coordinating digital and TV advertising campaigns; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in social analytics services to be used in the coordination, planning, management, analysis, monitoring, measuring, optimization, and implementation of advertising and marketing campaigns; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in advertising optimization services for the coordination, planning, management, analysis, monitoring, measuring and implementation of advertising and marketing campaigns; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of TV advertising campaigns, all for use in TV advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in TV advertising optimization services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, and for the coordination, planning, measuring, management, analysis, monitoring, optimization, and implementation of advertising campaigns, all for use in augmented reality advertising optimization services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in addressable advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in addressable, linear and video on demand TV advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in cross-platform advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in digital advertising and marketing services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in digital advertising technology services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in TV, multimedia, internet, digital, mobile, desktop, cross-and-multi platform, cross-and-multi device, cross-and-multi screen, out-of-home, digital out-of-home, social media, audio, connected tv, streaming, over-the-top TV, virtual, augmented reality, cable, banner, video, video on demand, and display advertising and marketing services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the

coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in data-driven TV, multimedia, internet, digital, mobile, desktop, cross-platform, cross-device, out-of-home, digital out-of-home, social media, audio, connected tv, streaming, over-the-top TV, virtual, augmented reality, cable, banner, video, video on demand, and display advertising and marketing services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in programmatic advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in ad bidding ad buying, all for use in programmatic ad buying services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in programmatic TV advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in programmatic augmented reality advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in programmatic online advertising services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in programmatic advertising services, namely, real-time bidding services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in data-driven programmatic TV services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in advertising and marketing services, namely, data collection, database management, and electronic storage of data for use in providing audience insights to others; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in political advertising and marketing services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in advertising and marketing consulting services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in consulting services in the fields of data analytics, advertising, marketing, and social analytics; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-a-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising campaigns, all for use in consulting services in the fields of data-driven advertising, tv advertising, augmented reality advertising, cross-platform advertising, addressable advertising, linear advertising, data-driven marketing, digital

advertising and marketing, advertising technology, and advertising campaign optimization; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying and ad bidding, all for use in analyzing, coordinating, managing, monitoring, planning, counseling, measuring, and reporting on advertising and marketing campaigns for others; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in analyzing, coordinating, managing, monitoring, planning, counseling, measuring, and reporting on TV, multimedia, internet, digital, mobile, desktop, cross-and-multiplatform, cross-and-multi device, cross-and-multi screen, out-of-home, digital out-of-home, social media, audio, connected tv, streaming, over-the-top TV, virtual, augmented reality, cable, banner, video, video on demand, and display advertising and marketing campaigns for others; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, business data analytics, electronic storage of data, ad buying, and ad bidding, all for use in advertising and marketing research, analysis and reporting services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, business data analytics, electronic storage of data, ad buying, and ad bidding, all for use in research and consumer analytics services in the fields of advertising and marketing; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) application for use in data collection, database management, business data analytics, electronic storage of data, ad buying, and ad bidding, all for use in research and consumer analytics services driven by data collection and analysis for purposes of optimizing effectiveness and return on investment for cross-media TV and digital video advertising campaigns; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, business data analytics, electronic storage of data, ad buying, and ad bidding, all for use in advertising and marketing services, namely, data-driven consumer and viewer targeting; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in digital ad buying services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in augmented reality ad buying services; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in digital ad buying services, namely, coordinating and managing ad buys; Providing online, non-downloadable, Internet-based and cloud-based software and technology platform in the form of software-as-service (SAAS) and platform as a service (PAAS) application for use in data collection, database management, electronic storage of data, ad buying, ad bidding, and for the coordination, planning, measuring, management, analysis, monitoring, optimization and implementation of advertising and marketing campaigns, all for use in brand marketing services; coordinating digital and TV advertising campaigns using proprietary online, non-downloadable software and technology platform; Advertising technology services, namely, providing a website featuring technology for utilizing algorithms, artificial intelligence, business data analytics, social analytics, augmented reality, and virtual reality, and ad buying and bidding tools, for use in connection with advertising; Consulting services in the fields of advertising technology services being technology utilizing algorithms, artificial intelligence, business data analytics, social analytics, augmented reality, virtual reality, and ad buying and bidding

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
No bona fide intent to use mark in commerce for identified goods or services	Trademark Act Section 1(b), 44(e) or 66(a)

Marks Cited by Opposer as Basis for Opposition

U.S. Application	87952957	Application Date	06/07/2018
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No.			
Registration Date	NONE	Foreign Priority Date	05/17/2018
Word Mark	THE&PARTNERSHIP		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 0 First Use In Commerce: 0</p> <p>Advertising agency services; advertising, marketing and promotional services; public relations services; brand creationservices; brand positioning services; brand strategy services, namely, development of marketing strategies, concepts and tactics, namely, audience development,brand awareness, online community building and digital word of mouth communications; advertising services to create corporate and brand identity; brand testing; market research; advertising planning;advertising analysis; advertising consultation; creating advertising material; online advertising; press advertising; cinematographic film advertising; digitaladvertising; production of television commercials; advertising for others; production of advertising material; distribution of advertising material; provision of advertising information; design of advertising materials; developing of advertising campaigns for others; negotiationof advertising contracts; product demonstrations and providing a live forum forcompanies to showcase, display, demonstrate and promote new and innovative ideas, products and services; trade show andorganizing exhibitions for commercial or advertising purposes; Providing incentive award programs for customers throughthe issuance and processing of loyalty coupons for frequent use of participating businesses; rental and leasing of advertising space; distribution of advertising, marketing and promotional material; consulting services in the field of advertising, marketing and promotional services; copywriting for advertising and promotional purposes; rental of advertising space; consultancy relating to advertising and promotion services; advertising services relating to the commercialisation of new products; advertising and marketing services provided by means of social media; business intermediary servicesrelating to the rental of advertising space and time; organisation of events, exhibitions, fairs and shows for commercial, promotional and advertising purposes; marketing consultancy; market researchconsultancy</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>design services, namely, design of advertising materials; brand design services, namely, graphic design for creating graphic elements of brands; graphic designservices; graphic art design services; design services, namely, design of worksof art; new product design services; animation and special-effects designs for others; graphic design of brand names; graphic design of trademarks; services for the design of business premises; packaging design for others; commercial art design; database design and development; design of printed material and matter, namely, providing graphic design, graphicart design and computer aided graphic design services for printed material and matter for the purpose of promoting the sale of goods and services of others; animation design for others; computer services, namely, designing and implementinginternet sites for others;</p>		

	computer aided graphic design; computer aided design services; new product design services, namely, analysis of product design; website design consultancy; website design services; consultancy services relating to website design; design and development of industrial products; creating, designing and maintaining web sites
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U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	ampersand in a circle design		
Goods/Services	marketing communications and advertising agency services, including but not limited to content creation, communications advice and planning, data services relating to advertising, media services (including media planning and buying), planning and strategic advice, brand strategy, brand consulting, brand positioning and brand research, marketing promotion, public relations services, and market research services		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	"The&Partnership" showing ampersand in a circle design		
Goods/Services	marketing communications and advertising agency services, including but not limited to content creation, communications advice and planning, data services relating to advertising, media services (including media planning and buying), planning and strategic advice, brand strategy, brand consulting, brand positioning and brand research, marketing promotion, public relations services, and market research services		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	"The&Model"		
Goods/Services	marketing communications and advertising agency services, including but not limited to content creation, communications advice and planning, data services relating to advertising, media services (including media planning and buying), planning and strategic advice, brand strategy, brand consulting, brand positioning and brand research, marketing promotion, public relations services, and market research services		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	"&Model"		
Goods/Services	marketing communications and advertising agency services, including but not limited to content creation, communications advice and planning, data services relating to advertising, media services (including media planning and buying), planning and strategic advice, brand strategy, brand consulting, brand positioning and brand research, marketing promotion, public relations services, and market research services		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	"T&P"		
Goods/Services	marketing communications and advertising agency services, including but not limited to content creation, communications advice and planning, data services relating to advertising, media services (including media planning and buying), planning and strategic advice, brand strategy, brand consulting, brand positioning and brand research, marketing promotion, public relations services, and market research services		

Attachments	87952957#TMSN.png(bytes) NOO 88580145 88496858 and 88496852.pdf(157992 bytes)
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Signature	/Jeffrey C. Katz/
Name	Jeffrey C. Katz
Date	12/03/2021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

THE & PARTNERS GROUP LIMITED,

Opposer,

-v-

NATIONAL CABLE COMMUNICATIONS LLC,

Applicant.

Opposition No. _____

AMPERSAND & design
U.S. Trademark Application
Serial No. 88580145

AMPERSAND MEDIA
U.S. Trademark Application
Serial No. 88496858

AMPERSAND TV
U.S. Trademark Application
Serial No. 88496852

NOTICE OF OPPOSITION

The & Partners Group Limited (“Opposer” and/or “T&P”), believes that it will be damaged by registration of the marks shown in the following three USPTO applications and pursuant to previously granted extensions of time hereby opposes each of them on the grounds set forth below.

- AMPERSAND & design, Application Serial No. 88580145 / OG June 8, 2021
- AMPERSAND MEDIA, Application Serial No. 88496858 / OG June 8, 2021
- AMPERSAND TV, Application Serial No. 88496852 / OG June 8, 2021

1. Opposer is a private limited company organized under the laws of the United Kingdom, headquartered in London, England, and operates globally including in the United States.

2. Opposer has been using the marks “THE&PARTNERSHIP”, and the design marks set out below featuring the “&” mark and “The&Partnership”, in US commerce, for at least 14 years, in connection with a wide range of marketing communications and advertising agency services, including but not limited to content creation, communications advice and planning, data services relating to advertising, media services (including media planning and buying), planning and strategic advice, brand strategy, brand consulting, brand positioning and brand research, marketing promotion, public relations services, and market research services.



The  Partnership

3. Opposer’s use of said marks in US commerce commenced prior to the filing date of the three applications herein opposed, prior to any use by Applicant of the marks in said applications, and prior to any other date on which Applicant is permitted to rely.

4. Opposer is also using related marks, including “The&Model”, “&Model” and “T&P” in connection with its commercial activities.

5. Opposer has also registered, used and continues to use the Internet domain name “theandpartnership.com”, which incorporates a substantially similar version of its marks, in connection with its commercial activities.

6. Opposer is the owner of USPTO Application Serial No. 87952957, filed June 7, 2018 for the mark “THE&PARTNERSHIP”.

7. As a result of substantial use and publicity, Opposer has developed an extremely valuable good will and reputation in the aforesaid names and marks, and they have achieved substantial recognition and value in the relevant marketplace in connection with Opposer’s services and activities.

8. As a result of Opposer’s continuous and substantial use as set out herein, Opposer has developed and established a family of marks centered around the ampersand symbol in connection with its services and related services.

9. Each of the three marks of Applicant as set forth in the applications herein opposed is substantially similar and confusingly similar to Opposer’s aforesaid marks in appearance, sound, connotation and overall commercial impression.

10. The goods and services set forth in the application herein opposed are substantially similar and closely related to the goods and/or services set forth in the registrations and applications of Opposer.

FIRST CAUSE OF ACTION

11. Applicant’s proposed registration of each of the three subject marks in connection with the products and services involved is likely to cause confusion or mistake as to

whether Applicant is affiliated or otherwise connected with Opposer, or that Applicant's goods and services are connected with Opposer, or that Opposer is sponsoring Applicant's products and services.

12. Confusion in the marketplace would cause considerable harm to Opposer and the granting of a certificate of registration to Applicant for any and all of the three marks herein opposed would damage Opposer.

13. Each of Applicant's aforesaid marks is therefore unregistrable under Section 2(d) of the Lanham Act, 15 U.S.C. Section 1052, and should be refused registration.

SECOND CAUSE OF ACTION

14. Upon information and belief, at the time of filing Applicant lacked the requisite bona-fide intent to use each of the three subject marks in connection with all of the goods and/or services set forth in those applications.

15. In view of the foregoing, each of the three Applications did not meet the criteria for filing under Section 1(b) of the Lanham Act, 15 U.S.C. § 1051(b)(1).

WHEREFORE, Opposer submits that said Applications Serial Nos. 88580145, 88496858 and 88496852 should be rejected and that registration of each of the marks shown there should be denied.

Please debit any relevant fees from the Deposit Account No. 502293 of Opposer's
counsel.

Dated: December 3, 2021

Respectfully submitted,

DAVIS & GILBERT LLP

By /Jeffrey C. Katz/

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