ESTTA Tracking number:	**ESTTA1438278**
Filing date:	**05/27/2025**

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	World Wrestling Entertainment, LLC
Granted to date of previous extension	05/25/2025
Address	707 WASHINGTON BLVD. STAMFORD, CT 06901 UNITED STATES

Attorney information	LAURA KATHERINE PITTS 1737 KING STREET, SUITE 500 ALEXANDRIA, VA 22314 UNITED STATES Primary email: laura.pitts@bipc.com 7038386526
Docket no.	

Applicant information

Application no.	98486160	Publication date	11/26/2024
Opposition filing date	05/27/2025	Opposition period ends	05/25/2025
Applicant	ALT Sports Data, Inc. 2659 STATE STREET, #100 CARLSBAD, CA 92008 United States		

Goods/services affected by opposition

Class 041. First Use: Feb 2023 First Use In Commerce: Feb 2023
All goods and services in the class are opposed, namely: Entertainment and information services in the nature of sports betting; providing a web site featuring news, statistics, and information in the field of sports and sports betting

Grounds for opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)

Marks cited by opposer as basis for opposition

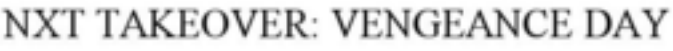
U.S. registration no.	7746933	Application date	08/27/2021
Register	Principal		
Registration date	04/01/2025	Foreign priority date	NONE

Word mark	NXT
Design mark	
Description of mark	The mark consists of the letters "N", "X", and "T" touching filled with a mix of colors consisting of yellow, turquoise, orange, purple, blue, and red; the letters outlined in black, with the gaps between the letters filled in the color white.
Goods/services	Class 041. First use: First Use: Sep 14, 2021 First Use In Commerce: Sep 14, 2021 Entertainment services, namely, a show about professional wrestling; entertainment services, namely, the production and exhibition of professional wrestling events rendered through broadcast media including television and distributed via various platforms across multiple forms of transmission media; providing wrestling news and information through broadcast media including television and distributed via various platforms across multiple forms of transmission media; providing information in the fields of sports and entertainment through broadcast media including television and distributed via various platforms across multiple forms of transmission media; providing a website in the field of sports entertainment information

U.S. registration no.	7208109	Application date	02/09/2021
Register	Principal		
Registration date	10/31/2023	Foreign priority date	NONE
Word mark	NXT UK PRELUDE		
Design mark	NXT UK PRELUDE		
Description of mark			
Goods/services	Class 041. First use: First Use: Apr 8, 2021 First Use In Commerce: Apr 8, 2021 Entertainment services, namely, a continuing show about professional wrestling broadcast over television and internet; entertainment services, namely, the production and exhibition of professional wrestling events rendered live and through broadcast media including television and distributed via various platforms across multiple forms of transmission media; providing wrestling news and information through broadcast media including television and distributed via various platforms across multiple forms of transmission media; providing information in the		

	fields of sports and entertainment through broadcast media including television and distributed via various platforms across multiple forms of transmission media; providing a website in the field of sports entertainment information; organizing social entertainment events for entertainment purposes for wrestling fans; providing online newsletters in the fields of sports entertainment; online journals, namely, blogs, in the field of sports entertainment

U.S. registration no.	4115464	Application date	02/03/2010
Register	Principal		
Registration date	03/20/2012	Foreign priority date	NONE
Word mark	WWE NXT		
Design mark			
Description of mark			
Goods/services	Class 041. First use: First Use: Feb 23, 2010 First Use In Commerce: Feb 23, 2010 Entertainment services, namely, the production and exhibition of professional wrestling events rendered live and through the media of television; providing wrestling news and information via a global computer network		

U.S. registration no.	6937350	Application date	02/01/2021
Register	Principal		
Registration date	12/27/2022	Foreign priority date	NONE
Word mark	NXT TAKEOVER: VENGEANCE DAY		
Design mark			
Description of mark			
Goods/services	Class 041. First use: First Use: Feb 14, 2021 First Use In Commerce: Feb 14, 2021 Entertainment services, namely, the provision of continuing show about professional wrestling delivered by television, radio, satellite, the internet, and audio and video media; entertainment services, namely, the production of multimedia entertainment content and exhibitions featuring professional wrestling sporting		

	events rendered live and through broadcast media, namely, television and distributed via various platforms across multiple forms of transmission media; providing wrestling news and information through broadcast media, namely, television and distributed via various platforms across multiple forms of transmission media; providing information in the fields of sports and entertainment through broadcast media, namely, television and distributed via various platforms across multiple forms of transmission media; providing a website in the field of sports entertainment information; organizing social entertainment events for entertainment purposes for wrestling fans; providing online newsletters in the fields of sports entertainment; online journals, namely, blogs, in the field of sports entertainment

U.S. registration no.	3854998	Application date	01/22/2010
Register	Principal		
Registration date	09/28/2010	Foreign priority date	NONE
Word mark	NXT		
Design mark			
Description of mark			
Goods/services	Class 041. First use: First Use: Feb 23, 2010 First Use In Commerce: Feb 23, 2010 Entertainment services, namely, the production and exhibition of professional wrestling events rendered live and through the media of television; providing wrestling news and information via a global computer network		

U.S. registration no.	7627383	Application date	02/21/2023
Register	Principal		
Registration date	12/24/2024	Foreign priority date	NONE
Word mark	WWE NXT		
Design mark			
Description of mark			
Goods/services	Class 041. First use: First Use: Feb 23, 2010 First Use In Commerce: Feb 23, 2010		

	Entertainment services, namely, a show about professional wrestling; entertainment services, namely, the production and exhibition of professional wrestling events rendered through broadcast media including television and distributed via various platforms across multiple forms of transmission media; providing wrestling news and information through broadcast media including television and distributed via various platforms across multiple forms of transmission media; providing information in the fields of sports and entertainment through broadcast media including television and distributed via various platforms across multiple forms of transmission media; providing a website in the field of sports entertainment information

U.S. registration no.	3945854	Application date	02/24/2010
Register	Principal		
Registration date	04/12/2011	Foreign priority date	NONE
Word mark	NXT ROOKIE		
Design mark	NXT ROOKIE		
Description of mark			
Goods/services	Class 041. First use: First Use: Feb 23, 2010 First Use In Commerce: Feb 23, 2010 Entertainment services, namely, wrestling exhibitions and performances by a professional wrestler and entertainer; entertainment services, namely, wrestling competitor on an on-going reality based television program; providing wrestling news and information via a global computer network		

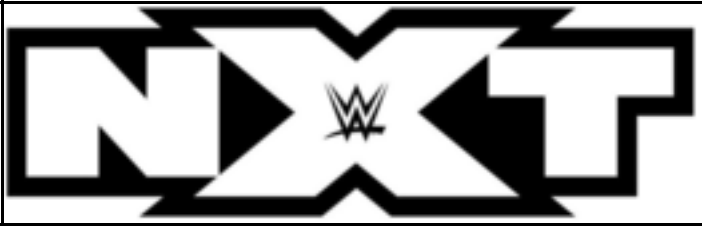
U.S. registration no.	4956448	Application date	04/24/2014
Register	Principal		
Registration date	05/10/2016	Foreign priority date	NONE
Word mark	NXT TAKEOVER		
Design mark	NXT TAKEOVER		
Description of mark			
Goods/services	Class 041. First use: First Use: May 29, 2014 First Use In Commerce: May 29, 2014		

	Entertainment services, namely, a continuing program about sports and entertainment accessible by means of television, satellite, audio, video, web-based applications, mobile phone applications and computer networks; entertainment services, namely, television shows about sports, entertainment and general interest rendered live and through broadcast media including television [and radio,] and via the internet or commercial online service; entertainment services, namely, the production and exhibition of professional wrestling events rendered live and through broadcast media including television [and radio,] and via the internet or commercial online service; entertainment services, namely, on-going reality based television programs rendered live and through broadcast media including television [and radio,] and via the internet or commercial online service; providing entertainment and sports news and information via a global computer network or commercial online service; entertainment services, namely, provision of information and news about sports, entertainment and general interest rendered live and through broadcast media including television [and radio,] providing and via the internet or commercial online service; providing information in the fields of sports, entertainment and general interest via an online community portal; providing a website in the field of sports, entertainment and general interest; Providing online newsletters in the fields of sports entertainment; online journals, namely, blogs, in the fields of sports entertainment; entertainment and educational services, namely, ongoing multimedia programs in the field of general human interest, distributed via various platforms across multiple forms of transmission media; providing entertainment information regarding ongoing television programs via a global computer network; production of television programs; production of multimedia programs

U.S. registration no.	4956360	Application date	02/10/2014
Register	Principal		
Registration date	05/10/2016	Foreign priority date	NONE
Word mark	NXT ARRIVAL		
Design mark	NXT ARRIVAL		
Description of mark			
Goods/services	Class 041. First use: First Use: Feb 27, 2014 First Use In Commerce: Feb 27, 2014 Entertainment services, namely, a continuing program about sports and entertainment accessible by means of television, satellite, audio, video, web-based applications, mobile phone applications and computer networks; entertainment services, namely, ongoing television shows about sports, entertainment and general interest rendered live and through broadcast media, namely, television [and radio,] and via the internet or commercial online service; entertainment services, namely, the production and exhibition of professional wrestling events rendered live and through broadcast media, namely, television [and radio,] and via the internet or commercial online service; entertainment services, namely, on-going reality based television programs rendered live and through broadcast media, namely, television [and radio,] and via the internet or commercial online service; providing entertainment and sports news and information via a global		

	computer network or commercial online service; entertainment services, namely, provision of information and news about sports and entertainment rendered live and through broadcast media, namely, television [and radio,] and via the internet or commercial online service; providing information in the fields of sports and entertainment via an online community portal; providing a website in the field of sports and entertainment; Providing online newsletters in the fields of sports entertainment; online journals, namely, blogs, in the fields of sports entertainment; providing entertainment information regarding ongoing television programs via a global computer network; production of television programs; production of multimedia programs

U.S. registration no.	6931781	Application date	03/02/2021
Register	Principal		
Registration date	12/20/2022	Foreign priority date	NONE
Word mark	NXT TAKEOVER STAND AND DELIVER		
Design mark	NXT TAKEOVER STAND AND DELIVER		
Description of mark			
Goods/services	Class 041. First use: First Use: Apr 7, 2021 First Use In Commerce: Apr 7, 2021 Entertainment services, namely, wrestling exhibitions and performances by a professional wrestler and entertainer rendered live and through broadcast media, namely, television and radio, and via the internet or commercial online service; providing wrestling news and information via a global computer network; providing information in the fields of sports and entertainment via an online community portal; providing a website in the field of sports entertainment information; fan club services, namely, organizing sporting events in the field of wrestling for wrestling fan club members; organizing social entertainment events for entertainment purposes for wrestling fan club members; providing online newsletters in the fields of sports entertainment; online journals, namely, blogs, in the field of sports entertainment		

U.S. registration no.	5182283	Application date	06/23/2015
Register	Principal		
Registration date	04/11/2017	Foreign priority date	NONE
Word mark	WW NXT		
Design mark			

Description of mark	The mark consists of the letters "N", "X", "T" written horizontally with the design of two stacked "W"s with a scar underneath in the middle of the "X".
Goods/services	Class 041. First use: First Use: Jun 30, 2012 First Use In Commerce: Jun 30, 2012 Entertainment services, namely, the production and exhibition of professional wrestling events rendered live, through the media of television, through mobile applications, through a global computer network, via the internet or commercial online service; providing wrestling news and information via a global computer network and via the internet or commercial online service; entertainment services, namely, the production and exhibition of professional wrestling events rendered live and through broadcast media including television and radio, and via the internet or commercial online service; entertainment services, namely, on-going reality based television programs rendered live and through broadcast media including television and radio, and via the internet or commercial online service; providing entertainment and sports news and information via a global computer network or commercial online service; entertainment services, namely, provision of information and news about sports, entertainment and general interest rendered live and through broadcast media including television and radio, and via the internet or commercial online service; providing information in the fields of sports, entertainment and general interest via an online community portal; providing a website in the field of sports, entertainment and general interest; fan club services, organizing and staging events with fan club members for social entertainment purposes, encouraging participation of fan club members in professional wrestling staged events by providing information relating to professional wrestling, and providing an in-person entertainment and sporting forum in the field of sports entertainment for fan club members; Providing online newsletters in the fields of sports entertainment; online journals, namely, blogs, in the fields of sports entertainment; entertainment and educational services, namely, ongoing multimedia programs in the field of general human interest, distributed via various platforms across multiple forms of transmission media; providing entertainment information regarding ongoing television programs via a global computer network; production of television programs; production of multimedia programs

Attachments	90907430#TMSN.png(bytes) 90521748#TMSN.png(bytes) 77927227#TMSN.png(bytes) 90501513#TMSN.png(bytes) 77918576#TMSN.png(bytes) 97803760#TMSN.png(bytes) 77943258#TMSN.png(bytes) 86261560#TMSN.png(bytes) 86189267#TMSN.png(bytes) 90555077#TMSN.png(bytes) 86670933#TMSN.png(bytes) FINAL - Notice of Opposition - NXTBETS.pdf(141697 bytes)

Signature	/Laura K. Pitts/
Name	Laura K. Pitts
Date	05/27/2025

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

Applicant: ALT Sports Data, Inc.
Serial No.: 98486160
Mark: NXTBETS
Class: 41
Filing Date: Apr. 05, 2024
Publication Date: Nov. 26, 2024

WORLD WRESTLING ENTERTAINMENT, LLC, Opposer, v. ALT SPORTS DATA, INC. Applicant.	Opposition No. _____

NOTICE OF OPPOSITION

World Wrestling Entertainment, LLC ("Opposer" or "WWE"), a Delaware limited liability company with its principal place of business at 707 Washington Blvd., Stamford, Connecticut 06902, believes that it will be damaged by registration of Application Serial No. 98486160 ("Application" or "Opposed Application"), filed by ALT Sports Data, Inc. ("Applicant"), a Delaware corporation with an address of 2659 State Street, #100, Carlsbad, California, 92008, for the mark NXTBETS (the "NXTBETS Mark" or the "Opposed Mark") in connection with "Entertainment and information services in the nature of sports betting; providing a web site featuring news, statistics, and information in the field of sports and sports betting" in International Class 41 (the "Applied-For Services"). As such, WWE hereby opposes

the Opposed Application and requests that registration of the Opposed Application be refused in its entirety.

As grounds in support of its opposition, Opposer asserts as follows:

I. Introduction

1. WWE is an integrated media and entertainment company that has been involved in the sports entertainment business for over four (4) decades and has developed WWE into one of the most recognized and popular brands in global entertainment today. WWE develops, creates, produces, licenses, and/or distributes unique and creative multimedia entertainment content centered around its wrestlers and professional wrestling, which is presented under its trademarks via television, online, printed and digital media, and live events.

2. At the heart of WWE's success are the athletic and entertainment skills and appeal of its wrestlers and the consistently innovative and multifaceted storylines WWE creates for its wrestlers.

3. WWE's unique content, for which it coined the term "sports entertainment," is perhaps best described as an action-adventure episodic drama that is akin to an ongoing, ever-developing soap opera based around WWE's wrestlers. WWE creates colorful characters that generally wrestle under one or more trademarked names and are distinctively delineated with unique persona, history, relationships, music, visual appearance, and behavior.

4. WWE promotes and produces hundreds of live events each year that take place in arenas and stadiums in cities in the United States and around the world.

5. WWE also produces pay-per-view and premium live events, which are extensively promoted and widely attended and viewed.

6. In addition to its pay-per-view and premium live events, WWE produces television and online programs which feature its wrestlers and are marketed under various trademarks, including its flagship programs RAW®, Smackdown® and NXT®.

II. WWE's NXT Marks

15. WWE is the owner of numerous common law and registered trademarks used in connection with its wrestling and entertainment services and related goods and services.

16. WWE's NXT and NXT-formative marks, comprised of or beginning with NXT in typed or stylized form and with or without design elements (collectively, the "NXT Marks"), are one of Opposer's most recognized and valuable intellectual property assets.

17. NXT® is one of the nationally and internationally recognized brands through which WWE promotes its wrestling and entertainment services.

18. NXT® is also the flagship television show of the NXT brand, which debuted in 2010 and is an internationally-distributed wrestling program that showcases WWE's talent performing in wrestling matches.

19. Since at least as early as 2010, WWE has also used the NXT Marks in connection with providing information about sports entertainment and professional wrestling online, including at https://www.wwe.com/shows/WWENXT.

20. WWE is the owner of all common law right, title, and interest in the NXT Marks.

21. In addition to its common law rights, WWE is the owner of numerous federal registrations for the NXT Marks, including the following registrations in Class 41 (collectively, the "NXT Registrations"): NXT (Reg. No. 3854998); WWE NXT (Reg. No. 4115464); WWE NXT (Reg. No. 7627383); NXT ARRIVAL (Reg. No. 4956360); NXT ROOKIE (Reg. No. 3945854); NXT TAKEOVER (Reg. No. 4956448); NXT TAKEOVER STAND AND

DELIVER (Reg. No. 6931781); NXT TAKEOVER: VENGEANCE DAY (Reg. No. 6937350); NXT UK PRELUDE (Reg. No. 7208109); NXT and Design (Reg. No. 7746933); and WW NXT and Design (Reg. No. 5182283).

22. The NXT Registrations are registered in connection with a wide variety of sports and entertainment services in Class 41, including, *inter alia*, entertainment services, namely, the production and exhibition of professional wrestling events rendered live and through the media of television; providing wrestling news and information via a global computer network and via the internet or commercial online service; providing a website in the field of sports, entertainment and general interest; Providing online newsletters in the fields of sports entertainment; online journals, namely, blogs, in the fields of sports entertainment (collectively, "WWE's Services").

23. The following NXT Registrations have obtained incontestable status and are therefore conclusive evidence of the validity and distinctiveness of the registered marks, WWE's ownership of the marks, and of WWE's exclusive right to use the marks in connection with the registered services: NXT (Reg. No. 3854998); WWE NXT (Reg. No. 4115464); NXT ARRIVAL (Reg. No. 4956360); NXT ROOKIE (Reg. No. 3945854); NXT TAKEOVER (Reg. No. 4956448); and WW NXT and Design (Reg. No. 5182283).

24. The popularity, success, and recognition of the goods and services offered by WWE under its NXT Marks are the direct result of the substantial time and money invested by WWE in development, marketing and promotion of the marks. The NXT Marks are uniquely and exclusively associated with WWE and have become indelibly linked in the public's mind in exclusive association with and in exclusive sponsorship by WWE.

25. WWE has continually used its NXT Marks in connection with its WWE's Services and related consumer products since at least 2010—well prior to any date of first use upon which Applicant can rely.

III. Applicant's NXTBETS Mark

26. Upon information and belief, on April 5, 2024, Applicant ALT Sports Data, Inc. filed the Application for the NXTBETS Mark in connection with the Applied-For Services, namely, "[e]ntertainment and information services in the nature of sports betting; providing a web site featuring news, statistics, and information in the field of sports and sports betting."

27. The Application was filed as a use-based application under Section 1(a), alleging that the NXTBETS Mark was used in commerce in connection with the Applied-For Services at least as early as February 28, 2023.

28. Upon information and belief, Applicant uses the NXTBETS Mark in connection with a website that provides news and betting and odds information for alternative and niche sports.

29. Upon information and belief, Applicant uses the following logo in connection with the Applied-For Services:

30. Upon information and belief, Applicant uses the website https://nxtbets.com/ (the "NXTBETS Website") for providing the Applied-For Services in connection with the NXTBETS Mark.

Count 1: Likelihood of Confusion

31. WWE incorporates by reference the foregoing paragraphs as if fully stated herein.

32. Upon information and belief, WWE has priority in its NXT Marks over any purported rights that Applicant can assert in its NXTBETS Mark.

33. As described herein, WWE has common law rights in the NXT Marks in connection with WWE's Services dating back to at least as early as 2010, which predate any purported use or application to register the Applied-For Mark by Applicant.

34. WWE also owns the NXT Registrations, all of which long predate the filing date of the Opposed Application and any alleged first use of the NXTBETS Mark by Applicant.

35. Applicant's NXTBETS Mark and WWE's NXT Marks are confusingly similar.

36. Applicant's NXTBETS Mark incorporates WWE's NXT® mark in its entirety and "NXT" is the dominant part of both parties' marks.

37. The term "bets" in Applicant's NXTBETS Mark is generic or merely descriptive of the Applied-For Services.

38. The Applied-For Services are in-part identical and/or encompass WWE's Services.

39. The Applied-For Services and WWE's Services are also closely related, complementary, and are likely to be marketed and sold to the same class of consumers through the same channels of trade.

40. Applicant's NXTBETS Mark is likely, when used on or in connection with the Applied-For Services set forth in the Opposed Application, to cause confusion, or to cause mistake, or to deceive within the meaning of Section 2(d) of the Lanham Act with respect to Opposer's prior, established right in the NXT Marks and/or as to Opposer's approval, affiliation, or sponsorship of Applicant and/or the services sought to be registered thereunder.

41. Accordingly, Opposer, as the owner of the NXT Marks, will be damaged if Applicant's Opposed Application is allowed to register.

WHEREFORE, Opposer prays that the Notice of Opposition be sustained and that the registration of U.S. Trademark Application Serial No. 98486160 be refused.

Respectfully submitted,

/Laura K. Pitts/

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Attorneys for Opposer
World Wrestling Entertainment, LLC.

Date: May 27, 2025