

# MORRISON & ASSOCIATES LEGAL GROUP

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January 25, 2026

Ms. Lisa Chen  
Chief Executive Officer  
NexGen Robotics, Inc.  
2400 Technology Drive  
Palo Alto, CA 94301

Re: Trademark Clearance Opinion for "INTELLIBOT" Mark

Dear Ms. Chen:

You have requested our opinion regarding the availability and registrability of the trademark "INTELLIBOT" for use in connection with your company's new line of artificial intelligence-powered industrial robots. This letter sets forth our findings and recommendations based on our trademark search and analysis.

## EXECUTIVE SUMMARY

Based on our comprehensive trademark search and legal analysis, we conclude that:

1. LOW TO MODERATE RISK: The proposed "INTELLIBOT" mark presents a low to moderate risk of trademark infringement, but certain registered marks require careful consideration.
2. REGISTRABLE: The mark should be registrable with the United States Patent and Trademark Office (USPTO), though it may face some initial objections.
3. RECOMMENDATIONS: We recommend proceeding with adoption and use of the mark, subject to the considerations and recommendations outlined below.

## BACKGROUND

NexGen Robotics, Inc. ("NexGen") has developed a new line of industrial robots incorporating advanced artificial intelligence and machine learning capabilities. These robots are designed for use in manufacturing environments, performing tasks such as assembly, quality control, inspection, and material handling.

NexGen proposes to market these robots under the trademark "INTELLIBOT" and has asked us to:

1. Conduct a comprehensive trademark search
2. Assess the risk of trademark infringement
3. Evaluate the likelihood of obtaining federal trademark registration
4. Provide recommendations for protecting the mark

## SEARCH METHODOLOGY

We conducted a comprehensive trademark search, including:

1. Federal Registrations: Search of USPTO records for identical and similar marks
2. State Registrations: Search of California state trademark registrations
3. Common Law Rights: Search of business name databases, domain names, and internet sources
4. International: Search of Madrid Protocol international registrations designating the U.S.

## SEARCH RESULTS

Our search identified the following potentially conflicting marks:

1. INTELLIBOT (Serial No. 87/123,456)
  - Owner: Robotic Solutions Corp., Boston, MA
  - Goods/Services: Educational robots for teaching programming (Class 28)
  - Status: Registered, in use
  - First Use Date: 2018

Analysis: This registration covers educational toys and teaching aids, which are distinguishable from industrial manufacturing robots. However, both goods involve robots and artificial intelligence, creating some overlap in commercial impression. The registrant operates in a different market segment (education vs. industrial), which reduces likelihood of confusion.

Risk Assessment: LOW TO MODERATE

2. INTELLI-BOT (Serial No. 88/234,567)
  - Owner: Healthcare Innovations LLC, Seattle, WA
  - Goods/Services: Robotic surgical assistance systems (Class 10)
  - Status: Pending application, published for opposition
  - Application Date: November 2024

Analysis: While both marks involve robots, the commercial contexts are significantly different (healthcare vs. industrial manufacturing). The hyphenation creates a slightly different commercial impression. However, the similarity in sound and overall appearance must be considered.

Risk Assessment: LOW

3. INTELLBOT (No TM symbol, common law use)
- User: IntelligentBot Software Solutions, Austin, TX
  - Use: Software for chatbot development platforms
  - Evidence: Website, social media presence since 2022

Analysis: This appears to be common law use in the software/chatbot space. While the term "bot" overlaps, chatbots and industrial robots serve completely different functions and markets. However, common law rights exist in the geographic areas where the mark is used.

Risk Assessment: LOW

4. INTELLIROBOT (Serial No. 86/789,012)
- Owner: SmartHome Technologies, Denver, CO
  - Goods/Services: Home cleaning robots (Class 7)
  - Status: Registered, but appears abandoned (no Statement of Use filed)
  - Registration Date: 2020

Analysis: Although similar in construction, this mark covers consumer home cleaning devices rather than industrial manufacturing equipment. Furthermore, the registration appears vulnerable to cancellation for non-use.

Risk Assessment: LOW

## LEGAL ANALYSIS

### I. Likelihood of Confusion Standard

Trademark infringement occurs when use of a mark creates a likelihood of confusion with another's mark. Courts apply a multi-factor test, including:

1. Similarity of the marks
2. Similarity of the goods/services
3. Strength of the prior mark
4. Marketing channels
5. Purchaser sophistication
6. Intent of the alleged infringer
7. Evidence of actual confusion

### II. Application to INTELLIBOT

**Similarity of Marks:** The proposed mark "INTELLIBOT" is most similar to the registered mark "INTELLIBOT" owned by Robotic Solutions Corp. The marks are identical in spelling and pronunciation. However, the stylization, logo treatment, and overall commercial presentation can create distinctiveness.

**Similarity of Goods:** Industrial manufacturing robots differ significantly from educational teaching robots. Industrial robots are:

- Sold to businesses rather than consumers
- Priced in the tens or hundreds of thousands of dollars
- Require specialized integration and programming
- Subject to industrial safety standards
- Marketed through different channels (trade shows, direct sales)

Educational robots are:

- Sold to consumers and educational institutions
- Priced in the hundreds of dollars
- Ready to use out of the box
- Marketed through retail and online channels

**Marketing Channels:** Industrial robots are sold through direct sales forces, systems integrators, and specialized trade shows (e.g., Automate, Pack Expo). Educational robots are sold through retail stores, online marketplaces, and educational catalogs. The marketing channels do not overlap significantly.

**Purchaser Sophistication:** Purchasers of industrial robots are sophisticated businesses making carefully considered purchasing decisions with significant due diligence. This level of sophistication reduces the likelihood of confusion.

### III. Registrability Analysis

**Descriptiveness:** The term "INTELLIBOT" combines "intelligent" (or "intelli-") with "bot" (short for robot). This combination is somewhat descriptive of the nature of the goods (intelligent robots). However, the USPTO has historically accepted similar compound terms as suggestive rather than merely descriptive.

The mark should be registrable on the Principal Register, though the examining attorney may initially refuse registration as merely descriptive. If so, we would argue that:

1. The term is suggestive, requiring imagination to connect it to the goods
2. "Intelli" is a truncated form not commonly used to mean "intelligent"
3. The combination creates a unique commercial impression
4. The mark has acquired secondary meaning through use

**Likelihood of Confusion:** The USPTO examining attorney will likely cite the "INTELLIBOT" registration for educational robots. However, we can argue distinction based on the differences in goods, channels of trade, and purchaser sophistication discussed above.

## RECOMMENDATIONS

Based on our analysis, we recommend the following:

### 1. PROCEED WITH ADOPTION AND USE

We recommend that NexGen proceed with adoption and use of the INTELLIBOT mark for industrial robots, subject to the precautions outlined below.

## **2. DEVELOP STRONG BRAND IDENTITY**

Create a distinctive logo, stylization, and overall trade dress that distinguishes your INTELLIBOT mark from the existing registrations. Consider:

- Unique logo design
- Consistent color scheme
- Distinctive taglines
- Clear product descriptions emphasizing industrial/manufacturing use

## **3. FILE FEDERAL TRADEMARK APPLICATION**

File a federal trademark application for "INTELLIBOT" in Class 7 (machinery) covering "industrial robots for use in manufacturing." We recommend filing on an "intent-to-use" basis if the mark is not yet in commercial use.

## **4. MONITOR EXISTING REGISTRATIONS**

Monitor the status of the "INTELLI-BOT" pending application. If it proceeds to registration, evaluate whether an opposition or coexistence agreement may be appropriate.

## **5. CONSIDER INTERNATIONAL PROTECTION**

If NexGen plans to market products internationally, consider filing Madrid Protocol applications for key markets (EU, Japan, South Korea, China).

## **6. DOCUMENT FIRST USE**

Carefully document the date of first use in commerce. Maintain samples of all advertisements, packaging, and promotional materials showing use of the mark.

## **7. ENFORCE RIGHTS**

Once the mark is in use, monitor for potentially infringing uses and enforce your rights promptly to prevent dilution and maintain the strength of the mark.

## **8. AVOID GENERIC USE**

Always use INTELLIBOT as a brand name (proper adjective) followed by a generic term (e.g., "INTELLIBOT industrial robots" not "INTELLIBOTS"). This prevents the mark from becoming generic.

## **LIMITATIONS AND DISCLAIMERS**

This opinion is based on the information provided to us and the results of our trademark search as of the date of this letter. It represents our professional judgment but cannot guarantee that use of the mark will not result in a trademark dispute.

This opinion does not cover:

- Patent rights or freedom to operate
- Copyright issues
- Domain name disputes
- Rights in jurisdictions outside the United States
- Potential dilution claims by famous marks
- Unfair competition claims under state law

We recommend periodic updating of the trademark search, particularly before any major product launch or significant investment in branding.

## CONCLUSION

The proposed INTELLIBOT mark presents an acceptable level of risk for adoption and use in connection with industrial manufacturing robots. While some similar marks exist, the differences in goods, markets, and channels of trade should allow NexGen to establish and protect rights in the mark.

We recommend proceeding with adoption and filing a federal trademark application. Our firm would be pleased to assist with the application process and ongoing trademark prosecution.

If you have any questions or would like to discuss these recommendations further, please do not hesitate to contact me.

Very truly yours,

**MORRISON & ASSOCIATES LEGAL GROUP**

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Enclosures:

- Full Trademark Search Report
- Sample Trademark Application

cc: James Morrison, Partner  
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