

01-07-1999

PAGE THREE (3 of 3)

FORM PTO-1594 (Rev. 6-93)

MRD

RECOF



ET

U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office

OMB No. 0651-0011 (exp. 4/94)

100936689

Tab settings

1.5.99

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Citicasters Co.

- Individual(s)
- General Partnership
- Corporation-State Ohio
- Other

Additional name(s) of conveying party(ies) attached?  Yes  No

2. Name and address of receiving party(ies)

Name: Morris International, Inc.

Internal Address:

Street Address: 301 East Boulevard

City: Charlotte State: NC ZIP: 28203

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State North Carolina
- Other

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No

(Designations must be a separate document from assignment)

Additional name(s) & address(es) attached?  Yes  No

3. Nature of conveyance:

- Assignment Nunc Pro Tunc  Merger
- Security Agreement  Change of Name
- Other effective November 18, 1998

Execution Date: December 16, 1998

4. Application number(s) or patent number(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

Reg. No. 1,849,606 - COUNTRY THUNDER

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Henry B. Ward, III, Esq.  
ALSTON & BIRD LLP

Internal Address: P.O. Drawer 34009

Street Address: 1211 E. Morehead Street

City: Charlotte State: NC ZIP: 28234

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

Enclosed

Authorized to be charged to deposit account

If additional fees are needed please use

8. Deposit account number:

16-0605

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Henry B. Ward, III

Name of Person Signing

*Henry B. Ward III*  
Signature

December 28, 1998

Date

Total number of pages including cover sheet, attachments, and document: 5

Mail documents to be recorded with required cover sheet information to: Commissioner of Patents & Trademarks, Box Assignments

TRADEMARK REEL: 1836 FRAME: 0688

**NUNC PRO TUNC**  
**SERVICE MARK ASSIGNMENT**

WHEREAS, *Citicasters Co.*, an Ohio corporation, having a principal place of business at 50 East RiverCenter Boulevard, 12th Floor, Covington, Kentucky 41011 (hereinafter referred to as "ASSIGNOR"), was formerly the exclusive and record owner of the entire right, title and interest in and to the following Service Mark and the corresponding United States Service Mark Registration therefor:

Service Mark: COUNTRY THUNDER  
Registration No.: 1,849,606  
Registered: August 9, 1994  
Int. Class: 38

WHEREAS, *Morris International, Inc.*, a North Carolina corporation, having a principal place of business at 301 East Boulevard, Charlotte, North Carolina 28203 (hereinafter referred to as "ASSIGNEE"), has acquired and purchased from ASSIGNOR the above-identified service mark and the corresponding United States Service Mark Registration and associated goodwill, from ASSIGNOR effective November 18, 1998, and is desirous of confirming that it has done so.

WHEREAS, ASSIGNOR and ASSIGNEE desire to confirm and perfect the sale and assignment of said Service Mark and corresponding United States Service Mark Registration therefor effective November 18, 1998;

NOW THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR hereby acknowledges and confirms that effective November 18, 1998, ASSIGNOR sold, transferred, and assigned to said ASSIGNEE the entire right, title and interest in and to the above-identified service mark and the corresponding United

States Service Mark Registration therefor, together with the goodwill of the business appurtenant to and symbolized by said Service Mark, and all rights of action against third parties for past infringement thereof, the same to be held and enjoyed by said ASSIGNEE as fully and entirely as the same would have been held by ASSIGNOR had this transfer, assignment and sale not been made.

ASSIGNOR hereby warrants and covenants that it has the full power and authority to convey the rights, title and interests herein assigned, transferred and sold to ASSIGNEE, that it has not executed and will not execute any agreement in conflict herewith, and that it will execute any and all other instruments which may be necessary to perfect and evidence ASSIGNEE's ownership of the property and rights herein conveyed.

IN WITNESS WHEREOF, ASSIGNOR, intending to be legally bound, has caused this Assignment to be executed by its duly authorized officer as of the 16<sup>th</sup> day of DEC, 1998.

CITICASTERS CO.

By: Jon M. Berry

Name: Jon M. Berry

Title: S. V. P.