



## CONFIRMATORY TRADEMARK ASSIGNMENT

THIS AGREEMENT is being entered into, nunc pro tunc, effective as of April 14, 1998, between the parties, confirming the previous transfer of assets executed pursuant to the Asset Purchase Agreement between the parties and reaffirming the assignment of trademark rights and the good will of the business associated with those trademarks as previously affected on the following basis:

WHEREAS, Compact Disc World, a New Jersey corporation located and doing business at 635 Montrose Avenue, South Plainfield, New Jersey 07080 (hereinafter referred to as "Assignor") owned and used the marks TRANSACTIONS ARE POWER and TAP in connection with providing marketing and demographic information regarding purchasing decisions of customers of musical recordings over a global computer network, and U.S. Trademark Registrations Nos. 2,327,647 and 2,386,774 (hereafter "the marks"); and

WHEREAS, VNU Marketing Information Inc., a Delaware corporation, located and doing business at 11 West 42<sup>nd</sup> Street, New York, NY, 10036 (hereinafter referred to as "Assignee") was desirous of acquiring Assignor's business associated with the aforesaid services, and acquiring the marks TRANSACTIONS ARE POWER and TAP, the good will associated therewith, and the registrations thereof;

WHEREAS, on or about April 14, 1998, Assignor did assign unto said Assignee, all of Assignor's rights, title and interest in and to and the marks TRANSACTIONS ARE POWER and TAP, and U.S. Trademark Registrations Nos. 2,327,647 and 2,386,774 for said marks, along with the business and the good will of the business associated with said marks; and

WHEREAS, Assignee, in the Asset Purchase Agreement of April 14, 1998, empowered Assignor to execute and perform further acts necessary to continue with the registration of the

marks and to give effect to the provisions of the April 14, 1998 Asset Purchase Agreement until such time as this Agreement could be perfected by recordation of the Agreement with the Patent and Trademark Office;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by Assignor, Assignor confirms and affirms that on April 14, 1998, it did sell, transfer, convey and assign unto Assignee, its successors, and assigns, all right, title and interest in and to the marks TRANSACTIONS ARE POWER and TAP, U.S. Trademark Registrations Nos. 2,327,647 and 2,386,774 for said marks, and the business and good will of the business in connection with which the said marks are used along with the rights to register the marks and to sue for past infringements thereof.

IN WITNESS WHEREOF, the said Assignor has hereunto signed its name on the date indicated below.

**COMPACT DISC WORLD**

By: David Lang

Name: DAVID LANG

Title: President

Date: July 30, 2001