

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
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NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT
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CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Fastnet Corporation		10/13/2004	CORPORATION: PENNSYLVANIA

RECEIVING PARTY DATA	
Name:	US LEC CORP.
Street Address:	6801 Morrison Boulevard
City:	Charlotte
State/Country:	NORTH CAROLINA
Postal Code:	28211
Entity Type:	CORPORATION: DELAWARE

PROPERTY NUMBERS Total: 1		
Property Type	Number	Word Mark
Registration Number:	2614497	

CORRESPONDENCE DATA	
Fax Number:	(919)416-8339
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	919 286-8088
Email:	PTO_TMconfirmation@mvalaw.com
Correspondent Name:	Moore & Van Allen PLLC
Address Line 1:	430 Davis Drive
Address Line 2:	Suite 500
Address Line 4:	Morrisville, NORTH CAROLINA 27560

ATTORNEY DOCKET NUMBER:	022007.283 NUNCPROTUC JWJ
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NAME OF SUBMITTER:	Joyce W. Jenzano
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Total Attachments: 4
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NUNC PRO TUNC ASSIGNMENT OF TRADEMARKS AND ACCOMPANYING BUSINESS AND GOODWILL

THIS ASSIGNMENT, made *nunc pro tunc* effective December 15, 2003, is by and between FASTNET CORPORATION ("Assignor"), a Pennsylvania corporation, with a principal place of business at 3864 Courtney Street, Suite 130 Bethlehem PA 18017 and US LEC CORP. ("Assignee"), a Delaware corporation), with a principal place of business at 6801 Morrison Boulevard Charlotte NC 28211.

WHEREAS, Assignor and Assignee have entered into an Asset Purchase Agreement which provides for the sale, transfer and conveyance of, among other things, all of the Assignor's right, title and interest in and to certain real and personal property; and

WHEREAS, the aforementioned Asset Purchase Agreement was executed on December 15, 2003; and

WHEREAS, the mark and federal registration thereof shown in Schedule A hereto were inadvertently omitted from the pertinent Schedule attached to the Asset Purchase Agreement although they were transferred property; and

WHEREAS, Assignor is the owner of all rights, title and interest in and to the marks identified on Schedule A hereto (the "Marks"), and all rights appurtenant thereto, including, but not limited to, all common law rights, causes of action and the right to recover for past infringement, dilution or other misappropriation thereof ; and

WHEREAS, Assignee is desirous of acquiring Assignor's rights in the Marks and the registrations therefor in the United States and all rights appurtenant thereto;

NOW, THEREFORE, for good and valuable consideration, receipt of which Assignor acknowledges by its execution below:

Assignor hereby assigns to Assignee all of its rights, title and interest in and to the Marks, together with the goodwill of the business connected with the use of and symbolized by said Marks, and together with any and all interests, claims and rights for damages and profits by reason of any past infringement or unauthorized use of the Marks, false designations of origin, unfair competition, deceptive trade practices and/or dilution related to the Marks, use of confusingly similar marks or names by others and all other related causes of action and the right to sue therefor.

[Signature page follows.]

Effective *nunc pro tunc* as of the 15th day of December, 2003 and executed this 13 day of October, 2004.

ASSIGNOR

FASTNET CORPORATION,
a Pennsylvania corporation

By: R Barry Borden
Name: R BARRY BORDEN
Title: PRESIDENT

ASSIGNEE

US LEC CORP.,
a Delaware corporation

By: JFB
Name: John F. Blakely
Title: SVP

**SCHEDULE A
INTELLECTUAL PROPERTY**

Mark	Country	Serial No.	Registration No.	Goods/Services	Status	Is Requirement Met?
1. See logo below	U.S.A.	Ser. No. 76/207,859, filed 2/9/01	Reg. No. 2,614,497, registered 9/3/02	IC 35 - Business consultation in the fields of business related Internet solutions to business management, business planning, business networking; computerized database management. IC 038 - Providing personal multiple user access to a global computer network. IC 042 - Computer consultation in the field of computer web page design, the design of dedicated and redundant high-balance IP circuits; web hosting; co-location services, namely the leasing of facilities for computers; monitoring computer security systems, computer programming for others; computer services, namely, designing web sites for others; registration of domain names for the identification of users on the Internet.	Section 8&15 Affidavit due 9/3/08; Renewal due 9/3/12	Yes

1.



DECLARATION

I, R BARRY BORDEN declare that I was an officer of Fastnet Corporation on December 15, 2003 and was authorized to execute this Assignment effective as of that date.

FASTNET CORPORATION,
a Pennsylvania corporation

By: R Barry Borden
Name: R. Barry Borden
Title: President