

07-23-2004



102797402

7/23/04

Form PTO-1594 (Rev. 10/02) QMB No. 0651-0027 (exp. 6/30/2005)

U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

Tab settings

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

1. Name of conveying party(ies):

North Carolina Speedway, Inc.

- Individual(s), Association, General Partnership, Limited Partnership, Corporation-State NC, Other

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

2. Name and address of receiving party(ies)

Name: Speedway TBA, Inc.

Internal

Address: P. O. Box 600

Street Address:

City: Concord State: NC Zip: 28206

- 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, Merger, Security Agreement, Change of Name, Other

Execution Date: July 1, 2004

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,672,916

Additional number(s) attached Yes No

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

Name: George T. Brady III

Internal Address:

Street Address: 150 Fayetteville Street Mall Suite 1400

City: Raleigh State: NC Zip: 27602

6. Total number of applications and registrations involved:

12

7. Total fee (37 CFR 3.41) \$ 315.00

- Enclosed, Authorized to be charged to deposit account

8. Deposit account number:

(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.

GLENN R. FADGETT Name of Person Signing

Signature

7/1/2004 Date

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

07/26/2004 LINDELLER 00000014 2672916

Mail documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

01 FC:8521 02 FC:8522

40.00 DP 275.00 DP

RECORDATION FORM COVER SHEET

Page 2

Continued:

4. B. Registration number(s)

2,297,425

2,409,706

2,581,483

2,609,017

2,638,493

2,725,139

2,728,769

2,743,230

2,755,310

2,791,937

2,840,682

TRADEMARK ASSIGNMENT

THIS TRADEMARK ASSIGNMENT (this "Trademark Assignment") is made as of this 1st day of July, 2004, by and between NORTH CAROLINA SPEEDWAY INC., a North Carolina corporation ("Assignor"), and SPEEDWAY TBA, INC., a North Carolina corporation ("Assignee").

RECITALS

WHEREAS, Assignor is using and is the owner of certain trademarks and service marks, and the registrations and applications thereof, as set forth on Schedule A (collectively the "Marks");

WHEREAS, pursuant to that certain Asset Purchase Agreement dated May 11, 2004, between Assignee and Assignor, Assignor has agreed to transfer to Assignor all of Assignee's rights, title and interest in and to the Marks, together with the goodwill of the business in connection with which the Marks are used; and

WHEREAS, Assignor and Assignee want to confirm this assignment for purposes of filing the same with the United States Patent and Trademark Office.

ASSIGNMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged:

1. Assignment of Marks. Assignor hereby assigns and transfers to Assignee, its successors and assigns, absolutely and forever, the entire right, title and interest, whether statutory or at common law, in and to the Marks, together with the goodwill of the business symbolized by them throughout the world, and all registrations and pending applications therefor, in all countries throughout the world, together with all causes of action for any and all previously occurring infringement of the rights being assigned and the right to receive and retain the proceeds or other remedies relating to those infringements.

2. Further Assurances. Assignor agrees to execute further papers and to do such other acts as may be necessary or desirable to vest full right, title and interest in and to the Marks throughout the world in Assignee or as may be necessary or desirable to obtain, renew, issue or enforce the Marks.

3. Powers of Attorney. From time to time upon request by Assignee, Assignor agrees to execute and deliver to Assignee or its agent a power of attorney, in form and substance satisfactory to Assignee, for the implementation this Trademark Assignment, including, without limitation, execution of powers of attorney as may be necessary for Assignee's agents to record this Trademark Assignment or any other document evidencing the transfer of the Marks in any foreign jurisdictions.

4. Counterparts. This Trademark Assignment may be executed in several counterparts, each of which shall be deemed to be an original, but all of which together will constitute one and the same instrument.

(Signatures appear on the following page)

SCHEDULE A

ATTACHMENT

Asset Purchase Agreement – North Carolina Speedway, Inc.
Schedule 5.18 – Intellectual Property

NORTH CAROLINA SPEEDWAY

MARK	REC/APP NUMBER	DATE OF FIRST USE	REG/FILING DATE
<p>NORTH CAROLINA SPEEDWAY Class: 25 Wearing apparel; namely t-shirts, sweatshirts, caps, hats, jackets. Class: 41 Entertainment services in the nature of automobile racing events. DISCLAIMERS: "SPEEDWAY" OWNER: North Carolina Motor Speedway, Inc. 2(0): "NORTH CAROLINA"</p>	2,297,425	04/01/1998	12/07/1999
<p>NORTH CAROLINA SPEEDWAY THE ROCK & Design Description: Class: 9 Computer video game equipment for use in connection with personal computer and televisions; namely joysticks and video game interactive remote control units, computer game cartridges, cassettes, disks and memory devices containing computer game programs; video tapes featuring auto racing. DISCLAIMERS: NONE OWNER: North Carolina Speedway, Inc. 2(0): "NORTH CAROLINA"</p>	2,672,916	10/20/2000	01/07/2003
<p>NORTH CAROLINA SPEEDWAY THE ROCK & Design Description: Class: 16 Paper goods and printed materials; namely books, magazines, comic books, program booklets, and periodic newsletters and newspapers, all in the field of automobile, truck, go-cart and motorcycle racing; posters, calendars, stickers, bumper stickers, decals, trading cards, trading card albums, playing cards, postcards, book covers, wirebound notebooks, loose leaf binders, and memo pads; pens, pencils, and erasers and paper napkins. DISCLAIMERS: NONE OWNER: North Carolina Speedway, Inc. 2(0): "NORTH CAROLINA"</p>	2,609,017	10/01/2000	08/20/2002
<p>NORTH CAROLINA SPEEDWAY THE ROCK & Design Description: Class: 21 Housewares and glass products; namely mugs, shot glasses, drinking glasses, salt and pepper shakers, decanters, paper plates, portable coolers, insulating sleeve holders for beverage cans, and plastic sport bottles sold empty. DISCLAIMERS: NONE OWNER: North Carolina Speedway, Inc. 2(0): "NORTH CAROLINA"</p>	2,581,483	01/01/2000	12/20/2000
<p>NORTH CAROLINA SPEEDWAY THE ROCK & Design Description: Class: 25 Clothing; namely t-shirts, collared shirts, sports shirts, sweatshirts, sleeveless tank-tops, jackets, sweaters, caps, hats, sun visors, shorts, pants, shoes, socks and belts. DISCLAIMERS: NONE OWNER: North Carolina Speedway, Inc. 2(0): NONE</p>	2,755,310	10/01/2000	08/26/2003

04/13/2004

Asset Purchase Agreement – North Carolina Speedway, Inc.
 Schedule 5.18 – Intellectual Property

NORTH CAROLINA SPEEDWAY

MARK	REG/APP NUMBER	DATE OF FIRST USE	REG/FILING DATE
NORTH CAROLINA SPEEDWAY THE ROCK & Design Description: Class: 28	2,791,937	10/20/2000	12/09/2003
Games and toys; namely die cast and plastic cars, trucks and motorcycles and other vehicles, electronic driving and road racing games, computer video handheld games, computer video arcade games, electronic slot cars, additional track for racing games, board games, jigsaw and manipulative puzzles, plush stuffed animals and radio controlled cars, trucks and other vehicles; sporting equipment, namely golf balls, golf tees, golf clubs, golf bags, golf club covers, and golf ball markers.			
DISCLAIMERS: NONE			
OWNER: North Carolina Speedway, Inc. 2(f): "NORTH CAROLINA"			
NORTH CAROLINA SPEEDWAY THE ROCK & Design Description: Class: 41	2,638,493	10/01/2000	10/22/2002
Racing events; namely automobile, motorcycle, truck and go-cart races; conducting and organizing motorsports events.			
DISCLAIMERS: NONE			
OWNER: North Carolina Speedway, Inc. 2(f): "NORTH CAROLINA SPEEDWAY"			
THE ROCK Description: Class: 41	2,409,706	01/01/1975	12/05/2000
Entertainment in the nature of automobile races.			
DISCLAIMERS: NONE			
OWNER: North Carolina Speedway, Inc. 2(f): NONE			
THE ROCK NORTH CAROLINA SPEEDWAY & Design Description: Class: 21	2,725,139	10/20/2000	06/10/2003
Housewares and glass products; namely mugs, shot glasses, drinking glasses, salt and pepper shakers, decanters, paper plates, portable coolers, insulating sleeve holders for beverage cans, and plastic sport bottles sold empty.			
DISCLAIMERS: NONE			
OWNER: North Carolina Speedway, Inc. 2(f): "NORTH CAROLINA"			
THE ROCK NORTH CAROLINA SPEEDWAY & Design Description: Class: 25	2,728,769	04/01/2000	06/24/2003
Clothing; namely t-shirts, collared shirts, sports shirts, sweatshirts, sleeveless tank-tops, jackets, sweaters, caps, hats, sun visors, shorts, pants, shoes, socks and belts.			
DISCLAIMERS: NONE			
OWNER: North Carolina Speedway, Inc. 2(f): NONE			

04/13/2004

Asset Purchase Agreement – North Carolina Speedway, Inc.
 Schedule 5.18 – Intellectual Property

NORTH CAROLINA SPEEDWAY

MARK	REG/APP NUMBER	DATE OF FIRST USE	REG/FILING DATE
<p>THE ROCK NORTH CAROLINA SPEEDWAY & Design Description: Class: 28</p> <p>Games and toys; namely die cast and plastic cars, trucks and motorcycles and other vehicles, electronic driving and road racing games, computer video handheld games, computer video arcade games, electronic slot cars, additional track for racing games, board games, jigsaw and manipulative puzzles, plush stuffed animals and radio-controlled cars, trucks and other vehicles; sporting equipment, namely golf balls, golf tees, golf clubs, golf bags, golf club covers, and golf ball markers. NONE North Carolina Speedway, Inc.</p> <p>DISCLAIMERS: NONE North Carolina Speedway, Inc.</p>	2,743,230	10/20/2000	07/29/2003
<p>THE ROCK NORTH CAROLINA SPEEDWAY & Design Description: Class: 41</p> <p>Entertainment services in the nature of racing events; namely automobile, motorcycle, truck and go-cart races; conducting promoting and organizing motorsports events. NONE North Carolina Speedway, Inc.</p> <p>DISCLAIMERS: NONE North Carolina Speedway, Inc.</p>	76184,663	ITU	12/20/2000

04/13/2004

Asset Purchase Agreement – North Carolina Speedway, Inc.
Schedule 5.18 – Intellectual Property

NORTH CAROLINA SPEEDWAY

MARK	REG/APP NUMBER	DATE OF FIRST USE	REG/FILING DATE
STATE REGISTRATIONS - NORTH CAROLINA			
THE ROCK Class: 107 Promoting and conducting automobile racing events.	11989	01/01/1975	12/10/1986
THE ROCK Class: 104 Promotion of auto racing and track services.	T-14047	06/01/1996	12/04/1996

04/13/2004