## TRADEMARK ASSIGNMENT

Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE: **NEW ASSIGNMENT** 

NATURE OF CONVEYANCE: RELEASE BY SECURED PARTY

## **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Wells Fargo Bank, National Association		103/18/2010	National Association: UNITED STATES

## RECEIVING PARTY DATA

Name:	MTR Gaming Group, Inc.	
Street Address:	State Route 2 South	
Internal Address:	P.O. Box 356	
City:	Chester	
State/Country:	WEST VIRGINIA	
Postal Code:	26034	
Entity Type:	CORPORATION: DELAWARE	

## PROPERTY NUMBERS Total: 26

Property Type	Number	Word Mark
Registration Number:	2511368	SPEAKEASY
Registration Number:	2644898	SPEAKEASY GAMING SALOON
Registration Number:	3345146	RACELINEBET
Registration Number:	3345168	RACELINEBET.COM
Registration Number:	3331681	IT'S BETTOR WITH US!
Registration Number:	3628845	YOU'VE PICKED THE BETTOR WAY!
Registration Number:	3641255	BETTOR REWARDS
Registration Number:	3641256	BETTOR CASH
Registration Number:	2930876	THE GRANDE HOTEL AT MOUNTAINEER
Registration Number:	2994578	THE GRANDE HOTEL AT MOUNTAINEER
Registration Number:	2928951	THE HARV
Registration Number:	2928952	THE HARV
Registration Number:	3078711	MTR

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TRADEMARK

Registration Number:	3011445	
Registration Number:	2994601	THE SPA AT MOUNTAINEER
Registration Number:	2994602	THE SPA AT MOUNTAINEER
Registration Number:	3048779	WEST VIRGINIA DERBY
Registration Number:	3015021	WEST VIRGINIA DERBY
Registration Number:	3525647	PRESQUE ISLE DOWNS
Registration Number:	3529005	PRESQUE ISLE DOWNS
Registration Number:	3722967	MOUNTAINEER CASINO RACETRACK & RESORT
Registration Number:	3702323	MOUNTAINEER CASINO RACETRACK & RESORT
Registration Number:	3465710	FORBIDDEN APPLE
Serial Number:	75513346	SPEAKEASY HOTEL AND CASINO
Serial Number:	77108366	TRIPLE CROWN BUFFET
Serial Number:	77338548	MOUNTAINEER CASINO RESORT AND RACETRACK

## **CORRESPONDENCE DATA**

Fax Number: (202)408-3141

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 800-927-9801 x2348 Email: jpaterso@cscinfo.com

Correspondent Name: Corporation Service Company

Address Line 1: 1090 Vermont Avenue NW, Suite 430

Address Line 4: Washington, DISTRICT OF COLUMBIA 20005

ATTORNEY DOCKET NUMBER:	321868-10
NAME OF SUBMITTER:	Jean Paterson
Signature:	/jep/
Date:	03/19/2010

#### Total Attachments: 3

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### RELEASE OF TRADEMARK COLLATERAL

(MTR GAMING GROUP, INC.)

THIS RELEASE OF TRADEMARK COLLATERAL (this "Release") is made as of March 18. 2010, by WELLS FARGO BANK, NATIONAL ASSOCIATION, as administrative agent (in such capacity as the "Agent Bank"), the secured party under the Security Agreement referred to below.

#### WITNESSETH:

WHEREAS, MTR GAMING GROUP, INC., a Delaware corporation ("MTR"), and certain other entities executed that certain Trademark Security Agreement, dated as of September 22, 2006 (the "Security Agreement"), pursuant to which MTR granted a security interest to the Agent Bank in certain trademarks and other intellectual property of MTR; and

WHEREAS, in connection with said Security Agreement, documentation was recorded with the United States Patent and Trademark Office at (i) Reel 2738, Frame 0339 on April 25, 2003 and (ii) Reel 3478, Frame 0518 on March 28, 2008; and

WHEREAS, the Agent Bank has agreed to release all its liens on the trademarks and trademark applications of MTR identified on <u>Exhibit A</u> attached hereto and made a part hereof (the "<u>Released Collateral</u>"), and to reconvey any and all rights in the Released Collateral to the persons legally entitled thereto.

NOW, THEREFORE, in consideration of the promises and other good and valuable consideration, receipt of which is hereby acknowledged, the Agent Bank hereby releases all its rights in and to the Released Collateral, reconveys to the persons legally entitled thereto all of the Agent Bank's right, title and interest in and to the Released Collateral, all without warranty or representation of any kind.

IN WITNESS WHEREOF, the Agent Bank has caused this Release to be duly executed on the date first above written.

WELLS FARGO BANK, NATIONAL ASSOCIATION, as Agent Bank

Name:

Title:

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# EXHIBIT A

# **TRADEMARKS**

Reel/Frame	Registration Number
2738/0339	2,511,368
	2644898
	Serial No. 75513346
	(no registration number)
3748/0518	3,345,146
	3,345,168
	3,331,681
	3,628,845
	3,641,255
	3,641,256
	2,930,876
	2,994,578
	2,928,951
	2,928,952
	3,078,711
	3,011,445
	2,994,601
	2,994,602
	3,048,779
	3,015,021
	3,525,647
	3,529,005
	Serial No. 77108366
	(no registration number)
	3722967
	3702323
	3465710
	Serial No. 77338548
	(no registration number)

OHS West:260854808.3 1696-427 MAG/RPG

**RECORDED: 03/19/2010** 

TRADEMARK REEL: 004170 FRAME: 0592