

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM330987

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	Declaration Regarding Ownership of Mark		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Charles River Broadcasting Company		01/29/2015	COMPANY: MASSACHUSETTS
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	WGBH Educational Foundation		
<b>Street Address:</b>	One Guest Street		
<b>City:</b>	Boston		
<b>State/Country:</b>	MASSACHUSETTS		
<b>Postal Code:</b>	02135		
<b>Entity Type:</b>	CORPORATION: MASSACHUSETTS		
<b>PROPERTY NUMBERS Total: 2</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	2730925	CLASSICAL CARTOON FESTIVAL	
<b>Registration Number:</b>	1374235	WCRB	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	6173001014		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
<b>Phone:</b>	617-300-4405		
<b>Email:</b>	trademarks@WGBh.org		
<b>Correspondent Name:</b>	Eric A. Brass		
<b>Address Line 1:</b>	One Guest Street		
<b>Address Line 4:</b>	Boston, MASSACHUSETTS 02135		
<b>NAME OF SUBMITTER:</b>	Eric A. Brass		
<b>SIGNATURE:</b>	/eabdkh/		
<b>DATE SIGNED:</b>	02/04/2015		
<b>Total Attachments: 15</b>			
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source=Declaration WCRB#page1.tif			
source=Declaration WCRB#page2.tif			

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**DECLARATION**  
**REGARDING OWNERSHIP OF MARK**

**Mark:** CLASSICAL CARTOON FESTIVAL  
**Registration No.:** 2730925  
**Date of Registration:** June 24, 2003  
**Class:** 41  
**Owner:** WGBH Educational Foundation, a corporation organized and existing under the laws of the Commonwealth of Massachusetts

**Commissioner for Trademarks**  
**P.O. Box 1451**  
**Alexandria, VA 22313-1451**

The purpose of this Declaration is to clarify certain information in the title history of Registration No. 2730925 for the mark CLASSICAL CARTOON FESTIVAL (the "Registration"). To my knowledge, the following describes the chain of title of this registration based on a review of certain documents.

1. The record owner of the Registration in the USPTO database is Charles River Broadcasting Company, a Massachusetts corporation.

Through a series of transactions ownership rights in the registration are understood to have been assigned from Charles River Broadcasting Company to a Greater Media entity and then to a Nassau Broadcasting company.

The above assignments cannot be located, but a copy of a Wikipedia article outlining this chain of events is attached (see highlighted portions on page 2 in the printout).

2. On September 17, 2009, WGBH Educational Foundation acquired the Registration from Nassau Broadcasting I, LLC by assignment (see attached redacted parts of this assignment and highlighted portion on page 3 of the attached printout).

3. Thus, to my understanding, all right, title, and interest in and to the Registration, and the associated goodwill, are in the name of WGBH Educational Foundation, a corporation organized and existing under the laws of the Commonwealth of Massachusetts.
4. I am authorized to execute this document on behalf of WGBH Educational Foundation; all statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true; these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom.

**WGBH Educational Foundation**

By: 

Name: Eric Brass

Title: Clerk

Date of Signature: 1/29/15

**DECLARATION**  
**REGARDING OWNERSHIP OF MARK**

**Mark:** WCRB  
**Registration No.:** 1374235  
**Date of Registration:** December 3, 1985  
**Class:** 38  
**Owner:** WGBH Educational Foundation, a corporation organized and existing under the laws of the Commonwealth of Massachusetts

**Commissioner for Trademarks**  
**P.O. Box 1451**  
**Alexandria, VA 22313-1451**

The purpose of this Declaration is to clarify certain information in the title history of Registration No. 1374235 for the mark WCRB (the "Registration"). To my knowledge, the following describes the chain of title of this registration based on a review of certain documents.

1. The record owner of the Registration in the USPTO database is Charles River Broadcasting Company, a Massachusetts corporation.

Through a series of transactions ownership rights in the registration are understood to have been assigned from Charles River Broadcasting Company to a Greater Media entity and then to a Nassau Broadcasting company.

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4. I am authorized to execute this document on behalf of WGBH Educational Foundation; all statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true; these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom.

**WGBH Educational Foundation**

By: 

Name: Eric Brass

Title: Clerk

Date of Signature: 1/29/15

## History of WCRB intellectual property<sup>[edit]</sup>

WCRB began broadcasting on 1330 kHz out of Waltham on January 30, 1948. In 1950, the station was sold entirely to Theodore Jones, who would own the station under the name of Charles River Broadcasting until his death in 1991. Prior to that time, "Ted" Jones set up the Charles River Broadcast Trust to guarantee that his establishment would continue in perpetuity.

Around the time Jones first acquired the station, WBMS, a daytime AM radio station that had programmed classical music, changed format. Jones decided to change WCRB's format from that of a typical suburban AM station of the era to full-time classical music. FM service at 102.5 Megacycles (as MegaHertz was then known) was added by 1954 upon the purchase of the WHAV FM transmitter. FM brought WCRB's classical music format to parts of the Boston area that did not get good reception of WCRB's directional AM signal, and made improved audio quality available.

In 1961, WCRB-FM became the first Boston-area station to broadcast in multiplex stereo; for a few years prior to that, WCRB had broadcast some of its programming in stereo by carrying one channel on AM, the other on FM. WCRB was directly involved with the development of FM multiplex stereo.<sup>[1]</sup> Station WCRB and H.H. Scott, then of Maynard, Massachusetts developed prototype stereophonic equipment that was used to prove the "General Electric" multiplex method being evaluated by the Federal Communications Commission (FCC). H.H. Scott was an early stereophonic receiver manufacturer that developed and manufactured high-quality home stereo equipment. Once the FCC approved stereophonic broadcasting, WCRB created a special "stereo" studio in downtown Boston, the first in the world. There was no dual channel (stereo) studio equipment at the time. Much of the equipment was handmade by the engineering staff. Many can remember the call-letter announcements, made on the half-hour as required by the FCC; "You are tuned to WCRB, Waltham, thirteen-thirty AM, one-oh-two-point-five FM, with downtown studios in the elegant hotel Sheraton Plaza, featuring more than seventy hours weekly of FM stereo programming."

WCRB is noted for many other innovations. It was the first radio station to obtain a permanent waiver of the FCC rules requiring average modulation in excess of eighty-five percent. This was necessary to preserve the dynamic range of the concert music broadcasts. The station also obtained a permanent waiver of the FCC rule that required a station identification announcement every thirty minutes. This meant that a live concert performance no longer had to be interrupted for station identification.

The WCRB engineering staff worked with the National Association of Broadcasters (NAB) to codify the RIAA LP record frequency-response curve, and create the NAB standard. Other technical innovations followed. Before the early days of FM stereo broadcasting, nobody had encountered the necessity of amplitude- and phase-matching two 15 kHz stereo leased lines. The telephone company called such a channel type; "Program channel A." To them, as long as the frequency

response and noise level matched their specifications, stereo simply meant that there would be two lines. It was just a matter of labeling them! Not so. WCRB engineering worked with AT&T to generate a specification involving matching both the phase and frequency response. This became the standard of the industry. Eventually, as stereo caught on across the country, these methods and specifications were used to install stereophonic leased lines to transmitters across the country, until they were made obsolete by the development of composite-signal studio-transmitter links. In the early days of radio, stations had full-time engineers on duty. Therefore, the WCRB engineering staff also recorded live performances for the Boston Symphony Orchestra Transcription Trust.

Although Charles River Broadcasting had acquired other radio stations, WCRB remained as the company's flagship station.

In 1975, WCRB ended simulcasting of WCRB-FM, changing call letters to WHET, and its format to big-band/adult standards. In 1978, Charles River Broadcasting sold off WHET (later renamed WRCA), but retained WCRB, which became increasingly successful over the years as a 24/7 classical music station.

WCRB was under a long-term commitment by Charles River Broadcasting Trust, established by Theodore Jones, to continue to air classical music in perpetuity, and it carried no non-classical music programs. However, the decision to interpret the commitment as a request rather than a demand resulted in the announced sale of the station to Greater Media on December 19, 2005. The trustees of the Charles River Broadcast Trust had already sold off portions of the trust's property so that there was little physical property and real estate left. The AM transmitter site in Waltham was sold to a developer who built the Watermill Complex. This, and the sales of stations such as WCRQ in Providence, Rhode Island, marked the beginning of the gradual dissolution of the Theodore Jones trust. It was upon the death of Richard L. Kaye,<sup>[2]</sup> an early manager, minority stockholder, and trusted associate of Jones, that the Charles River Trust would no longer maintain the commitments made by its founder.<sup>[3]</sup>

Greater Media already owned five FM stations in the Boston market - the maximum allowed by the FCC - and one of Greater Media's Boston stations would have to be sold before the company could acquire WCRB. Speculation arose that Greater Media would sell off 99.5 WKLB-FM, as its Andover transmitter location provided poor overall coverage of the Boston market, in contrast to the company's other stations. These thoughts were confirmed on July 31, 2006, when Greater Media announced that it would sell the physical property of WKLB-FM and the intellectual property of WCRB to Nassau Broadcasting, thus saving the commercial classical format for the Boston area, albeit on a station with poorer coverage of Boston. At the same time, Greater Media announced that the country format and intellectual property of WKLB would relocate to the prime signal of 102.5 MHz. WCRB's transition from 102.5 to 99.5 was completed on Friday, December 1, 2006 at noon local time. The first selection broadcast on the new frequency was the Hallelujah Chorus from Handel's *Messiah*.



It was announced on September 21, 2009 that the WGBH Educational Foundation would acquire WCRB from Nassau and convert the station to non-commercial operation, complementing sister station WGBH (89.7 FM).<sup>[4]</sup> The sale was completed on December 1. Since assuming control of WCRB, WGBH has sought to expand the reach of the station, particularly to areas that had been served by the station prior to the frequency shift in 2006; WCRB's programming was added to WNCK, which formerly simulcast WGBH, concurrent with the sale's completion, and April 8, 2010, W242AA also switched from carrying WGBH to WCRB, via the 89.7 HD-2 simulcast.<sup>[5]</sup> WJMF began carrying WCRB programming in September 2011; since the frequency change in 2006, Providence had been one of the largest markets without access to a full-time classical music station.<sup>[6]</sup> Because of this expanded reach, the station rebranded from *99.5 All Classical* (the branding used since the sale to WGBH) to *Classical New England* on October 3, 2011.<sup>[7]</sup>

**ASSET PURCHASE AGREEMENT**

**BY AND BETWEEN**

**NASSAU BROADCASTING I, LLC,  
AS SELLER**

**AND**

**WGBH EDUCATIONAL FOUNDATION  
AS BUYER**

**IN RESPECT OF RADIO STATION  
WCRB (FM), LOWELL, MASSACHUSETTS**

**AND**

**CERTAIN RELATED ASSETS**

**DATED AS OF SEPTEMBER 17, 2009**

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**ASSET PURCHASE AGREEMENT**

THIS ASSET PURCHASE AGREEMENT (this "Agreement") is made as of September 17, 2009 (the "Effective Date"), by and between Nassau Broadcasting I, LLC, a Delaware limited liability company ("Seller") and WGBH Educational Foundation, a charitable not-for-profit Massachusetts corporation ("Buyer").

**WITNESSETH:**

**REDACTED**

**WHEREAS**, Seller desires to sell to Buyer, and Buyer desires to purchase from Seller, certain of Seller's assets used and useful in connection with the operation of the Station, including the FCC licenses for the Station, in each case, pursuant to the terms and subject to the conditions of this Agreement;

**REDACTED**

**NOW, THEREFORE**, in consideration of the mutual benefits to be derived from this Agreement and of the representations, warranties, conditions, agreements and promises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, intending to be legally bound, hereby agree as follows:

**REDACTED**

## ARTICLE II—PURCHASE AND SALE

*Section 2.1. Purchase and Sale of Assets; Purchase Price.* Pursuant to the terms and subject to the conditions of this Agreement, at the Closing, Seller shall sell, convey, transfer and assign to Buyer, free and clear of all Liens (other than Permitted Liens), and Buyer shall purchase from Seller, the Purchased Assets.

**REDACTED**

(iii) all program and programming materials and elements of whatever form or nature owned by Seller and used in connection with the Station Business, whether recorded on tape or any other media or intended for live performance, and whether completed or in production, and all related common law and statutory Copyrights owned by or licensed to Seller and used in connection with the Station Business, together with all other Intellectual Property owned, used or held for use by Seller in connection with the Station Business, including the registrations and applications listed on *Schedule 3.8(b)* (collectively, the “**Transferred Intellectual Property**”);

**REDACTED**

**REDACTED**

- (ix) all goodwill of or relating to the Station or the Station Business;

**REDACTED**

REDACTED

*Section 3.8. Intellectual Property.*

(a) Seller owns all right, title and interest in and to, or has valid license rights to, all of the Transferred Intellectual Property.

(b) The Transferred Intellectual Property includes all Intellectual Property necessary for the conduct of the Station Business as it is presently conducted. *Schedule 3.8(b)* sets forth a true and complete list of all registrations, applications for registration and similar filings with any Governmental Authority relating to the Transferred Intellectual Property owned by Seller. Seller has provided true and complete copies of all such registrations, applications and similar filings to Buyer, and has taken all action necessary to prosecute all of Seller's existing applications and to maintain all such registrations in full force and effect, and has not taken or failed to take any action which could reasonably be expected to have the effect of waiving any rights to the Intellectual Property.

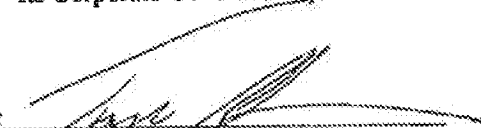
IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

NASSAU BROADCASTING I, LLC

WGBH EDUCATIONAL FOUNDATION

By: NASSAU BROADCASTING PARTNERS, L.P.  
Its Sole Member

By: NASSAU BROADCASTING PARTNERS, INC.  
Its Corporate General Partner

By:   
Name: THOMAS COLLINS  
Title: SE, EXECUTIVE VICE PRESIDENT

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

*[Signature Page to Asset Purchase  
Agreement Relating to WCRB (FM)]*

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

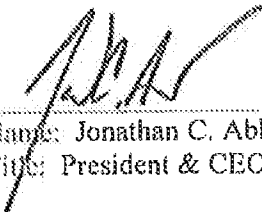
NASSAU BROADCASTING I, LLC

WGBH EDUCATIONAL FOUNDATION

By: NASSAU BROADCASTING PARTNERS, L.P.  
Its Sole Member

By: NASSAU BROADCASTING PARTNERS, INC.  
Its Corporate General Partner

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By:  \_\_\_\_\_  
Name: Jonathan C. Abbott  
Title: President & CEO

*[Signature Page to Asset Purchase Agreement Relating to WCRB (FM)]*



ASSET PURCHASE AGREEMENT  
DATED SEPTEMBER \_\_, 2009  
BY AND BETWEEN  
NASSAU BROADCASTING I, LLC,  
AS SELLER  
AND  
WGBH EDUCATIONAL FOUNDATION  
AS BUYER

Schedule 3.8(b)  
Intellectual Property Registrations/Applications/Similar Filings

U.S Trademarks	Filing Date	Status	Registration No.
WCRB	May 28, 1985	Live	1374235
Classical Cartoon Festival	July 9, 2002	Live	2730925