

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM807989

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNMENT OF THE ENTIRE INTEREST AND THE GOODWILL		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
MTR Gaming Group, Inc.		12/06/2019	Corporation: DELAWARE
RECEIVING PARTY DATA			
Name:	Mountaineer Park, Inc.		
Street Address:	455 E. Pikes Peak Ave., Suite 210		
City:	Colorado Springs		
State/Country:	COLORADO		
Postal Code:	80903		
Entity Type:	Corporation: WEST VIRGINIA		
PROPERTY NUMBERS Total: 16			
Property Type	Number	Word Mark	
Registration Number:	4498679	INCLUB	
Registration Number:	3011445		
Registration Number:	3722967	MOUNTAINEER CASINO RACETRACK & RESORT	
Registration Number:	3702323	MOUNTAINEER CASINO RACETRACK & RESORT	
Registration Number:	4666977	TAGALONG POINTS	
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:	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:	3345168	RACELINEBET.COM	
Registration Number:	3345146	RACELINEBET	
Registration Number:	2511368	SPEAKEASY	
CORRESPONDENCE DATA			
Fax Number:	3036073600		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent</i>			
TRADEMARK			

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using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.

Phone: 3036073500
Email: erin.theroux@faegredrinker.com
Correspondent Name: Emily A. Bayton
Address Line 1: FAEGRE DRINKER BIDDLE & REATH LLP
Address Line 2: 1144 15th Street, Suite 3400
Address Line 4: Denver, COLORADO 80202

ATTORNEY DOCKET NUMBER:	454904.333776
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NAME OF SUBMITTER:	Erin N. Theroux
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SIGNATURE:	/Erin N. Theroux/
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DATE SIGNED:	05/04/2023
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Total Attachments: 11

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TRADEMARK AND DOMAIN NAME ASSIGNMENT

This Trademark and Domain Name Assignment (this "Assignment") is being executed as of December 6, 2019 by **MTR Gaming Group, Inc.**, a Delaware corporation ("MTR") and **Eldorado Resorts, Inc.**, a Nevada corporation ("ERI") (collectively "Assignors") in favor of **Mountaineer Park, Inc.**, a West Virginia corporation ("Mountaineer"), **IOC-Caruthersville, LLC**, a Missouri limited liability company ("IOC-Caruthersville"), and **IOC-Cape Girardeau LLC**, a Missouri limited liability company ("IOC-CG", and together with Mountaineer and IOC-Caruthersville, the "Assignees"). Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Agreement (defined below).

Pursuant to (i) the Equity Purchase Agreement dated as of June 17, 2019 (the "Agreement") among MTR, ERI, Isle of Capri Casinos LLC ("IOC"), a Delaware limited liability company, Assignees and VICI Properties Inc., a Maryland corporation, and (ii) the Assignment Agreement, dated as of December 6, 2019, between MTR and IOC, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged,

(A) MTR does hereby sell, assign, transfer, convey and deliver unto Mountaineer, its successors and assigns, all of MTR's right, title, interest in, to and under the trademarks listed on Schedule A attached hereto, including the goodwill associated therewith, intending hereby to convey all of the right, title and interest of MTR therein (the "Mountaineer Trademarks"),

(B) ERI does hereby sell, assign, transfer, convey and deliver unto Mountaineer, its successors and assigns, all of ERI's right, title, interest in, to and under the domain names listed on Schedule B attached hereto, including the goodwill associated therewith, intending hereby to convey all of the right, title and interest of ERI therein (the "Mountaineer Domain Names"),

(C) ERI does hereby sell, assign, transfer, convey and deliver unto IOC-Caruthersville, its successors and assigns, all of ERI's right, title, interest in, to and under the domain names listed on Schedule C attached hereto, including the goodwill associated therewith, intending hereby to convey all of the right, title and interest of ERI therein (the "Caruthersville Domain Names"), and

(D) ERI does hereby sell, assign, transfer, convey and deliver unto IOC-CG, its successors and assigns, all of ERI's right, title, interest in, to and under the domain names listed on Schedule D attached hereto, including the goodwill associated therewith, intending hereby to convey all of the right, title and interest of ERI therein (the "CG Domain Names").

This Assignment has been executed and delivered by the Assignor for the purpose of (i) recording the assignment of MTR's right, title, and interest in and to the Mountaineer Trademarks with the United States Patent and Trademark Office and (ii) taking any and all actions that may be required or recommended by the applicable domain name registrars to effectuate and/or record the transfer of the Mountaineer Domain Names, the Caruthersville Domain Names, and the CG Domain Names with such registrars, including, but not limited to: (a) taking any and all actions that may be required or recommended by the applicable registrar to

confirm the transfer in accordance with its procedures therefor; and (b) providing the Assignees with administrative and technical access to the domain names, and sole control over where the domain names point.

Assignors hereby covenant and agree to and with Assignees and their respective successors and assigns, to do, execute, acknowledge and deliver to, or to cause to be done, executed, acknowledged and delivered to, Assignees and their respective successors and assigns, all such further acts, deeds, assignments, transfers, conveyances, powers of attorney and assurances that may be reasonably requested by Assignees for the better selling, assigning, transferring, conveying, delivering, assuring and confirming to Assignees and their respective successors or assigns, any or all of the Mountaineer Trademarks, the Mountaineer Domain Names, the Caruthersville Domain Names, and the CG Domain Names.

This Assignment is being delivered pursuant to, and is subject to all the terms of, the Agreement, and nothing herein contained shall itself change, amend or alter (nor shall it be deemed or construed as changing, amending or altering) the terms of the Agreement. This Assignment shall be binding upon the successors and assigns of Assignors and shall inure to the benefit of the successors and assigns of Assignees.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, this Assignment has been duly executed and delivered as of the date first set forth above.

MTR GAMING GROUP, INC.

By: 

Name: Edmund L. Quatmann, Jr.

Title: Executive Vice President, Chief
Legal Counsel and Secretary

ELDORADO RESORTS, INC.

By: 

Name: Edmund L. Quatmann, Jr.

Title: Executive Vice President, Chief
Legal Counsel and Secretary

MOUNTAINEER PARK, INC.

By: 

Name: Edmund L. Quatmann, Jr.

Title: Executive Vice President, Chief
Legal Counsel and Secretary

IOC-CAPE GIRARDEAU LLC

By 

Name: Edmund L. Quatmann, Jr.

Title: Executive Vice President, Chief
Legal Counsel and Secretary

IOC-CARUTHERSVILLE, LLC




By: 





Name: Edmund L. Quatmann, Jr.

Title: Executive Vice President, Chief
Legal Counsel and Secretary

SCHEDULE A

Mountaineer Trademarks

Owner	Mark	Serial #	Registration #	Class	Status
MTR Gaming Group, Inc.	INCLUB	85/610,786	4,498,679	041	Registered
MTR Gaming Group, Inc.	JOCKEY PLUS M (DESIGN) 	78/484,568	3,011,445	041	Registered
MTR Gaming Group, Inc.	MOUNTAINEER CASINO RACETRACK & RESORT	77/345,661	3,722,967	041, 043, 044	Registered
MTR Gaming Group, Inc.	MOUNTAINEER CASINO RACETRACK & RESORT (and Design) 	77/350,947	3,702,323	041, 043	Registered
MTR Gaming Group, Inc.	TAGALONG POINTS	86/292,377	4,666,977	041	Registered
MTR Gaming Group, Inc.	THE GRANDE HOTEL AT MOUNTAINEER	78/376,786	2,930,876	043	Registered
MTR Gaming Group, Inc.	THE GRANDE HOTEL AT MOUNTAINEER (STYLIZED AND/OR WITH DESIGN) 	78/376,792	2,994,578	043	Registered
MTR Gaming Group, Inc.	THE HARV	78/377,004	2,928,951	043	Registered

Owner	Mark	Serial #	Registration #	Class	Status
MTR Gaming Group, Inc.	THE HARV (DESIGN) 	78/377,007	2,928,952	043	Registered
MTR Gaming Group, Inc.	THE SPA AT MOUNTAINEER	78/382,968	2,994,601	044	Registered
MTR Gaming Group, Inc.	THE SPA AT MOUNTAINEER (STYLIZED AND/OR WITH DESIGN) 	78/382,982	2,994,602	044	Registered
MTR Gaming Group, Inc.	WEST VIRGINIA DERBY	78/382,467	3,048,779	041	Registered
MTR Gaming Group, Inc.	WEST VIRGINIA DERBY (STYLIZED AND/OR WITH DESIGN) 	78/382,479	3,015,021	041	Registered
MTR Gaming Group, Inc.	RACELINEBET.COM 	78/538,038	3,345,168	041	Registered
MTR Gaming Group, Inc.	RACELINEBET	78/521,586	3,345,146	041	Registered
MTR Gaming Group, Inc.	SPEAKEASY	75/513,347	2,511,368	041	Registered
MTR Gaming Group, Inc.	MAHOGANY SPORTS BAR				Unregistered
MTR Gaming Group, Inc.	BIG AL'S				Unregistered
MTR Gaming Group, Inc.	GATSBY RESTAURANT & BUFFET				Unregistered
MTR Gaming Group, Inc.	VICKAR'S				Unregistered

SCHEDULE B

Mountaineer Domain Names

Domain Name	Expiration Date
moreatmountaineer.com	8/24/2019

SCHEDULE C

Caruthersville Domain Names

Domain Name	Expiration Date
ladyluckcaruthersville.com	1/15/2020
ladyluckcasinocaruthersville.com	8/17/2020

SCHEDULE D

CG Domain Names

Domain Name	Expiration Date
capewins.com	8/25/2020
capewins.net	6/20/2020
ladyluckcapegirardeau.com	8/25/2020
ladyluckcasinocapegirardeau.com	8/25/2020
islecape.com	9/12/2019