

FORM PTO-1594 (Rev. 6-93)

RE



100835384

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

OMB No. 2510-0111 (exp. 10-94)

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):

Sears Point International Raceway

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

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

3. Nature of conveyance:

- Assignment NUNC PRO TUNC
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: September 8, 1998

2. Name and address of receiving party(ies)

Name: Speedway Funding Corp.

Internal Address:

Street Address: 600 Market Street Suite 200

City: Wilmington State: DE ZIP: 19801

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Delaware
- 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

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

Reg. No. 1,806,467 - SEARS POINT INTERNATIONAL RACEWAY

Additional numbers attached?  Yes  No

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

Name: Rachel H. Huffstetler, Esq. ALSTON & BIRD LLP Internal Address: P.O. Drawer 34009

Street Address: 1211 E. Morehead Street

City: Charlotte State: NC ZIP: 28234

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

- Enclosed
- Authorized to be charged to deposit account

If additional fees are needed please use

8. Deposit account number:

16-0605

(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.

Rachel H. Huffstetler Name of Person Signing

Rachel H. Huffstetler Signature

Sept. 9, 1998 Date

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

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

REEL: 1789 FRAME: 0891

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**NUNC PRO TUNC ASSIGNMENT  
OF  
UNITED STATES SERVICE MARK REGISTRATION**

WHEREAS, Sears Point International Raceway, a California corporation, having a principal place of business at Highways 37 and 121, Sonoma, California 95476, (hereinafter referred to as "ASSIGNOR"), was formerly the exclusive and record owner of the entire right, title, and interest in and to the following Service Mark and the corresponding United States Service Mark Registration therefor:

**Mark: SEARS POINT INTERNATIONAL RACEWAY  
Registration No.: 1,806,467  
Registered: November 23, 1993  
Int. Class: 41**

WHEREAS, Speedway Funding Corp., a Delaware corporation, a wholly-owned subsidiary of Speedway Motorsports, Inc., a Delaware corporation, having a principal place of business at 600 Market Street, Suite 200, Wilmington, Delaware 19801, (hereinafter referred to as "ASSIGNEE"), has acquired and purchased from ASSIGNOR the above-identified Service Mark and the corresponding United States Service Mark Registration, and associated goodwill, from ASSIGNOR effective October 24, 1996, and is desirous of confirming that it has done so.

WHEREAS, ASSIGNOR and ASSIGNEE desire to confirm and perfect the sale and assignment of said Service Mark and corresponding United States Service Mark Registration therefor effective October 24, 1996;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR hereby acknowledges and confirms that effective October 24, 1996, ASSIGNOR sold, transferred, and assigned to

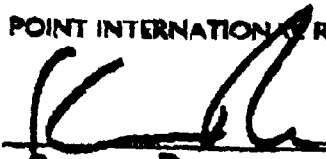
said ASSIGNEE the entire right, title, and interest in and to the above-identified Service Mark and the corresponding United States Service Mark Registration therefor, together with the goodwill of the business appurtenant to and symbolized by said Service Mark, and all rights of action against third parties for past infringements thereof, the same to be held and enjoyed by said ASSIGNEE as fully and entirely as the same would have been held by ASSIGNOR had the sale, transfer, and assignment not been made.

ASSIGNOR hereby warrants and covenants that it had the full power and authority to convey the rights, title, and interests sold, transferred, and assigned to ASSIGNEE, that it has not executed and will not execute any agreement in conflict herewith, and that it will execute any and all other instruments which may be necessary to perfect and evidence ASSIGNEE's ownership of the property and rights herein conveyed.

IN WITNESS WHEREOF, ASSIGNOR, intending to be legally bound, has caused this Nunc Pro Tunc Assignment to be executed by its duly authorized officer, as of the 17th day of September, 1998.

SEARS POINT INTERNATIONAL RACEWAY

By:  
Title:

  
Steve Page  
President

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