

T97000001266

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August 14, 1997

VIA FEDERAL EXPRESS

Florida Department of State
Division of Corporations
409 East Gaines Street
Tallahassee, Florida 32399

900002268239--8
-08/15/97-01050--001
*****87.50 *****87.50

Re: New Service Mark Applications

Mark: **THE WARM 94.9 FM FAMILY PROMISE**
Class: 38

Mark: **THE 9 TO 5 NO REPEAT WORKDAY**
Class: 38

Dear Sir or Madam:

T97-1266

On behalf of Cox Radio, Inc., enclosed are new service mark applications for registration of **THE WARM 94.9 FM FAMILY PROMISE** in Class 38 and **THE 9 TO 5 NO REPEAT WORKDAY** in Class 38. Also enclosed are three specimens showing use of each mark in commerce and two checks in the amount of \$87.50 each, to cover the filing fees.

Should any questions arise regarding this request, kindly contact me.

Sincerely,

Mitchell H. Stabbe

Mitchell H. Stabbe

MHS/chs

Enclosures: 2 Applications
Specimens (3 for each application)
2 Checks (\$87.50 each)

RECEIVED
FEDERAL EXPRESS
OCT 15 1997
TALLAHASSEE, FL
4-11-97

W970000019100



FLORIDA DEPARTMENT OF STATE

Sandra B. Mortham
Secretary of State

August 19, 1997

MITCHELL H. STABBE
DOW LOHNES & ALBERTSON, PLLC
1200 NEW HAMPSHIRE AVENUE., NW., STE 800
WASHINGTON, DC 20036-6802

SUBJECT: THE WARM 94.9 FM FAMILY PROMISE
Ref. Number: W97000019100

We have received your document for THE WARM 94.9 FM FAMILY PROMISE and your check(s) totaling \$87.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

Your mark contains word(s)/design(s) that must have a disclaimer. All geographical terms, such as cities, states, countries, and designs of same, must be disclaimed. Some commonly used words and corporate suffixes must also be disclaimed. You must disclaim the following term(s) by completing the disclaimer statement found in #2 of Part III of the application: 94.9 FM

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 487-6913.

Diane Cushing
Corporate Specialist

Letter Number: 697A00041853

DOW, LOHNES & ALBERTSON, PLLC
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October 14, 1997

VIA FEDERAL EXPRESS

Florida Department of State
Division of Corporations
409 East Gaines Street
Tallahassee, Florida 32399

Attention: Diane Cushing

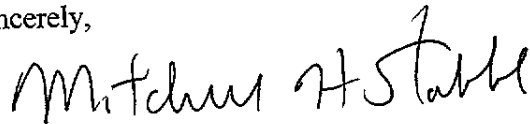
Re: Service Mark Application
Mark: **THE WARM 94.9 FM FAMILY PROMISE**
Ref. No.: W97000019100

Dear Ms. Cushing:

Responding to the objection raised in your letter of August 19, 1997, on behalf of Cox Radio, Inc., enclosed is a revised service mark application for the above-referenced service mark.

Should any questions arise regarding this request, kindly contact me.

Sincerely,



Mitchell H. Stabbe

MHS/chs
Enclosures: Revised Application
Letter of August 19, 1997

Florida Department of State, Sandra B. Mortham, Secretary of State

APPLICATION FOR THE REGISTRATION OF A TRADEMARK OR SERVICE MARK
PURSUANT TO CHAPTER 495, FLORIDA STATUTES

TO: Division of Corporations
Post Office Box 6327
Tallahassee, FL 32314

Name & address to whom acknowledgement should be sent:

Mitchell H. Stabbe, Esq.

Dow, Lohnes & Albertson, P.L.L.C.

1200 New Hampshire Avenue, N.W.
Suite 800

Washington, D.C. 20036-6802

(202) 776-2929

Daytime Telephone number

PART I

1. (a) Applicant's name: Cox Radio, Inc.

(b) Applicant's business address: 1400 Lake Hearn Drive, N.E.

Atlanta, Georgia 30319

City/State/Zip

(c) Applicant's telephone number: (404) 843-5564

☐ Individual

☒ Delaware Corporation

☐ Joint Venture

☐ Other: _____

☐ General Partnership

☐ Limited Partnership

☐ Union

If other than an individual,

(1) Florida registration number: P07800 (2) Domicile State: Delaware

(3) Federal Employer Identification Number: 58-1620022

2.(a) If the mark to be registered is a service mark, the services in connection with which the mark is used:
(i.e., furniture moving services, diaper services, house painting services, etc.)

Radio broadcasting services - variety broadcasting

(b) If the mark to be registered is a trademark, the goods in connection with which the mark is used:
(i.e., ladies sportswear, cat food, barbecue grills, shoe laces, etc.)

(c) The mode or manner in which the mark is used: (i.e., labels, decals, newspaper advertisements, brochures, etc.)

Used on radio broadcasts and in advertising and for promotional purposes.

(d) The class(e) in which goods or services fall:
38 (Communication Services)

PART II

1. Date first used by the applicant, predecessor, or a related company(must include month, day and year):

(a) Date first used anywhere: 7/11/97 (b) Date first used in Florida: 7/11/97

PART III

1. The mark to be registered is: (If logo/design is included, please give brief written description which must be words or less.)

THE WARM 94.9 FM FAMILY PROMISE

2. DISCLAIMER (if applicable)

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE THE TERM " 94.9 FM

" APART FROM THE MARK AS SHOWN.

I, Andrew A. Merdek, being sworn, depose and say that I am the owner and the applicant herein, or that I am authorized to sign on behalf of the owner and applicant herein, and no other person except a related company has the right to use such mark in Florida either in the identical form or in such near resemblance as to be likely to deceive or confuse or to be mistaken therefor. I make this affidavit and verification on my/the applicant's behalf. I further acknowledge that I have read the application and know the contents thereof and that the facts stated herein are true and correct.

Cox Radio, Inc.

Typed or printed name of applicant

Andrew A. Merdek

Applicant's signature or authorized person's signature
(List name and title)

STATE OF GEORGIA

COUNTY OF DEKALB

On this 13th day of AUGUST, 19 97, Andrew A. Merdek personally appeared before me,

☒ who is personally known to me

☐ whose identity I proved on the basis of _____

Georgina N. Lynch
Notary Public Signature
GEORGINA N. LYNCH
Notary's Printed Name

Notary Public, Cobb County, Georgia
My Commission Expires Jan. 22, 2000

Seal

My Commission Expires

FEE: \$87.50 per class