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November 6, 2000

VIA FEDERAL EXPRESS

Florida Secretary of State  
Registration Section  
Division of Corporations  
409 E. Gaines Street  
Tallahassee, Florida 32399

100003454891--6  
-11/07/00--01059--001  
\*\*\*\*\*87.50 \*\*\*\*\*87.50

Re: Service Mark Registration  
Mark: 97X TAMPA BAY'S NEW ROCK ALTERNATIVE  
Class: 38

Dear Sir or Madam:

On behalf of Cox Radio, Inc., enclosed is a new service mark application for registration of the above-referenced mark in Class 38. Three audio tapes, and a transcription of the audio tapes, are enclosed for specimens. A check in the amount of \$87.50 to cover the filing fee is also enclosed.

Please forward the Certificate of Registration to me at the following address:

Mitchell H. Stabbe, Esq.  
Dow, Lohnes & Albertson, PLLC  
1200 New Hampshire Avenue, N.W.  
Suite 800  
Washington, D.C. 20036

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA  
DEC 11 PM 4:02

FILED

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

Sincerely,

*Mitchell H. Stabbe*

Mitchell H. Stabbe

Name Availability	
Document Examiner	DCC
Updater	DCC
Updater Verifier	MHS/maa DCC
Acknowledgement	DCC
W. P. Verifier	
cc-(w/encls.)	

Enclosures: Application  
Specimens (3)  
Transcripts (3)  
Check (\$87.50)  
Jay O'Connor

disclaim  
97X also

T 00000001301

6 pages

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December 5, 2000

**VIA FEDERAL EXPRESS**

Florida Secretary of State  
Registration Section  
Division of Corporations  
409 E. Gaines Street  
Tallahassee, Florida 32399

Attention: Diane Cushing  
Corporate Specialist

Re: Service Mark Registrations  
Marks: **97X TAMPA BAY'S NEW ROCK ALTERNATIVE**  
**TAMPA BAY'S NEW ROCK ALTERNATIVE 97X**  
Class: 38

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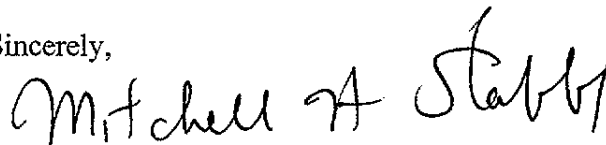
Dear Ms. Cushing:

In response to your November 29, 2000 correspondence in which you requested Applicant to disclaim the terms 97X, enclosed are revised applications for the above-referenced marks. As we discussed, Applicant will disclaim only the number, 97, on both applications. Also, as you requested, enclosed are copies of your letters, Letter Numbers 800A00060510 and 500A00060511. Please process these applications, along with the checks we sent you with the original applications, and forward the Certificates of Registration to me at the above address.

Should any further questions arise regarding these applications, kindly contact me.

Thank you very much for your assistance.

Sincerely,



Mitchell H. Stabbe

MHS/maa

Enclosures: Revised Applications  
cc (w/encls.) Mr. Jay O'Connor



FLORIDA DEPARTMENT OF STATE

Katherine Harris  
Secretary of State

November 29, 2000

MITCHELL H. STABBE  
DOW, LOHNES & ALBERTSON, PLLC  
1200 NEW HAMPSHIRE AVENUE, N.W., STE 80  
WASHINGTON, DC 20036

SUBJECT: 97X TAMPA BAY'S NEW ROCK ALTERNATIVE  
Ref. Number: W00000028092

We have received your document for 97X TAMPA BAY'S NEW ROCK ALTERNATIVE and your check(s) totaling \$87.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

You must disclaim the term(s) 97X in addition to the term(s) already disclaimed. Please amend # 2 in Part III accordingly.

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: 500A00060511

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 acknowledgment should be sent:

Mitchell H. Stabbe, Esq.

Dow, Lohnes & Albertson

1200 New Hampshire Ave., N.W., Suite 800  
Washington, D.C. 20036  
(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, GA 30319

(c) Applicant's telephone number: ( 404 ) 843-5000 City/State/Zip

Individual       Corporation       Joint Venture       Other:  
 General Partnership       Limited Partnership       Union

If other than an individual,

(1) Florida registration number: P 07800 (2) Domicile State: Georgia

(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

(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.)

The mark is used for advertising and promotional purposes

in print and via electronic media.

(Continued)

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SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

d) The class(es) in which goods or services fall:

38

**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: Nov. 3, 2000 (b) Date first used in Florida: Nov. 3, 2000

**PART III**

1. The mark to be registered is: (If logo/design is included, please give brief written description which must be 25 words or less.)

97X TAMPA BAY'S NEW ROCK ALTERNATIVE

English Translation \_\_\_\_\_

2. DISCLAIMER (if applicable)

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE THE TERM "TAMPA BAY'S NEW ROCK, 97" 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

Am

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

Andrew A. Merdek  
Secretary

STATE OF GEORGIA

COUNTY OF DEKALB

On this 3rd day of NOVEMBER, 2000, ANDREW A. MERDEK personally appeared before me,

who is personally known to me  whose identity I proved on the basis of \_\_\_\_\_

(Seal)

Heather S. Bellville

\_\_\_\_\_  
Notary Public Signature

HEATHER S. BELLVILLE

\_\_\_\_\_  
Notary's Printed Name

My Commission Expires: Notary Public, Gwinnett County, Georgia  
My Commission Expires March 9, 2003

FEE: \$87.50 per class

REC-97  
FILED  
TALLAHASSEE COUNTY  
STATE OF FLORIDA  
NOV 14 2002

Transcription of Tape...aired November 3, 2000

Music...

Voice over...Going where no other frequency has gone before. I think we found another one, get ready. This is 97X TAMPA BAY'S NEW ROCK ALTERNATIVE. TAMPA BAY'S NEW ROCK ALTERNATIVE 97X.

Music...