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T99000000977

VIA FEDERAL EXPRESS

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

500002352715--2
-08/06/99-01065-002
*****87.50 *****87.50

Re: New Service Mark Application
Mark: **SOFT ROCK 'N' ROLL THE NEW 1073 THE BAY**
Class: **38**

FILED
99 AUG -6 PM 8:51
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

Dear Sir or Madam:

On behalf of Cox Radio, Inc., enclosed is a new service mark application for registration of the **SOFT ROCK 'N' ROLL THE NEW 1073 THE BAY** mark in Class 38. Three specimens showing use of the mark and a check in the amount of \$87.50 to cover the filing fee are also enclosed.

Should any questions arise regarding this application, kindly contact me. Thank you for your assistance with this matter.

Sincerely,


Elisa P. Rosen

EPR/cml
Enclosures: Application
Specimens (3)
Check (\$87.50)

T99-977

(4)

Elisa P. Rosen GAVE
AUTHORIZATION BY PHONE TO
CORRECT Part III 2.
DATE 8/12/99
DOC. EXAM. np

Name	
Availability	np
Document Examiner	NJC
Updater	NJC
Updater Verifier	NJC
Acknowledgement	NJC
P. Verifier	NJC

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:

Suzanne M. Underwald, Esq.
Dow, Lohnes & Albertson, PLLC
1200 New Hampshire Avenue, N.W.
Suite 800
Washington, DC 20036-6802

(202) 776-2876

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) 843-5000

☐ Individual ☒ Corporation ☐ Joint Venture ☐ Other:
☐ General Partnership ☐ Limited Partnership ☐ Union

If other than an individual,

(1) Florida registration number: P07800 ✓ (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)

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: July 9, 1999 (b) Date first used in Florida: July 9, 1999

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.)

SOFT ROCK 'N' ROLL THE NEW 1073 THE BAY

2. DISCLAIMER (if applicable)

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE THE TERM "Rock N Roll
1073" APART FROM THE MARK AS SHOWN.

I, Cox Radio, Inc., 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)

ANDREW A. MERDEK, SECRETARY

STATE OF GEORGIA

COUNTY OF DEKALB

On this 30 day of JULY, 19 99, ANDREW A. MERDEK personally appeared before me,

☒ who is personally known to me ☐ whose identity I proved on the basis of _____

(Seal)

Jan Wheeler
Notary Public Signature

JAN WHEELER

Notary's Printed Name

Notary Public, Fulton County, Georgia
My Commission Expires July 26, 2003

My Commission Expires: _____

FEE: \$87.50 per class

Transcript of Tape Specimen
SOFT ROCK 'N' ROLL THE NEW 1073 THE BAY

SOFT ROCK 'N' ROLL THE NEW 1073 THE BAY and Gainesville's own Sister Hazel; and all for you. Harry Chapin before that. Talk about what goes around comes around ha. Cats In The Cradle. U-2 before that. Still have not found what I'm looking for and already gone, the Eagles. Coming up on just a little bit before 12:00 noon.

Good afternoon, I'm Tim Harper. Still ahead, Super Tramp; also something from Dishwalla and Eric Clapton. Welcome to a new radio station. A radio station that respects the music as much as you do. The new 1073 The Bay.

Interlude

SOFT ROCK 'N' ROLL THE NEW 1073 THE BAY

Interlude

SOFT ROCK 'N' ROLL THE NEW 1073 THE BAY

Eric Clapton, Duane Allman getting together, just making history on Layla. And the guitar that made that sound, sold, what two weeks ago at a big auction at Christies Brownie. The guitar that Clapton played. He auctioned off a 100 of his guitars to benefit his Crossroads Drug Rehab Center down on the Islands. Almost ½ million dollars for that guitar that created that sound. And then after that, he had a concert at Madison Square Garden, Eric Clapton and Friends. You'll be able to catch it this weekend on VH1. Yeah, July 17th. He does some work with Cheryl Crowe and he also performs the original arrangement of Layla. We've been during the unplugged for years so that's going to be quite a treat. Good morning, afternoon, as the case might be. I'm Tim Harper. You've found a new radio station that puts the music above all else. The new 1073 The Bay.

Interlude

Changes in latitude, changes in attitude. Pulling us up to 12:21. Saying hi to Woody, giving a call in from Clearwater, he's doing a little remodeling. Speaking of remodeling, sounds like something that da Mick Jager's going to be doing; him and Jerry have settled out of court. Looks like they are finally going to split up; after what? 17 years together, something like that. We will see what Mick does next. What we are going to do next is some Super Tramp on the new 1073 The Bay.

Commercial