

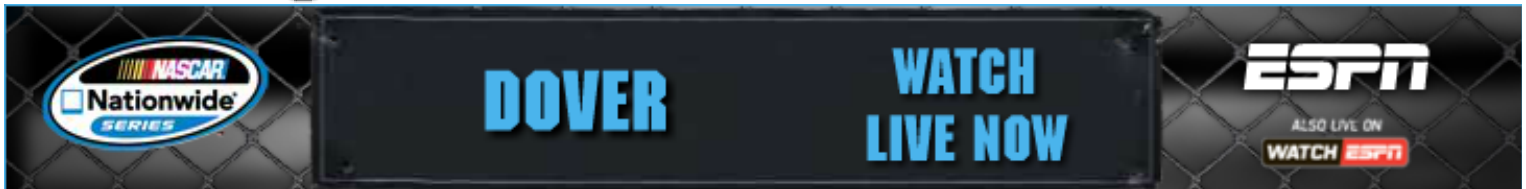
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## NASCAR losing patience with AT&T court battle

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By [Marty Smith](#) | [ESPN.com](#)

BRISTOL, Tenn. -- NASCAR is losing its patience in the court battle with AT&T.

Spokesman Ramsey Poston said Friday at Bristol Motor Speedway that AT&T "has been dishonest with the fans and with NASCAR, and it's time for that to stop."

Poston's comment was in response to a claim in AT&T's most recent motion that NASCAR rejected proposed paint schemes featuring AT&T's "Go Phone" on the hood of [Jeff Burton](#)'s car.

AT&T spokesman Mark Siegel in an e-mail detailed the situation from AT&T's perspective, saying NASCAR "left us no choice" but to run a car devoid of identifying markings. Siegel said AT&T submitted to NASCAR a paint scheme that was used years ago and included the Cingular logo, which he said NASCAR rejected.

Poston refuted that claim.

"The facts are that NASCAR has approved a Cingular 'Go Phone' paint scheme that they used before and could use again this weekend, as well," Poston said. "The decision to have a blank car on the track this weekend is theirs and theirs alone -- RCR."

NASCAR maintains that AT&T and Richard Childress Racing knew the contractual parameters of the Sprint/Nextel exclusivity agreement far prior to the AT&T/Cingular corporate merger, and should "do the right thing and honor the agreement."

"When AT&T merged with Cingular, they knew what the rules were," Poston said. "They knew they could not re-brand that to AT&T. In the same way I very much doubt AT&T is going to invite Sprint/Nextel or any other competitor into their exclusive deal for the iPhone, or invite Sprint/Nextel or any other competitor to advertise at AT&T Park, the home of the [San Francisco Giants](#). They understand exclusivity."

Poston noted that Cingular "remains a viable mark," and cited Cingular retail stores in both adjacent towns to Bristol Motor Speedway as proof.

"There's obviously still value in that mark," he said. "There's still marketing and they're still selling services on it, so there's no reason why that mark shouldn't be on the car."

NASCAR has stated throughout this litigation that they're defending the entire industry, not just Sprint/Nextel. Poston explained that reasoning.

"NASCAR doesn't have the exclusivity with Sprint -- the industry does," Poston said. "More than defending ourselves or Sprint/Nextel, we are defending every driver and team in the garage."

"Sprint/Nextel essentially sponsors every driver. The funds they put into this sport go into the point fund, go to help each race winner and to help promote the entire sport through commercials and marketing."

"That's all part of the [sponsorship] package. Sprint/Nextel are the ones that have devoted their company and resources to NASCAR, and they benefit every single driver in there. So that's why we need to protect the exclusivity of that contract on behalf of the entire industry."

Burton, whose No. 31 Chevrolet showed up to the racetrack this weekend with no sponsor logos, remained diplomatic on the issue Friday.

"Hopefully we can get there -- we haven't gotten there yet," Burton said. "I'm still holding on to the fact that we can come to a reasonable solution. I can't see where it's in the sport's best interests to ask a sponsor that's been part of this thing for years to not be here."

"I don't understand how that's in the sport's best interests. I do understand that the overall good is really important. But I don't understand how the best interests is served by a sponsor who's been here as long as our sponsor has been here not being here."

"That doesn't make sense to me. Again, I hold in my heart the belief that reasonable people will come to a reasonable solution and hopefully we can get there sooner than later."

*Marty Smith covers Nextel Cup racing for ESPN.com.*

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