

MRD
4-30-98

TUCKER FLYER & LEWIS, P.
Suite 400
1615 L Street, N.W.
Washington, D.C. 20036-5612
(202) 452-8600

05-15-1998



100710685

<p>1. NAME OF CONVEYING PARTY(IES): BRINKER RESTAURANT CORPORATION a Delaware corporation 6820 LBJ Freeway Dallas, Texas 75240</p>	<p>2. NAME AND ADDRESS OF RECEIVING PARTY(IES): DELI MANAGEMENT, INC. a Texas corporation 2400 Broadway Beaumont, Texas 75240</p> <p>TRADEMARK OFFICE APR 30 1998</p>
<p>3. NATURE OF CONVEYANCE: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____</p> <p>3a. EXECUTION DATE: March 24, 1998 3b. EFFECTIVE DATE: March 24, 1998</p>	<p>2a. ASSIGNEE A FOREIGN ENTITY: Yes: ___ No: <u>x</u></p> <p>2b. DOMESTIC REPRESENTATIVE DESIGNATED: Yes: ___ No: <u>x</u></p>
<p>4a. TRADEMARK APPLICATION NOS.: Additional numbers attached ___ Yes ___ No</p>	<p>4b. TRADEMARK REGISTRATION NO(S): Reg. No. 1,947,784 – SANTA FE SANDWICH Additional numbers attached? ___ Yes <u>x</u> No</p>
<p>5. NAME AND ADDRESS OF CORRESPONDENT: Henry W. Leeds, Esq. Tucker, Flyer & Lewis, Esq. 1615 L Street, N.W. Washington, D.C. 20036-5612 Our Ref: 27930.310</p>	
<p>6. TOTAL NUMBER OF TITLES: 1</p> <p>7. TOTAL FEE: \$45.00 SSNITH 00000280 1947784</p> <p>8. CHECK ENCLOSED: 40.00 5.00 (CHARLES ANY ADDITIONAL FEES TO DEPOSIT ACCOUNT NO. 20-1582)</p> <p>(File cover page in duplicate)</p>	<p>9. The undersigned declares to the best of his knowledge and belief that the information on this cover sheet is true and correct and any copy submitted is a true copy of the original document.</p> <p><i>Henry W. Leeds</i> Date: <u>April 28, 1998</u> Henry W. Leeds 1 of 2</p>

05/14/1998
01 FC:481
02 FC:998

I hereby certify that a copy of this document is being deposited with the United States Postal Service by First Class Mail, addressed to BOX: ASSIGNMENT FEE, The Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513, this 28th day of April, 1998

Henry W. Leeds

027930-00310-00047.doc

TRADEMARK
REEL: 1725 FRAME: 0353

ASSIGNMENT

WHEREAS, BRINKER RESTAURANT CORPORATION, a Delaware corporation, having a place of business at 6820 I.B.J Freeway, Dallas, Texas 75240 (hereinafter "Assignor"), has adopted and used the mark SANTA FE SANDWICH, which it registered in the United States Patent and Trademark Office on January 9, 1996, Reg. No. 1,947,784; and

WHEREAS, DELI MANAGEMENT, INC., a Texas corporation, having an address at 2400 Broadway, Beaumont, Texas 75240 (hereinafter "Assignee") is desirous of acquiring all rights, title and interest in and to the mark SANTA FE SANDWICH, the registration thereof and the goodwill of the business symbolized thereby.

NOW, THEREFORE, good and valuable consideration being extant, the Assignor hereby assigns to Assignee all of its rights, title and interest throughout the world in and to the mark SANTA FE SANDWICH, the registration thereof, Reg. No. 1,947,784, and the good will of the business symbolized thereby.

Assignor further assigns to Assignee the right to sue for past infringement and to recover and hold all damages and profits arising therefrom.

Assignor warrants that there are no licenses, liens or other encumbrances or agreements, either written, oral or implied, relating to the aforesaid mark and registrations and it has good and valid title thereto to assign to Assignee.

Assignor also warrants that, upon the request of Assignee, it shall execute all papers, make all rightful oaths, testify on behalf of Assignee and do all other lawful acts necessary to carry out the intent of this agreement, as well as to provide such other material, information and/or assistance as Assignee may consider necessary; provided that the Assignee reimburses the Assignor for all costs directly attributable to such acts; and this agreement shall be binding upon the parties, their successors and/or assigns, and all others acting by, through, with or under their direction and all those in privity therewith.

BRINKER RESTAURANT CORPORATION

Dated: March 24, 1998

By: J. L. John

Title: VICE PRESIDENT

State of Texas)

County of Dallas)

: ss.

Now comes Jay L. John, who, being duly sworn, states that (s)he is the Vice President of BRINKER RESTAURANT CORPORATION, the above-identified assignor and a corporation of Delaware; that (s)he is authorized to execute the foregoing assignment on behalf of said corporation, and that (s)he executed it as her/his free act and as the free act and deed of said corporation this 23 day of March 1998.

(SEAL)

Laura C. Richard
Notary Public
My commission expires: _____

027930-00700-00043.doc

