

08-27-1998

FORM PTO-1594
1-31-92

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100806163

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

MDL 8-21-98

Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

SMOOTHIE KING FRANCHISES, INC.

- Individual(s)
- General Partnership
- Corporation-State LOUISIANA
- Other
- Association
- Limited Partnership

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: 26 SEPTEMBER 1997

2. Name and address of receiving party(ies):

Name: JM INVESTMENT GROUP, INC.

Internal Address:

Street Address: 5600 EDSON LANE

City: ROCKVILLE, State: MD ZIP: 20852

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State MARYLAND
- Other

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

(Designations must be a separate document from Assignment)

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)

B. Trademark registration No.(s)

1,268,813

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: STEPHEN F.K. YEE, ESQ.

Internal Address:

Street Address: 8605 SECOND AVENUE

City: SILVER SPRING, State: MD ZIP: 20910

6. Total number of applications and registrations involved:

1

7. Total fee (37 CFR 3.41): \$ 40.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

STEPHEN F.K. YEE
Name of Person Signing

Stephen F.K. Yee
Signature

7/30/98
Date

Total number of pages comprising cover sheet:

1

08/26/98 PATKINS 000000 1268813 40.00 DF

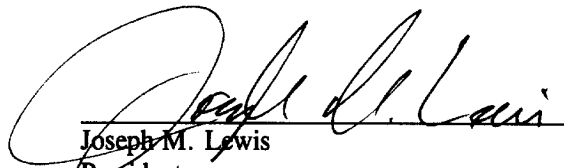
ASSIGNMENT

WHEREAS, SMOOTHIE KING FRANCHISES, INC., a Louisiana Corporation, formerly known as SMOOTHIE KING HOME OF THE MUSCLE PUNCH FRANCHISES, INC., and having a place of business located at 2400 Veterans Boulevard, Kenner, Louisiana 70062, by mesne assignment recorded on September 21, 1990, on Reel 0743, Frames 123-124, of the records of the United States Patent and Trademark Office, is the owner of United States Registration No. 1,268,813 of the trademark "MR SMOOTHIE'S FAMOUS FROZEN YOGURT" and design, dated February 28, 1984; and

WHEREAS, JM INVESTMENT GROUP INC., a Maryland corporation, having a place of business located at 5600 Edson Lane, Rockville, Maryland 20852, is desirous of acquiring the aforesaid trademark and the aforesaid registration therefor, together with the goodwill of the business symbolized by the trademark and the registration therefor;

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, said SMOOTHIE KING FRANCHISES, INC., does hereby assign unto said JM INVESTMENT GROUP INC., all rights, title and interest of SMOOTHIE KING FRANCHISES, INC., in and to the aforesaid trademark "MR SMOOTHIE'S FAMOUS FROZEN YOGURT" and the aforesaid Registration 1,268,813, together with the good will of the business symbolized by the trademark and the registration therefor.

SMOOTHIE KING FRANCHISES, INC.



Joseph M. Lewis
(President)

SIGNED AND ACKNOWLEDGED BEFORE ME, this 26th ^{September}~~August~~ day of ~~August~~, 1997.



NOTARY PUBLIC

My commission expires upon death.