

09-02-1998



100805701

TO THE HON. COMMISSIONER OF PATENTS & TRADEMARKS: PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENTS OR COPIES THEREOF.

<p>1. NAME AND ADDRESS OF CONVEYING PARTY</p> <p>BACK BAY RESTAURANT GROUP, INC. 284 Newbury Street Boston, Massachusetts 02115 <i>8-20-98</i> (Delaware Corporation)</p> <p>Additional names of conveying parties attached? No.</p>	<p>2. NAME AND ADDRESS OF RECEIVING PARTY</p> <p>PHEASANT MALL RESTAURANT GROUP, INC. Pheasant Lane Mall 310 Daniel Webster Highway Nashua, New Hampshire 03060 (New Hampshire Corporation)</p> <p>Additional names of receiving parties attached? No.</p>
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<p>3. NATURE OF CONVEYANCE:</p> <p><input type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input checked="" type="checkbox"/> Other: Correction of Previously Recorded Document (copy attached)</p> <p>Execution Date: <u>March 7, 1995</u></p>	<p>If assignee is not domiciled in the United States, a designation of domestic representative is attached.</p>
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<p>4. APPLICATION OR REGISTRATION NUMBER(S)</p> <p>A. Trademark Application Nos.</p> <p>Additional numbers attached? No.</p>	<p>B. Trademark Registration Nos.</p> <table border="0"> <tr><td>1,332,622</td><td>1,544,993</td></tr> <tr><td>1,361,176</td><td>1,678,007</td></tr> <tr><td>1,403,540</td><td>1,785,956</td></tr> <tr><td>1,497,161</td><td>1,867,843</td></tr> </table> <p>Additional numbers attached? No.</p>	1,332,622	1,544,993	1,361,176	1,678,007	1,403,540	1,785,956	1,497,161	1,867,843
1,332,622	1,544,993								
1,361,176	1,678,007								
1,403,540	1,785,956								
1,497,161	1,867,843								

<p>5. NAME AND ADDRESS OF PARTY TO WHOM CORRESPONDENCE CONCERNING DOCUMENT SHOULD BE MAILED:</p> <p>TIMOTHY H. HIEBERT SAMUELS, GAUTHIER, STEVENS & REPPERT 225 FRANKLIN STREET, SUITE 3300 BOSTON, MASSACHUSETTS 02110</p>	<p>6. TOTAL NUMBER OF APPLICATIONS AND REGISTRATIONS INVOLVED: <u>8</u></p> <p>7. TOTAL FEE DUE: \$ <u>215.00</u> (Check enclosed)</p> <p>If any additional fee(s) are due, the Commissioner is hereby authorized to charge the Deposit Account identified in item 8.</p> <p>8. DEPOSIT ACCOUNT NUMBER: <u>19-0079</u></p>
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08/25/1998 JSHABAZZ 00000042 1332622
01 FC:481 40.00 OP
02 FC:482 175.00 OP

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.

Timothy H. Hiebert
Name of Person Signing

T.H.H.
Signature

August 17, 1998 10. Total pages: 6
Signature Date

1767.98G

CORRECTED SERVICE MARK ASSIGNMENT

WHEREAS, Back Bay Restaurant Group, Inc., a corporation organized and existing under the laws of Delaware, having its principal place of business at 284 Newbury Street, Boston, Massachusetts 02115, hereinafter referred to as Assignor, has adopted and is using the service marks listed in the attached Exhibit A;

WHEREAS, said Assignor is the owner of the registrations listed in the attached Exhibit A;

WHEREAS, Pheasant Mall Restaurant Group, Inc., a corporation organized and existing under the laws of New Hampshire, having its principal place of business at Pheasant Lane Mall, 310 Daniel Webster Highway, Nashua, New Hampshire 03060, hereinafter referred to as Assignee, wishes to acquire said marks together with the goodwill of the business with which said marks are used and which is symbolized by said marks and any and all registrations and applications for registration of said marks;

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Assignor, Assignor hereby assigns to Assignee the entire right, title and interest in and to said marks, all registrations of and applications to register said marks, including the marks and registrations listed on the attached Exhibit A, the right to recover for past infringement of said marks, and the goodwill of the business in connection with which said marks are used and which is symbolized by said marks.

The effective date of this assignment is March 7, 1995.

BACK BAY RESTAURANT GROUP, INC.

By: Francis P. Bissaillon

Francis P. Bissaillon
Chief Financial Officer

EXHIBIT A

<u>Mark</u>	<u>Reg. No.</u>	<u>Issued</u>
CHARLEY'S EATING & DRINKING SALOON	1,332,622	Apr 23, 1985
JOE'S AMERICAN BAR & GRILL	1,361,176	Sep 17, 1985
ATLANTIC FISH CO.	1,403,540	Jul 29, 1986
J. C. HILLARY'S	1,497,161	Jul 19, 1988
HILLARY'S	1,544,993	Jun 20, 1989
PAPA-RAZZI	1,678,007	Mar 03, 1992
RAYZ	1,785,956	Aug 03, 1993
PAPA-RAZZI'S CUCINA	1,867,843	Dec 13, 1994

40⁰⁰ 481
175⁰⁰ 482

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RECORDATION FORM COVER SHEET

TRADEMARKS ONLY

TO THE HON. COMMISSIONER OF PATENTS & TRADEMARKS: PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENTS OR COPIES THEREOF.

<p>1. NAME AND ADDRESS OF CONVEYING PARTY</p> <p>BACK BAY RESTAURANT GROUP, INC. 284 Newbury Street Boston, MA 02115</p> <p>(Delaware Corporation) <i>10/19</i></p> <p>Additional names of conveying parties attached? No.</p>	<p>2. NAME AND ADDRESS OF RECEIVING PARTY</p> <p>PHEASANT LANE MALL RESTAURANT GROUP, INC. Pheasant Lane Mall 310 Daniel Webster Highway Nashua, NH 03060</p> <p>(New Hampshire Corporation) <i>10/19</i></p> <p>Additional names of receiving parties attached? No.</p>
<p>3. NATURE OF CONVEYANCE:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger</p> <p><input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <i>CI</i></p> <p>Execution Date: <u>March 7, 1995</u></p>	<p>If assignee is not domiciled in the United States, a designation of domestic representative is attached.</p>
<p>4. APPLICATION OR REGISTRATION NUMBER(S)</p> <p>A. Trademark Application Nos.</p> <p>Additional numbers attached? No.</p>	<p>B. Trademark Registration Nos.</p> <p>1,332,622 1,361,176 1,403,540 1,497,161 1,544,993 1,678,007 1,785,956 1,867,843</p> <p>TRADE MARK</p> <p>REEL 1775 FRAME 084</p> <p>Additional numbers attached? No.</p>
<p>5. NAME AND ADDRESS OF PARTY TO WHOM CORRESPONDENCE CONCERNING DOCUMENT SHOULD BE MAILED:</p> <p>I. STEPHEN SAMUELS SAMUELS, GAUTHIER & STEVENS 225 FRANKLIN STREET, SUITE 3300 BOSTON, MA 02110</p>	<p>6. TOTAL NUMBER OF APPLICATIONS AND REGISTRATIONS INVOLVED: <u>8</u></p> <p>7. TOTAL FEE DUE: \$ <u>215.00</u> (Check enclosed)</p> <p>If any additional fee(s) are due, the Commissioner is hereby authorized to charge the Deposit Account identified in item 8.</p> <p>8. DEPOSIT ACCOUNT NUMBER: <u>19-0079</u></p>
<p>DO NOT USE THIS SPACE</p> <p>060 YC 03/29/95 1332622 1 481 40.00 CK 060 YC 03/29/95 1332622 1 482 175.00 CK</p>	
<p>9. STATEMENT AND SIGNATURE</p> <p>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.</p> <p><u>Timothy H. Hiebert</u> <u><i>[Signature]</i></u> <u>March 13, 1995</u> <u>89192724</u> 10. Total pages: <u>3</u></p> <p>Name of Person Signing Signature Signature Date</p>	

SERVICE MARK ASSIGNMENT

COPY

WHEREAS, Back Bay Restaurant Group, Inc., a corporation organized and existing under the laws of Delaware, having its principal place of business at 284 Newbury Street, Boston, Massachusetts 02115, hereinafter referred to as Assignor, has adopted and is using the service marks listed in the attached Exhibit A;

WHEREAS, said Assignor is the owner of the registrations listed in the attached Exhibit A;

WHEREAS, Pheasant Lane Mall Restaurant Group, Inc., a corporation organized and existing under the laws of New Hampshire, having its principal place of business at Pheasant Lane Mall, 310 Daniel Webster Highway, Nashua, New Hampshire 03060, hereinafter referred to as Assignee, is desirous of acquiring said marks together with the goodwill of the business with which said marks are used and which is symbolized by said marks and any and all registrations and applications for registration of said marks;

NOW, THEREFORE, in consideration of the sum of one dollar and other good and valuable consideration, the receipt of which is hereby acknowledged by Assignor, said Assignor, by these presents, sells, transfers, conveys, and assigns unto said Assignee the entire right, title and interest in and to said marks, all registrations of and applications to register said marks, including the marks and registrations listed on the attached Exhibit A, the right to recover for past infringement of said marks, and the goodwill of the business in connection with which said marks used and which is symbolized by said marks.

REEL 312 FRAME 85
TRADE MARK

BACK BAY RESTAURANT GROUP, INC.

Date: 3/7/95

By: Timothy M. Collins

Timothy M. Collins
Vice President and General Counsel

EXHIBIT A

COPY

<u>Mark</u>	<u>Reg. No.</u>	<u>Issued</u>
CHARLEY'S EATING & DRINKING SALOON	1,332,622	Apr 23, 1985
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HILLARY'S	1,544,993	Jun 20, 1989
PAPA-RAZZI	1,678,007	Mar 03, 1992
RAYZ	1,785,956	Aug 03, 1993
PAPA-RAZZI'S CUCINA	1,867,843	Dec 13, 1994

REEL 1312 FRAME 086
TRADE MARK

MAR 17 95

RECORDED
PATENT AND TRADEMARK
OFFICE

318.95H

RECORDED: 08/20/1998

TRADEMARK
REEL: 1775 FRAME: 0954