

01-21-1999

FORM PTO-1594 (Rev. 8-93) **MRD**
1-20-99
OMB No. 0651-0011 (exp. 4/94)

RE



HEET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab settings 000 ▼

100949302

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

1. Name of conveying party(ies):

Union Square Hospitality Group, Inc.

- Individual(s)
- General Partnership
- Corporation-State New York
- 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: January 16, 1999

2. Name and address of receiving party(ies)

Name: Union Square Hospitality Group LLC

Internal Address: _____

Street Address: 42 East 20th Street

City: New York State: NY ZIP: 10003

- Individual(s) citizenship _____
- Association _____
- General Partnership _____
- Limited Partnership _____
- Corporation-State New York
- 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 patent number(s):

A. Trademark Application No.(s)

75/369,415

B. Trademark Registration No.(s)

Additional numbers attached? Yes No

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

Name: Michele P. Schwartz, Esq.

Internal Address: _____

Street Address: Stroock & Stroock & Lavan LLP

180 Maiden Lane

City: New York State: NY ZIP: 10038

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:

19-4709

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

01/21/1999 DCDATES 00000020 194709 75369415

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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.

Michele P. Schwartz
Name of Person Signing

Signature

January 19, 1999
Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

TRADEMARK
REEL: 1841 FRAME: 0929

ASSIGNMENT OF TRADEMARK

WHEREAS, UNION SQUARE HOSPITALITY GROUP, INC., a New York corporation, having its principal place of business at 42 East 20th Street, New York, New York 10003 (hereinafter referred to as "ASSIGNOR"), is the owner of the trademark ELEVEN MADISON PARK for restaurant services and the record owner of United States Trademark Application Serial No. 75/369,415 (hereinafter the "TRADEMARK");

WHEREAS, UNION SQUARE HOSPITALITY GROUP LLC, a New York corporation, having an address at 42 East 20th Street, New York, New York 10003 (hereinafter referred to as "ASSIGNEE"), as successor to the business of ASSIGNOR to which the mark pertains, is desirous of acquiring all of the rights, title and interest of ASSIGNOR in, to and under the TRADEMARK, together with the goodwill of the business associated with the TRADEMARK;

NOW, THEREFORE, in consideration of the sum of ten dollars (\$10.00) and other good and valuable consideration paid by ASSIGNEE to ASSIGNOR, the sufficiency and receipt of which is hereby acknowledged, ASSIGNOR confirms the transfer and hereby transfers and assigns to ASSIGNEE the entire right, title and interest, in and to the TRADEMARK, together with the goodwill of the business associated with the TRADEMARK and the United States trademark application, Serial No. 75/369,415, therefor; and

ASSIGNOR, does also hereby sell, assign, transfer and set over unto ASSIGNEE, its successors, legal representatives and assigns, all claims for damages by reason of past infringement of the TRADEMARK, the right to sue for and collect the same for its own use and enjoyment and for the use and enjoyment of its successors, assigns or other legal representatives; and

ASSIGNOR, further authorizes the Commissioner of Patents and Trademarks of the United States Patent and Trademark Office, and any official in any country or countries foreign to the United States, whose duty it is to record trademark registrations, applications and title thereto, to record the TRADEMARK and title thereto as the property of the ASSIGNEE, its successors, legal representatives and assigns in accordance with the terms of this instrument.

IN WITNESS WHEREOF, ASSIGNOR and ASSIGNEE have executed this instrument on this 16 day of JANUARY, 1999.

UNION SQUARE HOSPITALITY GROUP INC.

By David A. Spinghamer
Name: DAVID A. SPINGHAMER
Title: SECRETARY AND TREASURER

UNION SQUARE HOSPITALITY GROUP LLC

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Name: DAVID A. SPINGHAMER
Title: SECRETARY AND TREASURER