



*mdw 2/25/99*

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To the Assistant Commissioner of Patents a.

original documents or copy thereof.

1. Name of conveying party(ies):

**McCormick & Schmick Holding Corp.**

- Individuals(s)
- General Partnership
- Corporation-State - Delaware
- Other
- Association
- Limited Partnership

Additional names(s) of conveying party(ies) attached  Yes  No

2. Name and address of receiving party(ies)

Name: **Avado Brands, Inc.**

Internal Address:

Street Address: **Hancock at Washington**

City: **Madison** State: **GA 30650**

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

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

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

3. Nature of conveyance:

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

Execution Date:

4. Application numbers(s) or patent numbers(s):

A. Trademark Application No.(s)  
75/339,214

B. Trademark Registration No.(s)  
1,520,274; 1,536,934; 2,038,613

Additional numbers attached?  Yes  No

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

Name: **Valetta A. Northcutt**

Internal Address: **Kilpatrick Stockton LLP**

**Suite 2800**

Street Address: **1100 Peachtree Street**

City: **Atlanta** State: **GA** Zip: **30309-4530**

6. Total number of applications and registrations involved:

7. Total fee (37 CFR 3.41).....\$ **140.00**

Enclosed

Authorized to be charged to deposit account

The Commissioner is authorized to charge any deficiency in the required fee or credit any over payment to Deposit Account No. 11-0860.

8. Deposit account number:

11-0860

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.

**Valetta A. Northcutt**

Name of Person Signing

Signature

Date

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

JSH/RAZ 0000199 75339214 2/22/99

FD: 401  
FD: 402  
FD: 998

ASSIGNMENT

This Assignment is made and entered into as of the start of business on 4th day of January, 1999, between **McCormick & Schmick Holding Corp.**, a Delaware corporation with offices at 720 S.W. Washington, Portland, Oregon 97205-3507, ("**Assignor**"), and **Avado Brands, Inc.**, a Georgia corporation with offices at Hancock at Washington, Madison, Georgia 30650 ("**Assignee**"):

WHEREAS, Assignor has adopted and used in the United States the trademarks and service marks reflected in the attached Exhibit "A" ("**Marks**") in connection with its business, and is the owner of the Marks, and owns federal registrations or applications for these Marks;

WHEREAS, Assignee is desirous of confirming as a matter of record its acquisition of the Marks, including pending applications and registrations, together with the good will of the business connected with the Mark;

NOW, THEREFORE, for ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, Assignor hereby assigns to Assignee all rights, title and interest in and to the Marks, including pending applications and registrations, together with the good will of the business symbolized by the Marks, and all causes of action and claims based on past actions or infringement related to the Marks.

IN WITNESS WHEREOF, Assignor has caused this Assignment  
to be executed and effective the 4th day of January, 1999.

MCCORMICK & SCHMICK HOLDING CORP.

By: *L. Profumo*  
Louis J. Profumo  
Senior Vice President

EXHIBIT A

Registrations

<u>Trademark</u>	<u>Registration No.</u>	<u>Registration Date</u>
MCCORMICK & SCHMICK'S	1,520,274	January 10, 1989
MCCORMICK'S	1,536,934	April 25, 1989
MCCORMICK & SCHMICK'S HARBORSIDE	2,038,613	February 18, 1997

Pending Application

<u>Trademark</u>	<u>Serial No.</u>	<u>Filing Date</u>
M&S GRILL	75/339,214	August 7, 1997