

07-20-1999



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U.S. Department of Commerce  
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MPC 6-30-99

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)  
Document ID #
- Correction of PTO Error  
Reel #  Frame #
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Conveyance Type

- Assignment  License
  - Security Agreement  Nunc Pro Tunc Assignment
  - Merger  Change of Name
  - Other
- Effective Date  
Month Day Year

Conveying Party

Mark if additional names of conveying parties attached

Name  Execution Date  
Month Day Year

Formerly

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Other
- Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City State/Country Zip Code

- Individual  General Partnership  Limited Partnership  If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)
- Corporation  Association
- Other
- Citizenship/State of Incorporation/Organization

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01 FC:481 40.00 OP  
02 FC:482 400.00 OP

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Mail documents to be recorded with required cover sheet(s) information to:  
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REEL: 001929 FRAME: 0800

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Correspondent Name and Address**

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

#

**Trademark Application Number(s) or Registration Number(s)**

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

**Trademark Application Number(s)**

**Registration Number(s)**

<input type="text" value="75/689,732"/>	<input type="text" value="75/697,322"/>	<input type="text" value="75/706,682"/>	<input type="text" value="2,139,700"/>	<input type="text" value="1,874,365"/>	<input type="text" value="1,614,090"/>
<input type="text" value="75/460,251"/>	<input type="text" value="75/669,495"/>	<input type="text" value="75/709,730"/>	<input type="text" value="2,137,898"/>	<input type="text" value="1,684,565"/>	<input type="text" value="1,284,508"/>
<input type="text" value="75/694,246"/>	<input type="text" value="75/699,494"/>	<input type="text"/>	<input type="text" value="2,102,702"/>	<input type="text" value="1,665,968"/>	<input type="text" value="1,286,268"/>

**Number of Properties**

Enter the total number of properties involved.

#

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

Enclosed

Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes

No

**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. Charges to deposit account are authorized, as indicated herein.

Marc A. Bergsman

Name of Person Signing

  
Signature

June 30, 1999

Date Signed

# AGREEMENT

Agreement made and entered into on this 1st day of June, 1999, by and between **ELIMARC ASSOCIATES, INC.**, an Illinois corporation (hereinafter referred to as "Elimarc"), and **THE ELI'S CHEESECAKE COMPANY**, an Illinois corporation (hereinafter referred to as "Eli's").

## WITNESSETH:

WHEREAS, Eli's is desirous of purchasing all trademarks owned by Elimarc;

WHEREAS, Elimarc is indebted to Eli's;

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, it is agreed as follows:

1. Elimarc does hereby sell and assign all of its right, title and interest to those certain trademarks that are listed on Exhibit A attached hereto and made a part hereof. Elimarc agrees to sign all documentation that will be necessary in order to effect a proper assignment of the ownership of said trademarks.

*including  
the  
goodwill  
associated  
with those  
trademarks*

2. The amount of \$ [REDACTED] of the indebtedness now owing by Elimarc to Eli's is hereby forgiven by Eli's.


*per MAB  
6-30-99*

3. Eli's agrees to furnish all cheesecakes needed by Elimarc for a period of two (2) years from the date of this Agreement, free of charge, provided that the value of said cheesecakes shall not exceed \$ [REDACTED] based on Eli's customary and usual charges to restaurants for such cheesecakes.

IN WITNESS WHEREOF, the parties have set forth their signatures on the date above written.

**ELIMARC ASSOCIATES, INC.**

**THE ELI'S CHEESECAKE COMPANY**

By:  \_\_\_\_\_


By:  \_\_\_\_\_

EXHIBIT A

UNITED STATES TRADEMARKS ASSIGNED

**Trademark Registration  
or Serial Number**

**Mark**

75-689, 732	Eli's Cheesecake Gingerbread Jam
75-460, 251	Eli's Sensational Slices Chicago's Finest
2, 139, 700	Eli's Cheesecake World
2, 137, 898	Eli's Dream Team
2, 102, 702	Eli's Uncheesecake
1, 874, 365	Have a Bite of the Windy City
1, 684, 565	Eli's Chicago's Finest Coco-Mocha
1, 665, 968	Eli's Chicago's Finest
1, 614, 090	Eli's 'Smooosh'
1, 284, 508	Eli's Chicago's Finest Cheesecake
1, 286, 268	Eli's (Cheesecake)
75-694,246	Eli's Cheesecake Cravings
75-697,322	Eli's Cravings
75-699,495	Eli's Brown Cow Cheesecake
75-699,494	Eli's Totally Turtle Cheesecake
75-706,682	Eli's Totally Turtle
75-709,730	Eli's Cheesecake Cuties

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