

MRO  
10-4-99



101164541

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

1. Name of conveying party(ies):

Hops Grill & Bar, Inc.

- Individuals(s)
- General Partnership
- Corporation-State - Florida
- Other \_\_\_\_\_

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

3. Nature of conveyance:

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

Execution Date: January 4, 1999

2. Name and address of receiving party(ies)

Name: **Avado Brands, Inc.**

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

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,216,488

Additional numbers attached?  Yes  No

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

Name: Joan L. Dillon

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).....\$ 40.00

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.

Joan L. Dillon

Name of Person Signing

[Signature]  
Signature

10/1/99  
Date

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

10/06/1999 DWGUYEH 00000296 2216488

01 FC:481

40.00 OP

ASSIGNMENT

This Assignment is made and effective as of the start of business on the 4th day of January, 1999, between Hops Grill & Bar, Inc., a Florida corporation with offices at 3030 N. Rocky Point Drive, Suite 650, Tampa, Florida 33607, ("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 trademark 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 Marks;

NOW, THEREFORE, for ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, Assignor 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 on the date set forth below and effective as of the start of business on the 4th day of January, 1999.

HOPS GRILL & BAR, INC.

By: 

Name: Terence Terenzi  
Title: Senior Vice President of Finance and Chief Financial Officer

EXHIBIT A

Federal Registration

GOLDEN HAMMER, Registration No. 2,216,488

Pending Federal Application

AMERICA'S ORIGINAL MICROBREWERY RESTAURANT,  
Serial No. 75/399,289

California State Registration

HOPS!, Registration No. 98,366

# KILPATRICK STOCKTON LLP

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October 1, 1999

E-mail: [jdillon@kilstock.com](mailto:jdillon@kilstock.com)  
Direct Dial: 404.815.6533

Commissioner for Patents and Trademarks  
BOX ASSIGNMENTS  
Washington, D.C. 20231

Re: Hops Grill & Bar, Inc. to Avado Brands, Inc.  
Recordation of Assignment  
Our Ref.: A0282.180714

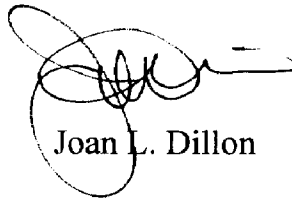
Dear Sir:

We are enclosing the following documents:

1. PTO Form-1594;
2. Assignment from Hops Grill & Bar, Inc. to Avado Brands, Inc.;
3. A check for \$40.00; and
4. Postcard acknowledging receipt of assignment.

Please send the recordal documents to my attention. If you have any questions regarding these documents, please contact the undersigned at (404) 815-6533. Thank you for your assistance.

Cordially,



Joan L. Dillon

JLD/van/jaa

Enclosures

cc: Susan M. Bohne, Esq.  
Ms. Lynn Day