

08-28-2000

U.S. Department of Commerce  
Patent and Trademark Office  
TRADEMARK



101445450

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

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 #
- ☒ Corrective Document  
Reel #  002038 Frame #  0054

Conveyance Type

- ☐ Assignment ☐ License
- ☐ Security Agreement ☐ Nunc Pro Tunc Assignment
- ☐ Merger  Effective Date  
Month Day Year
- ☐ Change of Name
- ☒ Other  Corrective Assignment to correct reg. no. 1243034 erroneously recorded at 002038/0054

Conveying Party

- ☐ Mark if additional names of conveying parties attached
- Name  Perkins Family Restaurants, L.P. Execution Date  
Month Day Year 12/22/1999

Formerly

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

Receiving Party

- ☐ Mark if additional names of receiving parties attached

Name  Restaurant Company, The

DBA/AKA/TA

Composed of

Address (line 1)  6075 Poplar Avenue

Address (line 2)  Suite 800

Address (line 3)  Memphis

TN

State/Country

38119-4709

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  Delaware

FOR OFFICE USE ONLY

08/25/2000 JJALLAH2 00000067 1243032

01 FC:481

40.00 OP

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

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

TRADEMARK  
REEL: 002125 FRAME: 0666

**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"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

<input type="text" value="1243032"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

**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.*

Sharon L. Williamson, Esq.



7/31/2000

Name of Person Signing

Signature

Date Signed



03-23-2000

D

02-14-2000

RECO:



U.S. Department of Commerce

U.S. Patent &amp; TMO/TM Mail Rcpt Dt. #6

TI

Patent and Trademark Office

OMB No. 0651-0011 (exp. 4/94)

104296603

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

## 1. Name of conveying party(ies):

**Perkins Family Restaurants, L.P.**

\_\_\_\_ Individual(s)      \_\_\_\_ Association  
\_\_\_\_ General Partnership      ☒ **Limited Partnership**  
\_\_\_\_ Corporation-State      **(Delaware)**  
\_\_\_\_ Other

Additional name(s) of conveying party(ies) attached? \_\_\_\_ Yes ☒ No

## 3. Nature of conveyance:

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

Execution Date **12/22/99**

## 2. Name and address of receiving party(ies):

Name: **The Restaurant Company**

Internal Address

Street Address: **6075 Poplar Avenue, Suite 800**City: **Memphis** State: **Tennessee** Zip: **38119-4709**

\_\_\_\_ Individual(s) citizenship  
\_\_\_\_ Association  
\_\_\_\_ General Partnership  
\_\_\_\_ Limited Partnership  
☒ Corporation-State **Delaware**  
\_\_\_\_ 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 registration number(s):

A. Trademark Application No.(s):

B. Trademark Registration No.(s): **See attached**Additional numbers attached? ☒ Yes \_\_\_\_ No

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

Name: **Sharon L. Williamson**Internal Address: **Fulbright & Jaworski**Street Address: **600 Congress Avenue, Suite 2300**City: **Austin** State: **Texas** Zip: **78701**6. Total number of applications and registrations involved: **30**7. Total fee (37 C.F.R. 3.41)----- **\$765.00**

☒ Enclosed  
☒ Authorized to be charged to deposit account if check insufficient or  
inadvertently omitted

8. Deposit account number: **50-1212/08001989PERL:063/MET**  
(Attach duplicate copy of this page if paying by deposit account)

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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.

**Sharon L. Williamson**

Name of Person Signing

*Sharon L. Williamson*

Signature

**February 11, 2000**

Date

Total number of pages including cover sheet, attachments and documents: **6**

Mail documents to be recorded with required cover sheet information to:

U.S. Patent and Trademark Office  
Office of Public Records  
Crystal Gateway 4, Room 335  
Washington, D.C. 20231

03/22/2000 DCOATES 00000252 2286891

01 FC:481  
02 FC:48240.00 OP  
725.00 OPCERTIFICATE OF MAILING  
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: U.S. Patent and Trademark Office, Office of Public Records, Crystal Gateway 4, Room 335, Washington, D.C. 20231, on the date below:

**February 11, 2000**  
Date*Sharon L. Williamson*  
Sharon L. Williamson

<u>MARK</u>	<u>APPLICATION OR REGISTRATION NO.</u>	<u>FILING OR REGISTRATION DATE</u>
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KID PERKS	2,286,891	10/19/99
MORNING SUNRISE	2,187,924	09/08/98
PERKINS	809,680	06/07/66
PERKINS (in Oval)	1,203,149	07/27/82
PERKINS (in Script)	1,231,484	03/15/83
PERKINS RESTAURANTS and Design	1,237,817	05/10/83
BOTTOMLESS POT OF COFFEE	1,243,034	06/21/83
INCREDIBLE CROISSANT SUNDAES	1,253,127	10/04/83
MELON SUNBURST	1,265,168	01/24/84
PERKINS FAMILY RESTAURANT and Design	1,403,558	07/29/86
PERKINS FAMILY RESTAURANT BAKERY (in Oval)	1,403,560	07/29/86
PERKINS FAMILY RESTAURANT - BAKERY (in double Oval)	1,464,960	11/10/87
BOTTOMLESS CUP OF COFFEE	1,465,719	11/17/87
PERKINS FAMILY RESTAURANT (in double Oval)	1,475,417	02/02/88
MAGNIFICENT SEVEN	1,663,533	11/05/91
PERKINS PROMISE	1,679,722	03/17/92
MAMMOTH MUFFIN	1,751,454	02/09/93
FOXTAIL FOODS and Design	1,843,806	07/05/94
PERKINS, BREAKFAST, DINNER - AND EVERYTHING IN BETWEEN	1,856,091	09/27/94
TREMENDOUS TWELVE	1,897,634	06/06/95
PERKINS TAKE HOME BAKERY (in Oval Design)	1,939,671	12/05/95
OLE' ALL DAY	1,943,838	12/26/95
PERKINS PICKIN'S	1,968,261	04/16/96
PERKINS EXPRESS & BAKERY and Design	1,985,494	07/09/96
PERKINS BAKERY and Design	1,996,746	08/27/96
LUNCH IN A FLASH and Design	2,003,228	09/24/96
GRILLED SUB SUPREME	2,056,503	04/22/97
PERKINS CAFE AND BAKERY	2,121,878	12/16/97
PERKINS CAFE BAKERY AND DESIGN	75/556,858	09/17/98
PERKINS CAFE BAKERY	75/556,857	09/17/98

# Office of the Secretary of State

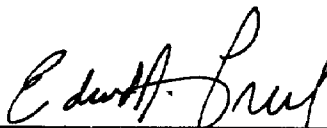
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I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"PERKINS FAMILY RESTAURANTS, L.P.", A DELAWARE LIMITED PARTNERSHIP,

WITH AND INTO "THE RESTAURANT COMPANY" UNDER THE NAME OF "THE RESTAURANT COMPANY", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-SECOND DAY OF DECEMBER, A.D. 1999, AT 3:30 O'CLOCK P.M.



  
Edward J. Freel, Secretary of State

2074711 8100M

001026543

AUTHENTICATION:

DATE:

0204575

01-18-00

TRADEMARK  
REEL: 002125 FRAME: 0670

CERTIFICATE OF MERGER  
MERGING  
PERKINS FAMILY RESTAURANTS, L.P.  
WITH AND INTO  
THE RESTAURANT COMPANY

\*\*\*\*\*

Pursuant to Section 263  
of the General Corporation  
Law of the State of  
Delaware

Pursuant to Section 263 of the General Corporation Law of the State of Delaware (the "GCL"), the undersigned corporation, The Restaurant Company, a Delaware corporation, does hereby certify the following information relating to the merger (the "Merger") of Perkins Family Restaurant, L.P., a Delaware limited partnership, with and into The Restaurant Company.

FIRST: The name and state of incorporation of each of the constituent corporations to the Merger is as follows:

NAME	STATE OF INCORPORATION
Perkins Family Restaurants, L.P.	Delaware
The Restaurant Company	Delaware

SECOND: An Agreement and Plan of Merger, dated December 22, 1999, between the parties to the Merger has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations in accordance with the requirements of Section 263(c) of the GCL.

THIRD: The name of the surviving corporation of the Merger is The Restaurant Company.

FOURTH: The certificate of incorporation of The Restaurant Company, as now in full force and effect, shall continue to be the certificate of incorporation of said surviving corporation until amended and changed pursuant to the provisions of the GCL.

FIFTH: The executed Agreement and Plan of Merger between the aforesaid constituent corporations is on file at the principal place of business of the aforesaid surviving corporation, the address of which is 6075 Poplar Avenue, Suite 500, Memphis, TN 38119.

SIXTH: A copy of the aforesaid Agreement and Plan of Merger will be furnished by the aforesaid surviving corporation, on request and without cost, to any stockholder of either of the aforesaid constituent corporations.

12646337.1 122099 1613C 99594434

SEVENTH: The merger shall be effective upon filing.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on this 22nd day of December, 1999.

THE RESTAURANT COMPANY

By: Donald F. Wiseman  
Name: Donald F. Wiseman  
Its: Vice President and Secretary

PERKINS FAMILY RESTAURANTS, L.P.

By: Steven R. McClellan  
Name: The Restaurant Company  
Its: General Partner  
By: Steven R. McClellan  
Vice President

Office of the Secretary of State

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I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "THE RESTAURANT COMPANY" IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE EIGHTEENTH DAY OF JANUARY, A.D. 2000.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL REPORTS HAVE BEEN FILED TO DATE.

AND I DO HEREBY FURTHER CERTIFY THAT THE FRANCHISE TAXES HAVE BEEN PAID TO DATE.



A handwritten signature in cursive script, reading "Edward J. Freel", is written over a horizontal line.

Edward J. Freel, Secretary of State

2074711 8300

AUTHENTICATION: 0204578

001026543

DATE: 01-18-00