

RECORDATION FOR TRADEMARK

10-06-2000



101481111

To the Honorable Commissioner of Patents and Trademarks: Please record the information hereof.

1. Name of conveying part(ies):

Zax, Inc.

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

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

2. Name and address of receiving party(ies)

Name: Zaxby's Franchising, Inc.

Internal Address:

Street Address: P.O. Box 48118

City: Athens State: Georgia 30604

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

3. Nature of conveyance:

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

Execution Date: 07/26/00

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 No.(s) 2,087,168

Additional numbers attached? Yes No

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

George M. Thomas

Thomas, Kayden, Horstemeyer & Risley
100 Galleria Parkway, Suite 1750
Atlanta, Georgia 30339-5948
770/933-9500

6. Total number of applications/patents involved: 1

7. Total fee (37CFR 3.41) \$40.00

Charged to Credit Card - see attached form

Authorized to be charged to deposit account

8. Deposit Account Number: 20-0778

(Attach duplicate copy of this page if paying by Deposit Account)

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.

George M. Thomas
Name of Person Signing

George M Thomas
Signature

August 8, 2000
Date

12610-3020

Total number of pages including cover sheet, attachments, and document: 1 2

10/04/2000 BYRNE
01 FC:481

00000125 2087168
Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231



24504

PATENT TRADEMARK OFFICE

TRADEMARK
REEL: 002152 FRAME: 0078

TRADEMARK ASSIGNMENT

ZAXBY'S CHICKEN FINGERS & BUFFALO WINGS (with a bird design in an oval)

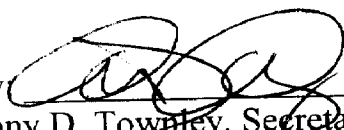
WHEREAS, Zax, Inc., a Georgia corporation, whose address is P.O. Box 48118, Athens, Georgia 30604, has adopted, used and is using the mark ZAXBY'S CHICKEN FINGERS & BUFFALO WINGS (with a bird design in an oval) which is registered in the U.S. Patent and Trademark Office, Registration No. 2,087,168 issued August 12, 1997; and

WHEREAS, Zaxby's Franchising, Inc., a Georgia corporation, whose address is P.O. Box 48118, Athens, Georgia 30604, is desirous of acquiring said mark, the goodwill associated with the mark, and the registration of the mark thereof;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Zax, Inc. does hereby assign, sell and convey and does hereby ratify its prior assignment, sale and conveyance unto the said Zaxby's Franchising, Inc. of all rights, title and interest in and to the said mark, together with the goodwill of the business symbolized by the mark, Registration No. 2,087,168, and the right to bring suit for and collect damages for past infringement of said mark.

ZAX, INC.

07-26-00
Date

By 
Tony D. Townley, Secretary

12610-3020