

01-02-2001

12.12.00
Attorney's Do. No. 3605-1



IN THE

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ADEMARK OFFICE

In re Trademark Registrations of:

- | | | |
|--|---------------|--------------------------------|
| 1) Elmer's | No. 1,492,699 | Registered: June 14, 1988 |
| 2) Come Home to Elmer's | No. 1,459,646 | Registered: September 29, 1987 |
| 3) Elmer's Home of the Original Power Breakfast | No. 1,693,614 | Registered: June 9, 1992 |

Box Assignments
Commissioner of Patents and Trademarks
Washington, D.C. 20231

Please record the attached original document or copy thereof and return the recorded instrument to the undersigned.

- Name of party conveying an interest: Elmer's Pancake and Steak House, Inc.
11802 S.E. Stark Street
Entity: an Oregon Corporation Portland, Oregon 97216
- Name and address of party receiving an interest: Elmer's Restaurants, Inc.
11802 S.E. Stark Street
Entity: an Oregon Corporation Portland, Oregon 97216
- Description of the interest conveyed: Assignment
- Trademark Reg. Nos. . Additional sheet attached? No

| | | |
|--|---------------|--------------------------------|
| 1) Elmer's | No. 1,492,699 | Registered: June 14, 1988 |
| 2) Come Home to Elmer's | No. 1,459,646 | Registered: September 29, 1987 |
| 3) Elmer's Home of the Original Power Breakfast | No. 1,693,614 | Registered: June 9, 1992 |
- Name and address of party to whom correspondence concerning document should be mailed:
MARGER JOHNSON & McCOLLOM, P.C.
1030 S.W. Morrison Street
Portland, Oregon 97205
Telephone: (503) 222-3613
- Number of applications and trademarks involved: 3
- Enclosed is our check for \$120.00.
- Any deficiency or overpayment should be charged or credited to deposit account number 13-1703.
- Date of execution of attached document: December 5, 2000.
- 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.

Dated: December 8, 2000

Jerome S. Marger
Reg. No. 26,480

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO:

COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON D.C. 20231

ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON D.C. 20231

ASSISTANT COMMISSIONER FOR TRADEMARKS 2000 CRYSTAL DRIVE, ARLINGTON VA 22202-3513

Rep'n. Ref: 12/29/2000 DMGUYEN 0017365700
 Name/Number: 1492699 \$30.00 CR
 FC: 70

Dec 8, 2000

12/29/2000 DMGUYEN 00000135 1492699

01 FC:481
02 FC:482

40.00 CR
50.00 CR

Total number of pages comprising cover sheet and attached assignment: 2

TRADEMARK
REEL: 002203 FRAME: 0259

ASSIGNMENT OF TRADEMARKS

WHEREAS, Elmer's Restaurants, Inc., an Oregon Corporation, whose business address is 11802 S.E. Stark Street, Portland, Oregon , has adopted, used and is using the trademarks listed below:

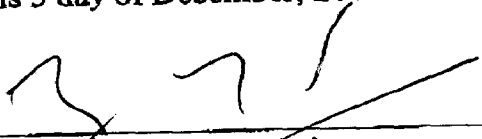
- Elmer's** **No. 1,492,699** **Registered: June 14, 1988**
- Come Home to Elmer's** **No. 1,459,646** **Registered: September 29, 1987**
- Elmer's Home of the**
Original Power Breakfast **No. 1,693,614** **Registered: June 9, 1992**

under the Trademark Act of 1946, and

WHEREAS, Elmer's Restaurants, Inc. of 11802 S.E. Stark Street, Portland, Oregon is a subsidiary of Elmer's Pancake and Steak House, Inc., and is desirous of acquiring said mark and is desirous of acquiring the registrations thereof;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Elmer's Pancake and Steak House, Inc. does hereby assign to Elmer's Restaurants, Inc., an Oregon Corporation, all right, title and interest in and to the said mark and Registration, together with the goodwill of the business symbolized by the registration thereof, and any and all claims for any infringement thereof, and warrants that it has the right to do so.

Executed at Portland, Oregon this 5 day of December, 2000.

By: 
 Name: Bruce N. Davis
 Title: President