

11-15-2001

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Form PTO-159 (Rev. 03/01) OMB No. 0651-0027 (Rev. 03/17/2002) Tab settings



U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

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

1. Name of conveying party(ies): 11-9-01 Crabby Bob's Seafood, Inc. CA Corp. CB Georgia Acquisition, Inc. GA Corp. Pacific Ocean Restaurants, Inc. NV Corp. [ ] General Partnership [ ] Limited Partnership [ ] Corporation-State [ ] Other Additional name(s) of conveying party(ies) attached? [ ] Yes [ ] No

2. Name and address of receiving party(ies) Name: Crabby Bob's Franchise Corp. Internal Address: Street Address: 2434 Vista Way City: Oceanside State: CA Zip: 92054 [ ] Individual(s) citizenship [ ] Association [ ] General Partnership [ ] Limited Partnership [ ] Corporation-State California [ ] 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

3. Nature of conveyance: [x] Assignment [ ] Merger [ ] Security Agreement [ ] Change of Name [ ] Other Execution Date: September 5, 2001

4. Application number(s) or registration number(s): A. Trademark Application No.(s) B. Trademark Registration No.(s) Additional number(s) attached [ ] Yes [x] No

2,149,198

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Stephanie K. Wade Internal Address: Dickstein Shapiro Morin & Oshinsky Street Address: 2101 L Street, N.W. City: Washington State: DC Zip: 20037

6. Total number of applications and registrations involved: 1 7. Total fee (37 CFR 3.41) \$ 40.00 [x] Enclosed [ ] Authorized to be charged to deposit account 8. Deposit account number: (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. Stephanie Wade Signature: [Signature] Date: 11/9/01 Name of Person Signing

11/14/2001 00:00:00 00000029 2149198 40.00 OP

Total number of pages including cover sheet, attachments, and document: 8

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

## ASSIGNMENT

WHEREAS, Crabby Bob's Seafood, Inc., a California corporation (hereinafter "CBSI"), and CB Georgia Acquisition, Inc., a Georgia corporation (hereinafter "CBGAI") have adopted and used the trade name and marks (hereinafter "Marks") set forth in the SCHEDULE hereof which they have used in various countries throughout the world including the United States;

WHEREAS Crabby Bob's Seafood, Inc. is a former subsidiary, and CB Georgia Acquisition, Inc. is a current subsidiary of Pacific Ocean Restaurants, Inc., a Nevada corporation (hereinafter collectively with CBSI and CBGAI "Assignor");

WHEREAS, Crabby Bob's Franchise Corp., a California corporation (hereinafter "Assignee") desires to acquire the Marks and the goodwill of the business associated with the Marks.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the Assignor has sold, assigned, transferred and set over, and by these presents does sell, assign, transfer and set over nunc pro tunc, effective January 1, 2001, unto Assignee the entire right, title and interest in and to the registrations for said Marks set forth in the SCHEDULE hereof, together with the goodwill of the business symbolized by the Marks and the registrations thereof, and all other rights which Assignor has enjoyed thereunder both in the United States and throughout all countries of the world, including any and all rights of recovery based on past infringement of said Marks and/or registrations, the same to be held and enjoyed by the assignee, its successors and assigns, forever and to the full end of the terms for which any of the aforesaid Marks are registered and any renewals of the terms thereof;

FOR THE SAME CONSIDERATION, the Assignor also hereby covenants and agrees that, at the time of execution and delivery of these presents, the Assignor is

the sole and lawful owner of the entire right, title and interest in and to the said registrations and believes it is the sole and lawful owner of the entire right, title and interest to said Marks and said goodwill associated therewith and that the same are unencumbered and that the Assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND FOR THE SAME CONSIDERATION, the Assignor hereby covenants and agrees that the Assignor will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives and assigns, shall advise that it is lawful and desirable, sign all papers and documents, deliver necessary documents including original registration certificates, if available, take all lawful oaths, execute separate confirmatory assignments, and do all acts reasonably necessary or desirable to be done for the procurement, maintenance, enforcement and defense of said Marks and registrations thereof without charge to the Assignee, its successors, legal representatives and assigns, other than reasonable costs and expenses incurred by the assignor or any of its employees, agents and representatives in connection with the foregoing actions.

ASSIGNEE:

Signed at San Diego, in the County of San Diego

State of CA, this 5 day of September 2001.



CRABBY BOB'S FRANCHISE CORP.

By: John Creed

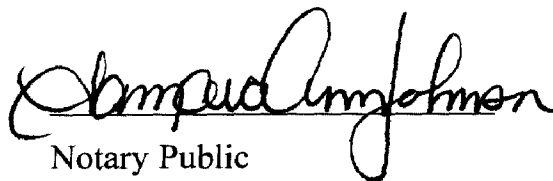
Title: \_\_\_\_\_

STATE OF CA )

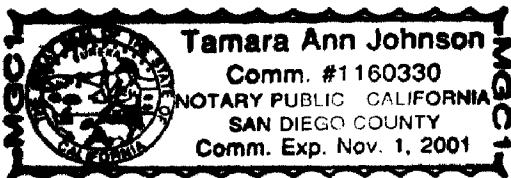
) ss:

COUNTY OF San Diego)

On this 5 day of Sept, 2001 personally before me came John Creed, known to me, and known to me to be the person described and who signed the annexed assignment and known to me to be duly authorized to execute this document on behalf of Crabby Bob's Franchise Corp., and, being duly sworn, acknowledged that he executed the same.

  
Notary Public

(SEAL)



ASSIGNOR

Signed at San Diego, in the County of San Diego

State of CA, this 5 day of Sept, 2001.

[Signature]  
PACIFIC OCEAN RESTAURANTS, INC.

By: John Creed

Title: \_\_\_\_\_

STATE OF CA )

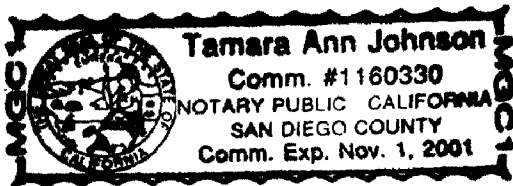
) ss:

COUNTY OF San Diego)

On this 5 day of Sept, 2001 personally before me came John Creed, known to me, and known to me to be duly authorized to execute this document on behalf of Pacific Ocean Restaurants, Inc., and, being duly sworn, acknowledged that he executed the same.

(SEAL)

[Signature]  
Notary Public



ASSIGNOR:

Signed at San Diego, in the County of San Diego

State of CA, this 5 day of Sept, 2001.

  
\_\_\_\_\_  
CB GEORGIA ACQUISITION, CORP.

By: John Creed

Title: \_\_\_\_\_

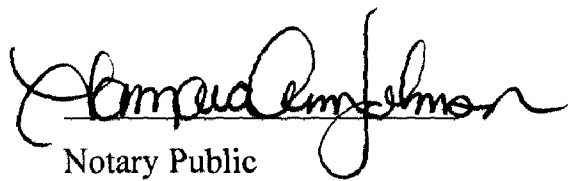
STATE OF CA )

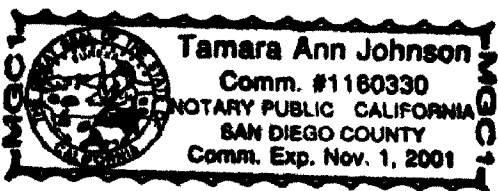
) ss:

COUNTY OF San Diego

On this 5 day of Sept, 2001 personally before me came John Creed, known to me, and known to me to be duly authorized to execute this document on behalf of CB Georgia Acquisition, Corp., and, being duly sworn, acknowledged that he executed the same.

(SEAL)

  
\_\_\_\_\_  
Notary Public





**SCHEDULE**

**MARK: CRABBY BOB'S SEAFOOD (& Design)**

<u>Reg'n.</u> <u>Number</u>	<u>Date</u> <u>Reg'd</u>	<u>App'n.</u> <u>Number</u>	<u>Filing</u> <u>Date</u>	<u>Country</u>
2,149,198	4/7/98	75/253,859	3/7/97	United States

**TRADE NAME: CRABBY BOB'S SEAFOOD**