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MRD 8/13/02

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DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

Tab settings

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

1. Name of conveying party(ies):

KH Acquisition, LLC

- Individual(s), Association, General Partnership, Limited Partnership, Corporation-State, Other Limited Liability Company State of Illinois

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

3. Nature of conveyance:

- Assignment, Merger, Security Agreement, Change of Name, Other

Execution Date: 03/18/2002

2. Name and address of receiving party(ies)

Name: Wheaton Firehouse, LLC

Internal Address: Suite 200

Street Address: 600 West Jackson Boulevard

City: Chicago State: IL Zip: 60661

- Individual(s) citizenship, Association, General Partnership, Limited Partnership, Corporation-State

Other Limited Liability Company-Illinois

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) 74265709

B. Trademark Registration No.(s) 1,227,344 1,637,237 1,468,415 1,361,164 1,515,685

Additional number(s) attached Yes No

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

Name: Jeffrey Himmel

Internal Address: Suite 200

Street Address: 600 West Jackson Boulevard

City: Chicago State: IL Zip: 60661

6. Total number of applications and registrations involved:

6

7. Total fee (37 CFR 3.41) \$ 165.00

- Enclosed, Authorized to be charged to deposit account

8. Deposit account number:

N/A

(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.

Jeffrey Himmel Name of Person Signing

Signature

08-22-2002 Date

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

2

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

This Instrument was prepared by  
KH Acquisition, LLC with a  
mailing address at:  
600 West Jackson Boulevard  
Chicago, IL 60661

When Recorded, Return To:  
600 West Jackson Boulevard  
Suite 200  
Chicago, IL 60661

**ASSIGNMENT**

**KH Acquisition, LLC** ("Assignor") in consideration of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are acknowledged, hereby sells, grants, assigns, transfers and conveys to **Wheaton Firehouse, LLC**, ("Assignee"), with a mailing address at 600 West Jackson Boulevard, Suite 200, Chicago, IL 60661 all of Assignor's right, title and interest, if any, now owned or hereafter acquired, in, to and under the following described mortgage, deed of trust, collateral assignment, other encumbrances or subordination agreement (as applicable).

Patent, Trademark and License Collateral Assignment dated December 30, 1992, between Ed's Restaurant Corp. and Sanwa Business Credit Corporation and GlenFed Financial Corporation, recorded on February 18, 1993, \_\_\_\_\_ Washington, DC, Document/Reception Number 89133905, Book/Volume/Libre/Note REEL 0928, Page/Card FRAME 550.

as amended, assigned and/or supplemented by the following described instrument(s):

Assignment of Interest in Patent, Trademark and License Collateral Assignment dated September 7, 2001, between Fleet Business Credit Corporation F/K/A Sanwa Business Credit Corporation and Republic Credit Corporation I, recorded on September 18, 2001. \_\_\_\_\_ Washington DC, Book/Volume/Libre/Note 002369, Page/Card 0346.

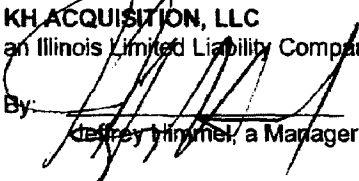
and as further assigned from Republic Credit Corporation I to KH Acquisition, LLC.

To have and to hold unto Assignee, its successors and assigns forever.

**THIS ASSIGNMENT IS MADE WITHOUT RECOURSE AND WITHOUT REPRESENTATION OR WARRANTY OF ANY NATURE, EXPRESS OR IMPLIED.**

**IN WITNESS WHEREOF**, Assignor has executed and delivered this Assignment.

Dated: March 18, 2002

**KH ACQUISITION, LLC**  
an Illinois Limited Liability Company  
By:   
Jeffrey Himmel, a Manager

State of Illinois )  
                          ) SS  
County of Cook )

The foregoing instrument was acknowledged before me this 18 day of MARCH 2002 by Jeffrey Himmel, as a Manager of KH Acquisition, LLC.

Witness my hand and official seal.

  
Notary Public

My commission expires: \_\_\_\_\_

