

Form PTO-1594 (Rev. 6-93) **RECORDATION FORM COVER SHEET** U.S. DEPARTMENT OF COMMERCE  
 OMB No. 0651-0011 (exp. 4/94) **TRADEMARKS ONLY** Patent and Trademark Office

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

1. Name of conveying party(ies):  
 Sushi On, Inc.  
 Individual(s)  Association  
 General Partnership  Limited Partnership  
 Corporation: State of Arizona  
 Other \_\_\_\_\_  
 Additional name(s) of conveying party(ies) attached?  Yes  No

2. Name and address of receiving party(ies):  
 McDermott Restaurants, Inc.  
 7373 Doubletree Ranch Road  
 Scottsdale, AZ 85258  
 Individual(s)  Association  
 General Partnership  Limited Partnership  
 Corporation: State of Arizona  
 Other \_\_\_\_\_

3. Nature of conveyance:  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_  
 Execution Date: September 19, 2000

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)

4. Application number(s) or trademark number(s), and identification or description of the mark(s):  
 A. Trademark Application No(s). and description  
 B. Trademark Registration No(s). and description  
 2,414,461 (KONA GRILL)

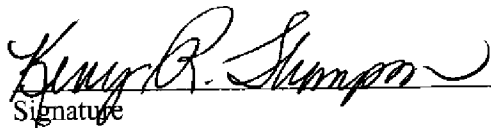
5. Name and address of party to whom correspondence concerning document should be mailed:  
 Kerry R. Thompson  
 FAEGRE & BENSON LLP  
 2200 Wells Fargo Center  
 90 South Seventh Street  
 Minneapolis, MN 55402-3901  
 612/766-7226

6. Total number of applications and registrations involved: 01

7. Total fee (37 CFR 3.41) ..... \$40.00  
 Enclosed  
 Authorized to be charged to deposit account for underpayment

8. Deposit Account number: 06-0029

**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.*  
 Kerry R. Thompson  
 Paralegal  
 Name of person signing  
  
 Signature  
 January 17, 2003  
 Date

Total number of pages including cover sheet, attachments, and document: 5

Mail documents to be recorded with required cover sheet information to:  
 Director – U.S. Patent and Trademark Office, Box Assignments  
 Washington, D.C. 20231

AZ: CORP. COMMISSION  
FILED

OCT 26 2000

## ARTICLES OF AMENDMENT

TEHM: Janet Taylor  
DATE: 10/26/00

OF

SUSHI ON, INC.

0792149-5

1. The name of the corporation is Sushi On, Inc.
2. Attached hereto as Exhibit A is the text of each amendment adopted.
3.  The amendment does not provide for an exchange, reclassification or cancellation of issued shares.  
 Exhibit A contains provisions for implementing the exchange, reclassification or cancellation of issued shares provided for therein.  
 The amendment provides for exchange, reclassification or cancellation of issued shares. Such actions will be implemented as follows:

4. The amendment was adopted the 19<sup>TH</sup> day of September, 2000.
5.  The amendment was adopted by the  incorporators,  board of directors without shareholder action and shareholder action was not required.  
 The amendment was approved by the shareholders. There is one voting group eligible to vote on the amendment. The designation of the voting group entitled to vote separately on the amendment, the number of votes in the voting group, the number of votes represented at the meeting at which the amendment was adopted, and the votes cast for and against the amendment were as follows:

The voting group, consisting of 7,565,000 outstanding shares of common stock, is entitled to 7,565,000 votes. There were 6,520,500 votes present at the meeting. The voting group cast 6,508,000 votes for and no votes against approval of the amendment. The number of votes cast for approval of the amendment was sufficient for approval by the voting group.

DATED as of this 19<sup>th</sup> day of September, 2000.

SUSHI ON, INC.

By:

  
Michael McDermott, President

**Exhibit A****ARTICLE I****NAME**

The name of this Corporation is McDermott Restaurants, Inc. *SKA*

**ARTICLE IX****INDEMNIFICATION AND LIMITATION OF LIABILITY**

This Corporation shall indemnify each individual against all Liability and Expenses incurred in connection with any claim or Proceeding which arises because such individual was a Director of this Corporation, and shall advance to such individual the Expenses incurred as the result of such claim or proceeding, at all times to the fullest extent then permitted under the Arizona Business Corporation Act.

No director shall be personally liable to this Corporation or its shareholders for monetary damages for any action taken or any failure to take any action, except for liability for any of the following:

- (a) The amount of a financial benefit received by a director to which the director is not entitled;
- (b) An intentional infliction of harm on this Corporation or its shareholders;
- (c) Any liability which arises under Section 10-833 of the Arizona Business Corporation Act; or
- (d) An intentional violation of criminal law.

The terms "Liability" "Expenses", "Proceeding" and "Director" when initially capitalized and used in this Article IX shall have the meanings specified in Section 10-850 of the Arizona Business Corporation Act as of the date of effectiveness of this Article IX.

No repeal, amendment or modification of this Article IX, whether direct or indirect, shall eliminate or reduce its effect with respect to any act or omission of a director of this Corporation occurring prior to such repeal, amendment or modification.

**We have filed an  
original Affidavit of  
Publication with the  
Arizona Corporation  
Commission on your  
behalf.  
This duplicate original  
is for your records.**

