

11-15-2002



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Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) 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):

Eastside Restaurant Corp.

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

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

3. Nature of conveyance:

- Assignment Merger Security Agreement Change of Name Other

Execution Date: 11/04/2002

2. Name and address of receiving party(ies)

Name: Ratner's L.L.C.

Internal

Address:

Street Address: 837 North California

City: Chicago State: IL Zip: 60622

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

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s) 1,025,815

Additional number(s) attached Yes No

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

Name: Max Shaftal

Internal Address: PATZIK, FRANK & SAMOTNY LTD.

Street Address: 150 South Wacker Drive

Suite 900

City: Chicago State: IL Zip: 60606

6. Total number of applications and registrations involved:

1

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

- Enclosed Authorized to be charged to deposit account

8. Deposit account number:

50-1325

DO NOT USE THIS SPACE

9. Signature.

Scott Smilie

Name of Person Signing

Signature

11/05/2002

Date

5

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

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

TRADEMARK REEL: 2617 FRAME: 0746

## TRADEMARK ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the sufficiency and receipt of which is hereby acknowledged, EASTSIDE RESTAURANT CORP., a New York corporation having a mailing address of c/o Robert Harmatz, 43 Timber Ridge Drive, Oyster Bay, New York, 11771 (the "ASSIGNOR") hereby transfers, assigns, and conveys to RATNER'S, L.L.C., an Illinois limited liability company having a mailing address of 837 North California, Chicago, Illinois 60622 ("ASSIGNEE"), pursuant to the Asset Purchase Agreement dated November 4, 2002 between ASSIGNOR and ASSIGNEE (the "**Agreement**"), ASSIGNOR's entire worldwide right, title and interest in and to the trademark registrations, trade names, service marks, and/or trademark applications, whether registered or at common law, relating to the Business as defined in the Agreement, including but not limited to the marks listed on Schedule A, attached hereto and made a part hereof, as well as the goodwill associated with said marks; together with any and all renewals of the foregoing marks, if any; as well as all income, royalties, damages and payments now and hereafter due and/or payable with respect thereto, including, without limitation, damages and payments for past or future infringements thereof; and any and all United States and/or foreign registrations which may issue on the same in the future.

ASSIGNOR hereby covenants and warrants that it has the full right to convey the above-described worldwide right, title and interests by this instrument, free of any encumbrances, and that no other agreement has been or will be executed in conflict herewith.

ASSIGNOR agrees to perform all affirmative acts which may be necessary or desirable to perfect the above-described transfer of trademark rights or to maintain said registrations before the appropriate United States or foreign trademark office, at ASSIGNEE's expense, as well as to cooperate with ASSIGNEE in obtaining and/or providing information required in any proceedings relating to said trademarks.

ASSIGNOR further authorizes the Commissioner of Patents and Trademarks of the United States, and the appropriate official in any other country, to issue any and all additional trademark and service mark registrations or amended registrations that have been or may be granted upon any application or petition for same, to ASSIGNEE, its successors and/or assigns.

ASSIGNOR hereby grants to ASSIGNEE the authority and power to insert on this instrument any further identification, which may be necessary or desirable for purposes of recordation in the Trademark Offices of the United States and any and all foreign countries or any other appropriate agencies.

ASSIGNOR:

ASSIGNEE:

EASTSIDE RESTAURANT CORP.

RATNER'S, L.L.C.

BY: KING KOLD, LLC, its manager

By: [Signature]

By: \_\_\_\_\_

Name: Robert Harwitz

Name: \_\_\_\_\_

Title: Pres

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

Date: OCTOBER 15  
~~September~~ \_\_, 2002

Date: September \_\_, 2002

STATE OF NEW YORK )  
 ) ss.  
COUNTY OF NASSAU )

STATE OF ILLINOIS )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

This instrument was subscribed and sworn to before me on this 15<sup>th</sup> day of ~~September~~ OCTOBER 2002.

This instrument was subscribed and sworn to before me on this \_\_ day of September 2002.

[Signature]  
NOTARY PUBLIC

\_\_\_\_\_  
NOTARY PUBLIC

[Signature]  
SEAL ARTHUR L. SPIRN  
Notary Public, State of New York  
No. 02SP3791000  
Qualified in Nassau County  
Commission Expires Sept. 30, 2004

\_\_\_\_\_  
SEAL

ASSIGNOR:

ASSIGNEE:

EASTSIDE RESTAURANT CORP.

RATNER'S, L.L.C.  
BY: KING KOLD, LLC, its manager

By: \_\_\_\_\_

By: Michael Hahn

Name: \_\_\_\_\_

Name: MICHAEL HAHN

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

Title: PRESIDENT

Date: September \_\_, 2002

Date: November 4, 2002

STATE OF \_\_\_\_\_ )

STATE OF ILLINOIS )

COUNTY OF \_\_\_\_\_ ) ss.

COUNTY OF Cook )

This instrument was subscribed and sworn to  
before me on this \_\_\_ day of September 2002.

This instrument was subscribed and sworn to  
before me on this 4th day of: November 2002.

\_\_\_\_\_  
NOTARY PUBLIC

Hellen Wallace  
\_\_\_\_\_  
NOTARY PUBLIC



\_\_\_\_\_  
SEAL

\_\_\_\_\_  
SEAL

**SCHEDULE A**

Ratner's (U. S. Registration No. 1025815; Registered 11-25-1975)