

Form PTO-1594  
(Rev. 10/02)

OMB No. 0651-0027 (exp. 6/30/2005)

### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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

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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):**

Chart House, Inc.

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

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

**3. Nature of conveyance:**

- Assignment
- Security Agreement
- Other \_\_\_\_\_
- Merger
- Change of Name

Execution Date: July 23, 2002

**2. Name and address of receiving party(ies)**

Name: CHLN, Inc.

Internal

Address: \_\_\_\_\_

Street Address: 1510 West Loop South

City: Houston State: TX Zip: 77027

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation-State Delaware
- 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) See Schedule A

Additional number(s) attached  Yes  No

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

Name: William D. Raman

Internal Address: THOMPSON & KNIGHT, L.L.P.

Street Address: 98 San Jacinto Blvd., Ste 1900

City: Austin State: TX Zip: 78701

**6. Total number of applications and registrations involved:** \_\_\_\_\_

3

**7. Total fee (37 CFR 3.41):** \$ 90.00

- Enclosed
- Authorized to be charged to deposit account

**8. Deposit account number:**

20-0821

(Please reference Attorney Docket No. 504419.009010)

**DO NOT USE THIS SPACE**

**9. Signature.**

Sherri L. Eastley

Name of Person Signing

*Sherri L. Eastley*  
Signature

April 7, 2004  
Date

Total number of pages including cover sheet, attachments, and document: 7

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

CH \$90.00 200821 2300626

**Schedule A**

| <b>Registration No.</b> | <b>Mark</b>                                   |
|-------------------------|---|
| <b>2,300,626</b>        | <b>CELEBRATE THE END OF ANOTHER GREAT DAY</b> |
| <b>1,514,976</b>        | <b>PEOHE'S and Design</b>                     |
| <b>1,507,587</b>        | <b>PEOHE'S (Stylized)</b>                     |

## TRADE/SERVICE MARK ASSIGNMENT

WHEREAS, Chart House Enterprises, Inc., a Delaware corporation having a place of business at 640 North LaSalle Street, Suite 295, Chicago, Illinois ("CHE"), and Chart House, Inc., a Delaware corporation having a place of business at 640 North LaSalle Street, Chicago, Illinois ("Seller" and, collectively with CHE, "Assignors"), own and have used in their business the marks and related registrations listed on Exhibit A (hereafter "Marks").

WHEREAS, Assignors, Chart House of Annapolis, Inc., a Delaware corporation, Chart House Enterprises of Idaho, Inc., an Idaho corporation, CHLN, Inc., a Delaware corporation ("Assignee"), LCHLN, Inc., a Delaware corporation, CHLN-Maryland, Inc., a Maryland corporation, and CHLN-Idaho, Inc., an Idaho corporation, entered into that certain Contribution Agreement dated as of July 23, 2002 (the "Contribution Agreement").

WHEREAS, pursuant to and in order to effectuate the Contribution Agreement, Assignors have agreed to formally assign all of their right, title and interest in the Marks to Assignee.

NOW THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar (\$1.00) to them in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged Assignors hereby assign to Assignee, its successors or assigns, the entire right, title and interest in and to any and all Marks and any registrations therefor, including, but not limited to, the Marks listed on Exhibit A hereto and including any renewals that may be granted thereon, together with the goodwill of the Business (as defined in the Purchase Agreement) connected therewith and any right to recover for past infringements thereof.

*[signature page follows]*

CHART HOUSE ENTERPRISES, INC.

By: *Kenneth R. Posner*  
Name: Kenneth R. Posner  
Title: President

CHART HOUSE, INC.

By: *Kenneth R. Posner*  
Name: Kenneth R. Posner  
Title: President

STATE OF ILLINOIS      §  
   §  
COUNTY OF COOK      §

This instrument was acknowledged before me this 23rd day of July, 2002, by Kenneth R. Posner, President of Chart House Enterprises, Inc., a Delaware corporation, on behalf of said corporation.



*Laine B. Drogos*  
Notary Public, State of Illinois

My Commission Expires:

L A I N E B . D R O G O S  
Printed Name of Notary

STATE OF ILLINOIS      §  
   §  
COUNTY OF COOK      §

This instrument was acknowledged before me this 23rd day of July, 2002, by Kenneth R. Posner, President of Chart House, Inc., a Delaware corporation, on behalf of said corporation.



*Laine B. Drogos*  
Notary Public, State of Illinois

My Commission Expires:

L A I N E B . D R O G O S  
Printed Name of Notary

Exhibit A

## Marks

## A. Registered Marks

| <u>Country</u> | <u>Mark</u>                                  | <u>Serial No./Reg. No.</u> | <u>Owner</u>                     |
|----------------|--|----------------------------|----------------------------------|
| United States  | CHART HOUSE &<br>Design                      | 2,086,009                  | Chart House<br>Enterprises, Inc. |
| United States  | SERIOUS ABOUT<br>SEAFOOD                     | 2,463,733                  | Chart House<br>Enterprises, Inc. |
| United States  | CHART HOUSE                                  | 1,061,033                  | Chart House, Inc.                |
| United States  | PEOHE'S & Design                             | 1,514,976                  | Chart House, Inc.                |
| United States  | PEOHE'S (Stylized)                           | 1,507,587                  | Chart House, Inc.                |
| United States  | THE CHART HOUSE<br>& Design                  | 944,243                    | Chart House, Inc.                |
| United States  | VIEWPOINTS                                   | 2,422,047                  | Chart House<br>Enterprises, Inc. |
| United States  | A GETAWAY FROM<br>THE EVERYDAY               | 2,425,690                  | Chart House<br>Enterprises, Inc. |
| United States  | ALOHA CLUB &<br>Design                       | 2,004,628                  |                                  |
| United States  | ALOHA CLUB                                   | 2,001,748                  |                                  |
| United States  | CELEBRATE THE<br>END OF ANOTHER<br>GREAT DAY | 2,300,626                  |                                  |
| Australia      | CHART HOUSE                                  | 546,986                    |                                  |
| Great Britain  | CHART HOUSE                                  | 1,315,063                  |                                  |
| Japan          | CHART HOUSE                                  | 2,276,476                  |                                  |
| Japan          | CHART HOUSE &<br>Design                      | 238,846                    | Chart House<br>Enterprises, Inc. |
| Great Britain  | THE CHART HOUSE<br>& Design                  | 1,315,787                  |                                  |
| Japan          | THE CHART HOUSE                              | 2,286,977                  |                                  |

## &amp; Design

Japan CHART HOUSE 2,322,338

## B. Other Marks

| <u>Country</u> | <u>Mark</u>   | <u>Owner</u>                  |
|----------------|---|-------------------------------|
| United States  | BEYOND THE SEA                                      | Chart House Enterprises, Inc. |
| United States  | BEYOND THE SEA (Stylized)                           | Chart House Enterprises, Inc. |
| United States  | FRESH SEAFOOD.<br>AGED BEEF.<br>TIMELESS VIEWS.     | Chart House Enterprises, Inc. |
| United States  | FRESH SEAFOOD.<br>AGED BEEF.<br>TIMELESS SETTINGS.  | Chart House Enterprises, Inc. |
| United States  | CHART HOUSE<br>RESTAURANTS & Design<br>(Cardiff)    | Chart House Enterprises, Inc. |
| United States  | CHART HOUSE<br>RESTAURANTS & Design<br>(Malibu)     | Chart House Enterprises, Inc. |
| United States  | CHART HOUSE<br>RESTAURANTS & Design<br>(Cincinnati) | Chart House Enterprises, Inc. |
| United States  | CHART HOUSE<br>RESTAURANTS & Design<br>(Wailea)     | Chart House Enterprises, Inc. |
| United States  | CHART HOUSE<br>RESTAURANTS & Design<br>(Portland)   | Chart House Enterprises, Inc. |
| United States  | ONO ISLAND  | Chart House Enterprises, Inc. |
| United States  | ONO'S ISLAND  | Chart House Enterprises, Inc. |
| United States  | MANGORITA   | Chart House Enterprises, Inc. |
| United States  | STICK IN THE MUD                                    | Chart House Enterprises, Inc. |
| United States  | STICK IN THE MUD & Design                           | Chart House Enterprises, Inc. |

Australia

CHART HOUSE

Chart House Enterprises, Inc.

Australia

THE CHART HOUSE & Design

Chart House Enterprises, Inc.

Canada

CHART HOUSE

Chart House Enterprises, Inc.

Canada

THE CHART HOUSE & Design

Chart House Enterprises, Inc.

Mexico

CHART HOUSE

Chart House Enterprises, Inc.

Mexico

THE CHART HOUSE & Design

Chart House Enterprises, Inc.