

12/10/03

12-12-2003

FORM PTO-1594

U.S. Department of Commerce

(Rev. 6-93)

Patent and Trademark Office

OMB No. 0651-0011 (exp. 4/94)



102621164

To the Honorable Commissioner of Patents and Trademarks, please record the attached original document or copy thereof.

<p>1. Name of conveying party: PESCE, LTD.</p> <p>_____ Individual(s) _____ Association _____ General Partnership <input checked="" type="checkbox"/> Limited Partnership (Texas) _____ Corporation-State _____ Other</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment _____ Merger <input type="checkbox"/> Security Agreement _____ Change of Name <input type="checkbox"/> Other</p> <p>Execution Date: September 25, 2003 Effective Date: September 25, 2003</p>	<p>2. Name and address of receiving party: Name: LANDRY'S PESCE, INC. Internal Address: Street Address: 1510 West Loop South City: Houston State: TX Zip: 77098</p> <p>_____ individual(s) citizenship _____ _____ Association _____ _____ General Partnership _____ _____ Limited Partnership _____ <input checked="" type="checkbox"/> Corporation-State <u>Texas</u> _____ Other _____</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input type="checkbox"/> No (Designations must be a separate document from Assignment) Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
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4. Application number(s) or registration number(s):
 A. Trademark Application No.(s):
 B. Trademark Registration No.(s): **2,468,581**
 Additional numbers attached? Yes No

<p>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: 1900 San Jacinto Center, 98 San Jacinto Blvd. City: Austin State: Texas Zip: 78701-4081</p>	<p>6. Total number of applications and registrations involved: <u>1</u></p> <p>7. Total fee (37 C.F.R. 3.41)----- \$ 40.00 [\$40 for 1st...\$25 each additional] <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account if check insufficient or inadvertently omitted</p> <p>8. Deposit account number: 20-0821/010643.156010 (Attach duplicate copy of this page if paying by deposit account)</p>
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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.

Sherri L. Eastley Sherri L. Eastley 12/2/03
 Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments and documents: 3

RECEIVED FIN 12:27 OPER FINANCE

Mail documents to be recorded with required cover sheet information to:

BOX ASSIGNMENT
 Commissioner of Patents and Trademarks
 Washington, D.C. 20231

CERTIFICATE OF MAILING
 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Assignment, Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date below:

12/2/03 Sherri L. Eastley
 Date Signature
 Sherri L. Eastley

12/11/2003 LMUeller 00000114 2468581
 01 FC:8521 40.00 BP

010643 156010 AUSTIN 204223.1

TRADEMARK
REEL: 002878 FRAME: 0569

TRADE/SERVICE MARK ASSIGNMENT

WHEREAS Pesce. Ltd. (ASSIGNOR) owns and has used in connection with restaurant services the mark PESCE which is the subject of Registration Number 2468581 in the United States Patent and Trademark Office (Mark) and related word and design marks; and

WHEREAS, by Asset Purchase Agreement executed of even date herewith, Assignor sold all of its assets used in connection with the above identified Mark to Landry's Pesce, Inc., a Texas corporation (ASSIGNEE) and, pursuant to the Asset Purchase Agreement, agreed to formally assign all of their right, title and interest in the Mark and all related marks to ASSIGNEE;

THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged ASSIGNOR hereby assigns to ASSIGNEE, its successors or assigns, ASSIGNOR'S entire right, title and interest in and to the Mark and all related marks and any registrations therefor, including any renewals that may be granted thereon, together with the goodwill of the business connected therewith and any right to recover damages for past infringement thereof.

Executed this 25TH day of September, 2003, to be effective as of September 25TH, 2003.

PESCE, LTD

By: PESCE GP, LLC
Its General Partner

By: John C. Carrabba III MGR
Name: John C. Carrabba, III
Title: Manager

STATE OF TEXAS

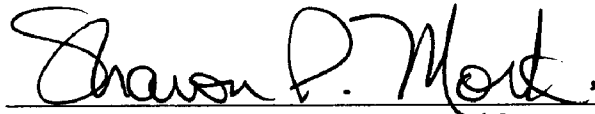
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COUNTY OF HARRIS

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BEFORE ME, the undersigned authority, on this day personally appeared John C. Carrabba, III, Manager of Pesce GP, LLC, general partner of Pesce, Ltd. known to me to be the person whose name are subscribed to the foregoing instrument and acknowledged to me under oath that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND and seal of office, this 25th day of September, 2003.



Notary Public in and for the State of Texas

