

03-31-2004

FORM PTO-1594

(Rev. 6-93)

REC



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

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

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Tab settings

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To the Commissioner for Trademarks:
Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Eat'n Park Hospitality Group, Inc.

- Individual(s) Association
- General Partnership Limited Partnership
- Corporation-State - PA
- 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: March 19, 2004

2. Name and address of receiving party(ies)

Name: EPR Investments, Inc.

Street Address: 801 West Street, 2nd Floor

City/State: Wilmington, DE 19801

Individual(s) citizenship _____

Association _____

General Partnership _____

Corporation DE 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)

75/528,931 - SMILEY

Additional numbers attached? Yes No

B. Trademark Registration No.(s)

1,809,410 - Miscellaneous Design

2,108,164 - SMILEY

OPR/FINANCE
MAR 29 AM 8:29

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

Name: Frederick B. Ziesenheim, Esq.

Internal Address: Webb Ziesenheim

Logsdon Orkin & Hanson, P.C.

Street Address: 700 Koppers Building

436 Seventh Avenue

City: Pittsburgh State: PA ZIP: 15219-1818

16. Total number of applications and registrations involved:

3 (Three)

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

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

(Attach triplicate 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.

Frederick B. Ziesenheim, #19,438

March 25, 2004

Name of Person Signing

Signature

Total number of pages including cover sheet, attachments and document 3 (three) pages

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

03/30/2004 DBYRNE 00000063 75528931

01 FC:8521
02 FC:8522

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30 00 OF
Mail Stop Assignment Recordation Services
Director of the United States Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

{W0008396.1}

TRADEMARK
REEL: 002937 FRAME: 0979

ASSIGNMENT

Assignment from EAT'N PARK HOSPITALITY GROUP, INC., a Pennsylvania corporation, (hereinafter called "ASSIGNOR") to EPR INVESTMENTS, INC., a Delaware corporation (hereinafter called "ASSIGNEE"), of 801 West St., 2nd Floor, Wilmington, DE 19801.

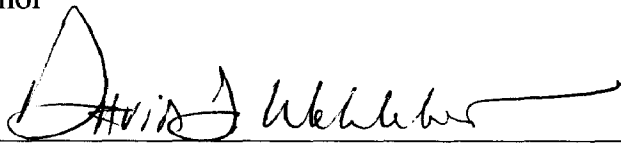
WHEREAS, ASSIGNOR is the owner of certain trademarks and the registrations and applications therefor identified in the attached SCHEDULE A; and

WHEREAS, ASSIGNEE is desirous of acquiring said trademarks and the registrations and applications thereof;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR does hereby assign and transfer unto ASSIGNEE, its successors and assigns, all right, title and interest in and to said trademarks and the registrations and applications to register thereof, together with the goodwill of the business symbolized thereby.

IN WITNESS WHEREOF, ASSIGNOR has executed this Assignment this 19 day of March, 2004.

EAT'N PARK HOSPITALITY GROUP, INC.
Assignor

By 
David L. Wohleber
Chief Financial Officer

SCHEDULE A

<u>Mark</u>	<u>Reg./Ser. No.</u>	<u>Goods/Services</u>
<u>REGISTRATIONS</u>		
Misc. Design (smiling face)	1,809,410	Baked goods, namely cookies
SMILEY	2,108,164	Sugar cookie having raised design of a Smiling face sold in restaurants for consumption on or off the premises

APPLICATIONS

SMILEY	75/528,931	Pancakes and cookies
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