

Form PTO-1594 (Rev. 07/05)
OMB Collection 0951-0027 (exp. 6/30/2008)

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

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies):

ALPHA HOSPITALITY CORPORATION

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

Citizenship (see guidelines) _____

Additional names of conveying parties attached? Yes No

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached? Yes No

Name: EMPIRE RESORTS, INC.

Internal Address: SUITE 200

Street Address: 741 N. Green Valley Parkway

City: Henderson

State: NV

Country: UNITED STATES Zip: 89074

- Association Citizenship _____
- General Partnership Citizenship _____
- Limited Partnership Citizenship _____
- Corporation Citizenship: Delaware
- Other Citizenship _____

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)

3. Nature of conveyance / Execution Date(s) :

Execution Date(s) MAY 21, 2003

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

4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No.(s)

76510671

B. Trademark Registration No.(s)

Additional sheet(s) attached? Yes No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

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

Name: RANDY M. FRIEDBERG

Internal Address: Oliver Goodman Firm

Rosenzweig + Volosky LLP

Street Address: 45 EAST 55TH ST.

City: NEW YORK

State: NY Zip: 10022

Phone Number: 212-457-2300

Fax Number: 212-457-2227

Email Address: _____

6. Total number of applications and registrations involved:

1

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 40

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed

8. Payment Information:

a. Credit Card Last 4 Numbers 6954
Expiration Date 10/08

b. Deposit Account Number _____

Authorized User Name _____

9. Signature:

RANDY M. FRIEDBERG
Signature
Name of Person Signing

7/13/06
Date

Total number of pages including cover sheet, attachments, and document. 4

Documents to be recorded (including cover sheet) should be filed by (771) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22314-1450

OP \$40.00 76510671

sec document

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EX-3.6 & ex36to10ksb_12312003.htm

EXHIBIT 3.6

CERTIFICATE OF AMENDMENT
TO THE
CERTIFICATE OF INCORPORATION
OF
ALPHA HOSPITALITY CORPORATION

PURSUANT TO SECTION 242 OF THE
GENERAL CORPORATION LAW OF THE STATE OF DELAWARE

ALPHA HOSPITALITY CORPORATION (the "Corporation"), a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware, does hereby certify as follows:

1. The name of the corporation is Alpha Hospitality Corporation.

2. Paragraph First of the Certificate of Incorporation of the Corporation is hereby amended in its entirety to read as follows:

"FIRST: The name of the corporation is Empire Resorts, Inc. (the "Corporation")"

3. This Amendment to the Certificate of Incorporation shall be effective as of May 21, 2003.

4. The Amendment to the Certificate of Incorporation of the Corporation effected by this Certificate was duly authorized by the Board of Directors of the Corporation in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware, and by the affirmative vote of the holders of all of the Corporation's outstanding capital stock entitled to vote thereon by written consent in accordance with the provisions of section 228 of the General Corporation Law of the State of Delaware.

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IN WITNESS WHEREOF, the Corporation has caused this Certificate of Amendment to be signed and acknowledged by its Chief Financial Officer on this 15th day of May, 2003.

ALPHA HOSPITALITY CORPORATION

By: /s/ Scott Kaniewski

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Scott Kaniewski
Chief Financial Officer

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