

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	RELEASE BY SECURED PARTY		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
GE Capital Franchise Finance Corporation		12/29/2006	CORPORATION: DELAWARE
RECEIVING PARTY DATA			
Name:	Eateries, Inc.		
Street Address:	1220 S. Santa Fe Avenue		
City:	Edmond		
State/Country:	OKLAHOMA		
Postal Code:	73003		
Entity Type:	CORPORATION: OKLAHOMA		
PROPERTY NUMBERS Total: 4			
Property Type	Number	Word Mark	
Registration Number:	2649168	PIGGY BACK STACK	
Registration Number:	2228957	FIRE STRINGS	
Registration Number:	1543014	CASEY GARFIELD'S	
Registration Number:	1539694	GARFIELD'S	
CORRESPONDENCE DATA			
Fax Number:	(646)728-2614		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	212-596-9000		
Email:	tmfilings@fishneave.com		
Correspondent Name:	Ryan Colgan, Ropes & Gray LLP		
Address Line 1:	1211 Avenue of the Americas		
Address Line 2:	38th Floor		
Address Line 4:	New York, NEW YORK 10036		
ATTORNEY DOCKET NUMBER:	008375-113		

CH \$115.00 2649168

NAME OF SUBMITTER:	Ryan Colgan
Signature:	/Ryan Colgan/
Date:	07/02/2007
Total Attachments: 5 source=EateriesRelease#page1.tif source=EateriesRelease#page2.tif source=EateriesRelease#page3.tif source=EateriesRelease#page4.tif source=EateriesRelease#page5.tif	

**TERMINATION AND RELEASE OF SECURITY INTEREST
IN TRADEMARK RIGHTS**

This TERMINATION AND RELEASE is dated as of December __, 2006, from GE Capital Franchise Finance Corporation, a Delaware corporation (the "Secured Party"), to Eateries, Inc., an Oklahoma corporation (the "Grantor").

WITNESSETH:

WHEREAS, pursuant to the Amended and Restated Memorandum of Security Interest in Trademarks and Registrations, dated as of September 20, 2004, made by the Grantor in favor of the Secured Party (the "Trademark Security Agreement"), a security interest (the "Security Interest") was granted by the Grantor to the Secured Party in the Trademark Collateral (as hereinafter defined);

WHEREAS, the Trademark Security Agreement was recorded in the Trademark Division of the United States Patent and Trademark Office as identified on Exhibit A hereto; and

WHEREAS, upon receipt of the payoff amount (the "Payment Amount") set forth in Secured Creditor's payoff letter dated December 13, 2006 no later than December 31, 2006 (the "Outside Payoff Date"), the Secured Party now desires to terminate and release the entirety of its Security Interest in the Trademark Collateral;

NOW, THEREFORE, for good and valuable consideration including the satisfaction of all obligations, indebtedness and liabilities secured by the Trademark Collateral pursuant to the Trademark Security Agreement, the receipt and adequacy of which are hereby acknowledged, and upon the terms set forth in this Termination and Release, the Secured Party hereby states as follows:

1. Definitions. The term "Trademark Collateral," as used herein, shall mean all of the Grantors' right, title and interest of every kind and nature as of the date hereof in the Trademarks (including, without limitation, those items listed on Schedule A hereto). The term "Trademarks" shall have the meaning provided by reference in the Trademark Security Agreement.
2. Release of Security Interest. Upon receipt of the Payment Amount no later than the Outside Payoff Date, the Secured Party hereby terminates, releases and discharges its Security Interest in the Trademark Collateral.
3. Further Assurances. Upon the written request of Grantor and at Grantor's sole request, the Secured Party hereby agrees to duly execute, acknowledge, procure and deliver any further documents and to do such other acts as may be reasonably necessary to effect the release of the Security Interest contemplated hereby.

IN WITNESS WHEREOF, the undersigned has executed this Termination and Release by its duly authorized officer as of the date first above written.

GE CAPITAL FRANCHISE FINANCE CORPORATION

By: 

Name:

Title:

*Todd V Jones
Vice President*

TRADEMARK

REEL: 003572 FRAME: 0650

STATE OF ARIZONA)
)
COUNTY OF MARICOPA)

ss.:

On this 29th day of December, 2006, before me personally appeared Todd V. Jones to me known who, being by me duly sworn, did depose and say that he/she is Vice President of GE Capital Franchise Finance Corporation, described herein and which executed the foregoing instrument, and that he/she signed his/her name thereto pursuant to the authority granted by GE Capital Franchise Finance Corporation.

Linda J. Sacuci
Notary Public

(Affix Seal Below)

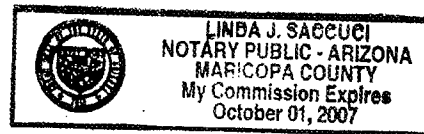


Exhibit A

Eateries, Inc.

<u>Trademark Name</u>	<u>Registration/ Serial No.</u>	<u>Registration Date/ Filing Date</u>	<u>Assignment History</u>
i)			
PIGGY BACK STACK	2,649,168 76/345,626	11/12/2002 12/06/2001	Eateries, Inc. (an OK corp) assigned to GE Capital Franchise Corporation Security Interest Signed: 09/13/2004 Recorded: 09/14/2004 Reel/Frame: 2935/0667
			Eateries, Inc. (an OK corp) assigned to GE Capital Franchise Finance Corporation Security Interest Signed: 09/21/2004 Recorded: 09/21/2004 Reel/Frame: 2941/0622
FIRE STRINGS	2,228,957 75/481,206	03/02/1999 05/07/1998	Eateries, Inc. (an OK corp) assigned to GE Capital Franchise Corporation Security Interest Signed: 09/13/2004 Recorded: 09/14/2004 Reel/Frame: 2935/0667
			Eateries, Inc. (an OK corp) assigned to GE Capital Franchise Finance Corporation Security Interest Signed: 09/21/2004 Recorded: 09/21/2004 Reel/Frame: 2941/0622
CASEY GARFIELD'S	1,543,014	06/06/1989	Eateries, Inc. (an OK corp)

<u>Trademark Name</u>	<u>Registration/ Serial No.</u>	<u>Registration Date/ Filing Date</u>	<u>Assignment History</u>
	73/615,147	08/18/1986	assigned to GE Capital Franchise Corporation Security Interest Signed: 09/13/2004 Recorded: 09/14/2004 Reel/Frame: 2935/0667
			Eateries, Inc. (an OK corp) assigned to GE Capital Franchise Finance Corporation Security Interest Signed: 09/21/2004 Recorded: 09/21/2004 Reel/Frame: 2941/0622
GARFIELD'S	1,539,694 73/517,503	05/16/1989 01/14/1985	Eateries, Inc. (an OK corp) assigned to GE Capital Franchise Corporation Security Interest Signed: 09/13/2004 Recorded: 09/14/2004 Reel/Frame: 2935/0667
			Eateries, Inc. (an OK corp) assigned to GE Capital Franchise Finance Corporation Security Interest Signed: 09/21/2004 Recorded: 09/21/2004 Reel/Frame: 2941/0622