

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT		
EFFECTIVE DATE:	05/12/2011		
CONVEYING PARTY DATA			
	Name	Formerly	Execution Date
	Lexington Hotel, LLC		04/11/2012
			LIMITED LIABILITY COMPANY: DELAWARE
RECEIVING PARTY DATA			
Name:	DiamondRock NY Lex Owner, LLC		
Street Address:	3 Bethesda Metro Center, Suite 1500		
City:	Bethesda		
State/Country:	MARYLAND		
Postal Code:	20814		
Entity Type:	LIMITED LIABILITY COMPANY: DELAWARE		
PROPERTY NUMBERS Total: 1			
	Property Type	Number	Word Mark
	Serial Number:	77806158	LEXINGTON HOTEL
CORRESPONDENCE DATA			
Fax Number:	8777697945		
	<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>		
Phone:	858-678-5070		
Email:	tmdoctc@fr.com		
Correspondent Name:	Erin M. Hickey		
Address Line 1:	P.O. Box 1022		
Address Line 4:	Minneapolis, MINNESOTA 55440-1022		
ATTORNEY DOCKET NUMBER:	23575-0006001		
NAME OF SUBMITTER:	Erin M. Hickey		

CH \$40.00 77806158

Signature:	/erin m. hickey/
Date:	04/24/2012
Total Attachments: 3 source=lexington confirmatory assignment#page1.tif source=lexington confirmatory assignment#page2.tif source=lexington confirmatory assignment#page3.tif	

CONFIRMATORY ASSIGNMENT

THIS CONFIRMATORY ASSIGNMENT is made effective, *nunc pro tunc*, as of May 12, 2011, which is the Effective Date of the Purchase and Sale Agreement between Lexington Hotel, LLC and DiamondRock NY Lex Owner, LLC.

WHEREAS, Lexington Hotel, LLC, a limited liability company organized and existing under the laws of the State of Delaware, having an address of 511 Lexington Avenue, New York, NY 10017 (“Assignor”), has adopted, used, is using, and has applied to register the mark LEXINGTON HOTEL, which is the subject of application Serial No. 77/806,158 (the “Mark”) in the United States.

WHEREAS, DiamondRock NY Lex Owner, LLC, a limited liability company organized and existing under the laws of the State of Delaware, having an address of 3 Bethesda Metro Center, Suite 1500, Bethesda, MD 20814 (“Assignee”), desires to acquire the Mark, together with the good will of the business.

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, Assignor does hereby sell, assign, and transfer unto Assignee and its successors and assigns all right, title, and interest in and to the Mark, together with the good will of the business symbolized by the Mark, including application Serial No. 77/806,158 for the Mark, which currently is pending in Assignor’s name. Assignor further sells, assigns, and transfers unto Assignee its entire right, title, and interest in and to any and all causes of action and rights of recovery for past infringement of the Mark.

Assignor covenants that it or its representatives will, upon the request and at the expense of Assignee, do all other lawful acts necessary to enable Assignee to obtain, maintain, and enforce full benefits from the rights and interests herein assigned.

This assignment shall be binding upon the successors and assigns of Assignor and shall inure to the benefit of the successors and assigns of Assignee.

IN WITNESS WHEREOF, said Assignor, has executed and delivered this instrument as of the date written below.

LEXINGTON HOTEL, LLC, a Delaware limited liability company

Date: April 11, 2012

By: Lexington Hotel (Holdings), LLC, a Delaware liability company, its sole member

By: Lex Intermediate Mezz, LLC, a Delaware limited liability company, its sole member

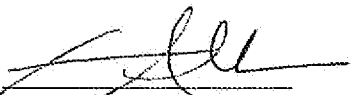
By: Lex Intermediate Mezz (Holdings), LLC a Delaware limited liability company, its sole member

By: Lex Sub Mezz (Holdings), LLC a Delaware limited liability company, its sole member

By: WH/LEX LLC, a Delaware limited liability company, its managing member

By: _____
Name:
Title:

By: MERISTAR LEXINGTON PARTNERS, LLC, a Delaware limited liability company, its managing member

By: 
Name: GLENN ROSA
Title: MANAGING DIRECTOR

This assignment shall be binding upon the successors and assigns of Assignor and shall inure to the benefit of the successors and assigns of Assignee.

IN WITNESS WHEREOF, said Assignor, has executed and delivered this instrument as of the date written below.

LEXINGTON HOTEL, LLC, a Delaware limited liability company

Date: April 11, 2012

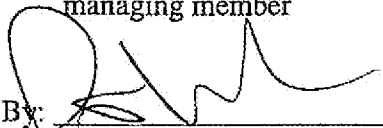
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By: Lex Sub Mezz (Holdings), LLC a Delaware limited liability company, its sole member

By: WH/LEX LLC, a Delaware limited liability company, its managing member

By: 

Name: Peter Weidman

Title: Vice President

By: MERISTAR LEXINGTON PARTNERS, LLC, a Delaware limited liability company, its managing member

By: _____

Name:

Title: