

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
MALKIN HOLDINGS LLC		10/07/2013	LIMITED LIABILITY COMPANY: NEW YORK

RECEIVING PARTY DATA

Name:	EMPIRE STATE REALTY OP, L.P.
Street Address:	One Grand Central Place
Internal Address:	60 East 42nd Street
City:	New York
State/Country:	NEW YORK
Postal Code:	10165
Entity Type:	LIMITED PARTNERSHIP: DELAWARE

PROPERTY NUMBERS Total: 12

Property Type	Number	Word Mark
Registration Number:	2930646	W&H PROPERTIES
Registration Number:	2958382	W&H
Registration Number:	3212083	WE PERFORM FOR YOU
Registration Number:	3773711	MALKIN PROPERTIES
Registration Number:	3773712	MALKIN CONSTRUCTION
Registration Number:	3785078	MALKIN HOLDINGS
Registration Number:	3804029	PERFORMANCE. PERSPECTIVE.
Registration Number:	3804030	PERFORMANCE FOR TODAY. PERSPECTIVE FOR T
Registration Number:	4188836	W&H PROPERTIES PRE-WAR TROPHY
Registration Number:	4364242	PRE-WAR TROPHY
Serial Number:	85043488	PENN CENTRAL
Serial Number:	85620900	THE EYE OF THE WORLD

OP \$315.00 2930646

CORRESPONDENCE DATA

Fax Number: 2125750671

Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.

Phone: 212-790-9200

Email: trademark@ccl.com

Correspondent Name: William M. Borchard

Address Line 1: 1133 Avenue of the Americas

Address Line 4: New York, NEW YORK 10036

ATTORNEY DOCKET NUMBER:	24078-001 WMB/FM
NAME OF SUBMITTER:	William M. Borchard
Signature:	/William M. Borchard/
Date:	10/09/2013

Total Attachments: 2

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SERVICE MARK ASSIGNMENT

WHEREAS, **MALKIN HOLDINGS LLC**, a New York limited liability company, of One Grand Central Place, 60 East 42nd Street, New York, New York 10165 ("Assignor") has adopted, used and is using, or has applied to register, the marks shown on the attached schedule (the "Marks"),

and

WHEREAS, **EMPIRE STATE REALTY OP, L.P.**, a Delaware limited partnership (of which the general partner is Empire State Realty Trust, Inc., a New York corporation), of One Grand Central Place, 60 East 42nd Street, New York, New York 10165 ("Assignee") is succeeding to the business of Assignor to which the Marks pertain, which business is ongoing and existing, and is desirous of acquiring the Marks,

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby assign unto Assignee, all of Assignor's common law and statutory right, title and interest in and to each of the Marks, worldwide, together with the goodwill of the business symbolized by it, and any and all applications for it and registrations of it, including the applications and registrations identified in the schedule below, as well as the right to file and prosecute applications to register each of the Marks and the right to take legal actions against infringements occurring either before or after the date of this assignment and to collect and retain all monetary and other benefits derived from such actions.

MALKIN HOLDINGS LLC

"Assignor"

By _____

Name: Thomas N. Keltner, Jr.

Title: Authorized Signatory

Date: October 7, 2013

**SCHEDULE TO SERVICE MARK ASSIGNMENT
BY MALKIN HOLDINGS LLC**

	Mark	Application or Registration No.
1	W&H PROPERTIES Logo	2930646
2	W&H Logo	2958382
3	WE PERFORM FOR YOU	3212083
4	MALKIN PROPERTIES	3773711
5	MALKIN CONSTRUCTION	3773712
6	MALKIN HOLDINGS	3785078
7	PERFORMANCE PERSPECTIVE	3804029
8	PERFORMANCE FOR TODAY, PERSPECTIVE FOR TOMORROW	3804030
9	W&H PROPERTIES PRE-WAR TROPHY	4188836
10	PRE-WAR TROPHY	4364242
11	PENN CENTRAL	85043488
12	THE EYE OF THE WORLD	85620900
	All common law marks used without registration by Assignor or a licensee	