

TRADEMARK ASSIGNMENT

Electronic Version v1.1  
 Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	CORRECTIVE ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	Corrective Assignment to correct the general partner of Assignee from a New York corporation to a Maryland corporation previously recorded on Reel 005127 Frame 0592. Assignor(s) hereby confirms the assignment to Assignee Empire State Realty OP, L.P., a Delaware limited partnership.

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
MALKIN PROPERTIES, L.L.C.		10/07/2013	LIMITED LIABILITY COMPANY: NEW YORK

**RECEIVING PARTY DATA**

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

**PROPERTY NUMBERS Total: 4**

Property Type	Number	Word Mark
Registration Number:	1771845	W&M PROPERTIES
Registration Number:	2055486	W&M
Registration Number:	2838288	SHOW, LEASE & WIN
Registration Number:	2993912	REFER, LEASE & WIN

**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@cll.com  
 Correspondent Name: William M. Borchard  
 Address Line 1: 1133 Avenue of the Americas  
 Address Line 4: New York, NEW YORK 10036

OP \$1115.00 1771845

**TRADEMARK**

ATTORNEY DOCKET NUMBER:	24222-00 WMB/FM
NAME OF SUBMITTER:	William M. Borchard
Signature:	/William M. Borchard/
Date:	10/23/2013
Total Attachments: 4 source=malkin properties corrective assignment#page1.tif source=malkin properties corrective assignment#page2.tif source=malkin properties corrective assignment#page3.tif source=malkin properties corrective assignment#page4.tif	

## 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 PROPERTIES, L.L.C.		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: 4			
Property Type	Number	Word Mark	
Registration Number:	1771845	W&M PROPERTIES	
Registration Number:	2055486	W&M	
Registration Number:	2838288	SHOW, LEASE & WIN	
Registration Number:	2993912	REFER, LEASE & WIN	
CORRESPONDENCE DATA			
Fax Number:	2125750671		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>			
Phone:	212-790-9200		
Email:	trademark@cfl.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:	24222-000 WMB/FM		

OP \$115.00 1771845

TRADEMARK

REEL: 005139 FRAME: 0419

NAME OF SUBMITTER:	William M. Borchard
Signature:	/William M. Borchard/
Date:	10/08/2013
Total Attachments: 2 source=malkin properties.empire state realty op#page1.tif source=malkin properties.empire state realty op#page2.tif	

**SERVICE MARK ASSIGNMENT**

WHEREAS, **MALKIN PROPERTIES, L.L.C.**, 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 <sup>Maryland</sup> 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 PROPERTIES, L.L.C.**

"Assignor"

By \_\_\_\_\_

Name: Thomas N. Keltner, Jr.

Title: Authorized Signatory

Date: October 7, 2013

**SCHEDULE TO SERVICE MARK ASSIGNMENT  
BY MALKIN PROPERTIES, L.L.C.**

	<b>Mark</b>	<b>Registration No.</b>
1	W&M PROPERTIES	1771845 ✓
2	W&M Logo	2055486 ✓
3	SHOW, LEASE & WIN	2838288 ✓
4	REFER, LEASE & WIN	2993912 ✓
	All common law marks used without registration by Assignor or a licensee	

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