

09-16-2002

Form PTO-1594

(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

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J.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Alan Schilsky and Lawrence Schilsky

9-10-02

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

Additional name(s) of conveying party(ies) attached?  Yes  No

2. Name and address of receiving party(ies)

Name: The Krystal Company

Internal Address: The Krystal Building, 10th Floor

Street Address: One Union Square

City: Chattanooga State: TN Zip: 37402

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Tennessee
- Other

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)  
Additional name(s) & address(es) attached?  Yes  No

3. Nature of conveyance:

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

Execution Date: August 26, 2002

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)

76/049,414

B. Trademark Registration No.(s)

Additional number(s) attached  Yes  No

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

Name: Douglas T. Johnson

Internal Address: Miller & Martin LLP

Street Address: Suite 1000 Volunteer Building

832 Georgia Avenue

City: Chattanooga State: TN Zip: 37402

6. Total number of applications and registrations involved:

7. Total fee (37 CFR 3.41).....\$ 40

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Douglas T. Johnson

Name of Person Signing

Signature

9/3/02

Date

Total number of pages including cover sheet, attachments, and document:

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40.00 DP

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231

TRADEMARK  
REEL: 002582 FRAME: 0176

**TRADEMARK ASSIGNMENT**

WHEREAS, Alan Schilsky and Lawrence Schilsky, U.S. citizens, with their residences at 56 Byram Bridge Road, Armonk, New York 10504, and 4 Stonington Heights, Briarcliff Avenue, New York 10510, respectively, ("Assignors") have adopted and used the Trademark set forth on Schedule A attached hereto and are the owners of the mark and goodwill associated therewith; and

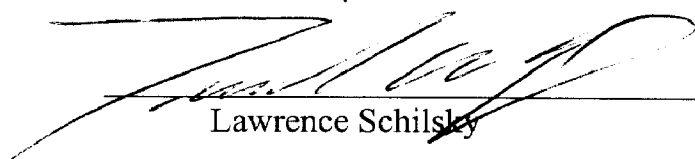
WHEREAS, The Krystal Company, a Tennessee corporation with its principal place of business at The Krystal Building, One Union Square, Chattanooga, Tennessee 37402 ("Assignee") is desirous of acquiring said trademark and goodwill associated therewith.

NOW, THEREFORE, for the sum of One Dollar (\$1.00) in hand paid from Assignee to Assignors, the receipt of which is hereby acknowledged by Assignors, Assignors by these presents do hereby sell, transfer, convey and assign unto said Assignee effective as of the date of execution of this Assignment, all right, title and interest in and to the Trademark set forth on Schedule A attached hereto, together with the goodwill of the business symbolized by the mark, and all federal and state registrations and applications therefore in the United States of America, and the right to recover for any past infringements of said trademarks.

Dated: 8.26.02

  
Alan Schilsky

Dated: 8/26/02

  
Lawrence Schilsky