

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	RELEASE BY SECURED PARTY

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Wachovia Bank, National Association		09/24/2008	Association:

**RECEIVING PARTY DATA**

<b>Name:</b>	The Restraurant Company of Minnesota
<b>Street Address:</b>	6075 Poplar Avenue
<b>Internal Address:</b>	Suite 800
<b>City:</b>	Memphis
<b>State/Country:</b>	TENNESSEE
<b>Postal Code:</b>	38119-4709
<b>Entity Type:</b>	CORPORATION: DELAWARE

**PROPERTY NUMBERS Total: 25**

Property Type	Number	Word Mark
Registration Number:	1475417	PERKINS FAMILY RESTAURANT
Registration Number:	1465719	BOTTOMLESS CUP OF COFFEE
Registration Number:	1243032	BOTTOMLESS POT OF COFFEE
Registration Number:	1843806	FOXTAIL FOODS
Registration Number:	2286891	KID PERKS
Registration Number:	1663533	MAGNIFICENT SEVEN
Registration Number:	1751454	MAMMOTH MUFFIN
Registration Number:	2187924	MORNING SUNRISE
Registration Number:	809680	PERKINS
Registration Number:	1464960	PERKINS FAMILY RESTAURANT BAKERY
Registration Number:	1403560	PERKINS FAMILY RESTAURANT BAKERY
Registration Number:	1403558	PERKINS FAMILY RESTAURANT
Registration Number:	1203149	PERKINS

CH \$640.00 1475417

Registration Number:	1231484	PERKINS
Registration Number:	1679722	PERKINS PROMISE
Registration Number:	2490366	PERKINS RESTAURANT & BAKERY
Registration Number:	2492247	PERKINS RESTAURANT & BAKERY
Registration Number:	2755671	SCOOP. BAKE. SELL. REPEAT.
Registration Number:	2724058	SIMPLY SCOOP
Registration Number:	1897634	TREMENDOUS TWELVE
Serial Number:	78452797	BOBBY BROWNIE
Serial Number:	78452767	JEFF THE CHEF & HIS BAKERY BUDDIES
Serial Number:	78452816	KELLY COOKIE
Serial Number:	78452810	MARTY MUFFIN
Serial Number:	78452786	PATTY PIE

**CORRESPONDENCE DATA**

Fax Number: (202)408-3141  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
Phone: 202-408-3121 x2348  
Email: jpaterso@cscinfo.com  
Correspondent Name: Corporation Service Company  
Address Line 1: 1090 Vermont Avenue NW, Suite 430  
Address Line 2: Attn: Jean Paterson  
Address Line 4: Washington, DISTRICT OF COLUMBIA 20005

ATTORNEY DOCKET NUMBER:	735916
NAME OF SUBMITTER:	Jean Paterson
Signature:	/Jean Paterson/
Date:	09/25/2008

Total Attachments: 5  
source=9-25-08 Restaurant Company-TM#page1.tif  
source=9-25-08 Restaurant Company-TM#page2.tif  
source=9-25-08 Restaurant Company-TM#page3.tif  
source=9-25-08 Restaurant Company-TM#page4.tif  
source=9-25-08 Restaurant Company-TM#page5.tif

**RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY**

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

1. Name of conveying party(ies):

Wachovia Bank, National Association

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

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

3. Nature of conveyance:

- Assignment                               Merger  
 Security Agreement                       Change of Name  
 Other Release of 2005 Trademark Sec. Agt

Execution Date: 09/24/2008

2. Name and address of receiving party(ies)

Name: The Restaurant Company of

Internal Address: Minnesota

Street Address: 6075 Poplar Avenue, Suite 800

City: Memphis State: TN Zip: 38119-4709

- Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State Delaware  
 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

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

A. Trademark Application No.(s) 78452797 and  
add'l numbers on attached Schedule I

B. Trademark Registration No.(s) 1,475,417 and  
add'l numbers on attached Schedule I

Additional number(s) attached  Yes  No

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

Name: Maureen P. Murphy, Legal Assistant

Internal Address: \_\_\_\_\_

Cahill Gordon & Reindel LLP

Street Address: 80 Pine Street

City: New York State: NY Zip: 10005

6. Total number of applications and registrations involved: \_\_\_\_\_

**25**

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

- Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number: \_\_\_\_\_

**DO NOT USE THIS SPACE**

9. Signature.

Maureen P. Murphy  
Name of Person Signing

*Maureen P. Murphy*  
Signature

09/24/2008  
Date

Total number of pages including cover sheet, attachments, and document: **5**

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

## **RELEASE OF TRADEMARK SECURITY AGREEMENT**

**THIS RELEASE OF TRADEMARK SECURITY AGREEMENT** (this "Release") is made as of September 24, 2008 (the "Effective Date") by WACHOVIA BANK, NATIONAL ASSOCIATION (the "Administrative Agent") in favor of The Restaurant Company of Minnesota (the "Pledgor").

**WHEREAS**, pursuant to the terms and conditions of that certain Security Agreement, dated as of September 21, 2005, between the Pledgor and the Administrative Agent (the "Security Agreement"), the Pledgor pledged and granted to the Administrative Agent a lien on and security interest in all of its right, title and interest in, to and under the trademark registrations and applications set forth on Schedule I hereto together with the goodwill associated therewith and all Proceeds of any and all of the foregoing (the "Trademarks");

**WHEREAS**, the Trademark Security Agreement was recorded with the Trademarks Division of the U.S. Patent & Trademark Office on October 14, 2005 at Reel 3175 and Frame 0320;

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Administrative Agent hereby terminates the Security Agreement, and hereby terminates, cancels, re-pledges, reassigns and releases any and all security interests it has against the Trademarks.

If and to the extent the Administrative Agent has acquired any right, title or interest to the Trademarks or any other of the Pledgor's intellectual property, it hereby assigns and transfers such rights, title or interest to the Pledgor.

The Administrative Agent shall take all further actions, and provide to the Pledgor its successors, assigns or other legal representatives, all such cooperation and assistance (including, without limitation, the execution and delivery of any and all documents or other instruments), requested by the Pledgor to more fully and effectively effectuate the purposes of this Release.



**Schedule I**

**TRADEMARK SECURITY AGREEMENT**  
**TRADEMARK REGISTRATIONS AND TRADEMARK APPLICATIONS**

Trademark Registrations:

<b>OWNER</b>	<b>REGISTRATION/ APPLICATION NUMBER</b>	<b>TRADEMARK</b>
The Restaurant Company of Minnesota	1,475,417	PERKINS FAMILY RESTAURANT & Design
The Restaurant Company of Minnesota	1,465,719	Bottomless Cup of Coffee
The Restaurant Company of Minnesota	1,243,032	Bottomless Pot of Coffee
The Restaurant Company of Minnesota	1,843,806	Foxtail Foods and Design
The Restaurant Company of Minnesota	2,286,891	Kid Perks
The Restaurant Company of Minnesota	1,663,533	Magnificent Seven
The Restaurant Company of Minnesota	1,751,454	Mammoth Muffin
The Restaurant Company of Minnesota	2,187,924	Morning Sunrise
The Restaurant Company of Minnesota	809,680	Perkins
The Restaurant Company of Minnesota	1,464,960	Perkins Family Restaurant Bakery in double oval
The Restaurant Company of Minnesota	1,403,560	Perkins Family Restaurant & Bakery in oval
The Restaurant Company of Minnesota	1,403,558	Perkins Family Restaurant and design
The Restaurant Company of Minnesota	1,203,149	Perkins in oval
The Restaurant Company of Minnesota	1,231,484	Perkins in script
The Restaurant Company of Minnesota	1,679,722	Perkins Promise
The Restaurant Company of Minnesota	2,490,366	Perkins Restaurant & Bakery
The Restaurant Company of Minnesota	2,492,247	Perkins Restaurant & Bakery in double oval
The Restaurant Company of Minnesota	2,755,671	Scoop. Bake. Sell. Repeat
The Restaurant Company of Minnesota	2,724,058	Simply Scoop
The Restaurant Company of Minnesota	1,897,634	Tremendous Twelve

Trademark Applications:

<b>OWNER</b>	<b>APPLICATION NUMBER</b>	<b>TRADEMARK</b>
The Restaurant Company of Minnesota	78452797	Bobby Brownie
The Restaurant Company of Minnesota	78452767	Jeff the Chef and his Bakery Buddies
The Restaurant Company of Minnesota	78452816	Kelly Cookie
The Restaurant Company of Minnesota	78452810	Marty Muffin
The Restaurant Company of Minnesota	78452786	Patty Pie