

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM530174

|                              |                          |
|------------------------------|--------------------------|
| <b>SUBMISSION TYPE:</b>      | NEW ASSIGNMENT           |
| <b>NATURE OF CONVEYANCE:</b> | NUNC PRO TUNC ASSIGNMENT |
| <b>EFFECTIVE DATE:</b>       | 06/30/2019               |

## CONVEYING PARTY DATA

| Name                      | Formerly | Execution Date | Entity Type         |
|---------------------------|----------|----------------|---------------------|
| Krystal Trademark Company |          | 06/30/2019     | Corporation: NEVADA |

## RECEIVING PARTY DATA

|                          |                        |
|--------------------------|------------------------|
| <b>Name:</b>             | The Krystal Company    |
| <b>Street Address:</b>   | 1455 Lincoln Parkway   |
| <b>Internal Address:</b> | Suite 600              |
| <b>City:</b>             | Dunwoody               |
| <b>State/Country:</b>    | GEORGIA                |
| <b>Postal Code:</b>      | 30346                  |
| <b>Entity Type:</b>      | Corporation: TENNESSEE |

## PROPERTY NUMBERS Total: 33

| Property Type        | Number  | Word Mark                   |
|----------------------|---------|-----------------------------|
| Registration Number: | 1330234 | KRYSTAL                     |
| Registration Number: | 1331146 | KRYSTAL                     |
| Registration Number: | 1330251 | KRYSTAL                     |
| Registration Number: | 1787005 | KRYSTAL                     |
| Registration Number: | 2120676 | KRYSTAL                     |
| Registration Number: | 1876821 | KRYSTAL                     |
| Registration Number: | 1943491 | KRYSTAL                     |
| Registration Number: | 2033261 | KRYSTAL                     |
| Registration Number: | 2013581 | KRYSTAL SUNRISER            |
| Registration Number: | 2305146 | KRYSTAL                     |
| Registration Number: | 2282541 | KRYSTAL                     |
| Registration Number: | 2232312 | KRYSTAL CHIK                |
| Registration Number: | 2281199 | KRYSTAL                     |
| Registration Number: | 2610061 | HASH BROWN KRYSPERS         |
| Registration Number: | 3257380 | TAKE ALONG A SACKFULL       |
| Registration Number: | 2670133 | LITTLE FOOD, BIG TASTE      |
| Registration Number: | 3243487 | KRYSTAL BREAKFAST SCRAMBLER |

CH \$840.00 1330234

| Property Type        | Number   | Word Mark                                |
|----------------------|----------|--|
| Registration Number: | 3197634  | KRYSTAL LOVERS                           |
| Registration Number: | 3971926  | KRYSTAL GAME TIME WINGS BEST WINGS IN TH |
| Registration Number: | 4205755  | CORN PUP                                 |
| Registration Number: | 4217196  | CHILI CHEESE PUP                         |
| Registration Number: | 4315726  | PLAIN PUP                                |
| Registration Number: | 4315727  | CHILI PUP                                |
| Registration Number: | 4205762  | CHIK                                     |
| Registration Number: | 4916524  | THE ROADIE 44 OUNCER                     |
| Registration Number: | 5032462  |  |
| Registration Number: | 4743522  |  |
| Registration Number: | 5041170  | SHUN THE HO-HUM                          |
| Registration Number: | 5199848  | KRYSTAL JUNKYARD FRIES                   |
| Serial Number:       | 88142894 | KRYSTAL                                  |
| Serial Number:       | 88142899 | KRYSTAL                                  |
| Registration Number: | 5756748  | KRYSTAL                                  |
| Serial Number:       | 88142907 | KRYSTAL                                  |

#### CORRESPONDENCE DATA

Fax Number:

*Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.*

Phone: 4048851500  
 Email: TMatlanta@seyfarth.com  
 Correspondent Name: Richard Rimer  
 Address Line 1: 1075 Peachtree Street  
 Address Line 2: Suite 2500  
 Address Line 4: Atlanta, GEORGIA 30309

|                         |               |
|-------------------------|---------------|
| ATTORNEY DOCKET NUMBER: | 010720003001  |
| NAME OF SUBMITTER:      | Richard Rimer |
| SIGNATURE:              | /frr/         |
| DATE SIGNED:            | 07/02/2019    |

**Total Attachments: 4**  
 source=NUNC Agreement#page1.tif  
 source=NUNC Agreement#page2.tif  
 source=NUNC Agreement#page3.tif  
 source=NUNC Agreement#page4.tif

## NUNC PRO TUNC ASSIGNMENT

THIS TRADEMARK AND INTELLECTUAL PROPERTY NUNC PRO TUNC ASSIGNMENT ("Assignment") is entered into as of June 30, 2019 (the "Effective Date") by and between Krystal Trademark Company, a Nevada corporation ("Assignor"), and The Krystal Company, a Tennessee corporation with a principal place of business of 1455 Lincoln Parkway, Suite 600, Dunwoody, GA, 30346 ("Assignee").

WHEREAS, Assignor was a wholly owned subsidiary of Assignee.

WHEREAS, as of June 19, 2019, Assignor voluntarily dissolved and this dissolution was accepted by the Nevada Secretary of State (the "Dissolution").

WHEREAS, by act of state law, any assets owned by Assignor are automatically distributed to Assignee (the "Distribution").

WHEREAS, as of the Dissolution, Assignor owned the trademarks identified on the attached Exhibit A (collectively, the "Marks").

NOW, THEREFORE, Assignor acknowledges the Distribution and hereby recognizes the conveyance, transfer and assignment to Assignee of all right, title and interest in and to the Marks, including, but not limited to, all common law rights and all registrations identified on Exhibit A, together with the goodwill of the business symbolized thereby.

Assignor further recognizes the assignment to Assignee of all rights to sue for and receive all damages occurring from past infringing uses of the Marks. Assignor agrees that at any time and from time to time after execution of this assignment, at the request of Assignee and without further consideration, Assignor will execute and deliver such other instruments and take such action as Assignee may reasonably request to transfer, convey and assign to Assignee, and to confirm Assignee's right, title and interest in and to the Marks and to assist Assignee in exercising all rights with respect to the Marks. Nothing in this assignment, express or implied, is intended or will be construed to confer upon, or give to, any person or entity, other than the parties to this assignment, any rights, remedies, obligations or liabilities.



This assignment will bind and inure to Assignee and Assignor and their respective successors and assigns. This assignment may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same.



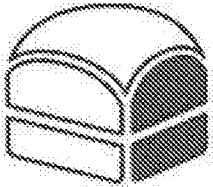
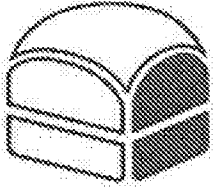
IN WITNESS WHEREOF, Assignor has duly executed this Assignment as of the date first above written.

KRYSTAL TRADEMARK COMPANY

By: Berry Epley  
Name: Berry Epley  
Title: Chief Financial Officer

Exhibit "A"

| Trademark   | Application No. | Registration No. |
|---|-----------------|------------------|
| KRYSTAL   | 73490050        | 1330234          |
|  | 73491385        | 1331146          |
|  | 73491387        | 1330251          |
| KRYSTAL   | 74337580        | 1787005          |
| KRYSTAL   | 74484253        | 2120676          |
| KRYSTAL   | 74484271        | 1876821          |
| KRYSTAL   | 74516536        | 1943491          |
| KRYSTAL   | 74516549        | 2033261          |
| KRYSTAL SUNRISER  | 75005549        | 2013581          |
| KRYSTAL   | 75347993        | 2305146          |
| KRYSTAL   | 75352556        | 2282541          |
| KRYSTAL CHIK  | 75458107        | 2232312          |
| KRYSTAL   | 75510205        | 2281199          |
| HASH BROWN KRYSPERS   | 75563773        | 2610061          |
| TAKE ALONG A SACKFULL   | 75710783        | 3257380          |
| LITTLE FOOD, BIG TASTE  | 76286901        | 2670133          |
| KRYSTAL BREAKFAST SCRAMBLER   | 78266532        | 3243487          |
| KRYSTAL LOVERS  | 78690927        | 3197634          |

| Trademark   | Application No. | Registration No. |
|---|-----------------|------------------|
|    | 85077131        | 3971926          |
| CORN PUP  | 85536127        | 4205755          |
| CHILI CHEESE PUP  | 85536153        | 4217196          |
| PLAIN PUP   | 85536195        | 4315726          |
| CHILI PUP   | 85536231        | 4315727          |
| CHIK  | 85536255        | 4205762          |
|   | 86322773        | 4916524          |
|  | 86419132        | 5032462          |
|  | 86419147        | 4743522          |
| SHUN THE HO-HUM   | 86932967        | 5041170          |
| KRYSTAL JUNKYARD FRIES  | 87196450        | 5199848          |

| Trademark      | Application No. | Registration No. |
|----------------|-----------------|------------------|
| <i>Krystal</i> | 88142894        |                  |
| <i>Krystal</i> | 88142899        |                  |
| KRYSTAL        | 88142904        | 5756748          |
| <i>Krystal</i> | 88142907        |                  |