

Form PTO-1595 (Rev. 07/05)  
OMB No. 0651-0027 (exp. 6/30/2008)

U.S. DEPARTMENT OF COMMERCE  
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### RECORDATION FORM COVER SHEET PATENTS ONLY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

**1. Name of conveying party(ies)**  
STEAK N SHAKE OPERATIONS, INC.  
  
Additional name(s) of conveying party(ies) attached?  Yes  No

**2. Name and address of receiving party(ies)**  
Name: Steak N Shake, LLC  
Internal Address: 500 Century Building  
  
Street Address: 36 South Pennsylvania Street  
  
City: Indianapolis  
State: Indiana  
Country: U.S.A. Zip: 46204  
  
Additional name(s) & address(es) attached?  Yes  No

**3. Nature of conveyance/Execution Date(s):**  
Execution Date(s) December 22, 2005  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Joint Research Agreement  
 Government Interest Assignment  
 Executive Order 9424, Confirmatory License  
 Other \_\_\_\_\_

**4. Application or patent number(s):**  This document is being filed together with a new application.  
A. Patent Application No.(s)  
B. Patent No.(s)  
D428,307  
  
Additional numbers attached?  Yes  No

**6. Total number of applications and patents involved:** 1

**5. Name and address to whom correspondence concerning document should be mailed:**  
Name: Gregory B. Coy, Esq.  
Internal Address: Krieg Devault LLP  
  
Street Address: One Indiana Square, Suite 2800  
  
City: Indianapolis  
State: Indiana Zip: 46204  
  
Phone Number: 317-636-4341  
Fax Number: 317-636-1507  
Email Address: gcoy@kdlegal.com

**7. Total fee (37 CFR 1.21(h) & 3.41)** \$ 40.00  
 Authorized to be charged by credit card  
 Authorized to be charged to deposit account  
 Enclosed  
 None required (government interest not affecting title)

**8. Payment Information**  
a. Credit Card Last 4 Numbers 1013  
Expiration Date 04/09  
  
b. Deposit Account Number \_\_\_\_\_  
Authorized User Name \_\_\_\_\_

**9. Signature:**  March 28, 2006  
Signature Date

\_\_\_\_\_  
Name of Person Signing  
Total number of pages including cover sheet, attachments, and documents: 2

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

OP \$40.00 D428307

**PATENT ASSIGNMENT**

Whereas **STEAK N SHAKE OPERATIONS, INC.**, a corporation organized under the laws of the State of Indiana, with its principal offices at 500 Century Building, 36 South Pennsylvania Street, Indianapolis, Indiana 46204 (hereinafter "Assignor"), is the owner of United States Patent No. Des. 428,307 entitled "PLASTIC CUP," issued July 18, 2000, (hereafter "the Patent") and the one or more inventions set forth therein (hereafter "the Invention"); and

Whereas **STEAK N SHAKE, LLC**, a limited liability company organized under the laws of the State of Indiana, with its principal offices at 500 Century Building, 36 South Pennsylvania Street, Indianapolis, Indiana 46204 (hereinafter "Assignee"), is desirous of acquiring the Patent and the Invention;

NOW, THEREFORE, to all whom it may concern, be it known that for and in consideration of the sum of One Dollar (\$1.00) and other good, valuable and sufficient considerations to Assignor in hand paid, the receipt of which is hereby acknowledged, Assignor has sold, assigned and transferred, and by these presents does sell, assign and transfer unto Assignee, all of the entire right, title, and interest in, to and under the Patent and the Invention disclosed, described and claimed or intended so to be in the Patent.

WITNESS Assignor's hand this 22<sup>nd</sup> day of December, 2005.

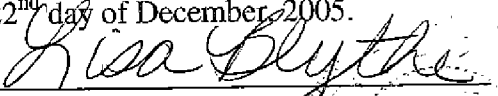
STEAK N SHAKE OPERATIONS, INC.  
("Assignor")

By:   
David C. Milne, Corporate Secretary

STATE OF INDIANA        )  
                                  )ss:  
COUNTY OF MARION     )

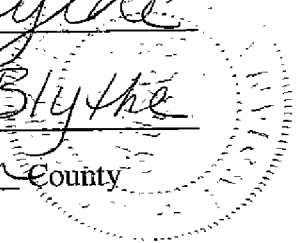
Before me, a Notary Public, in and for said County and State, personally appeared David C. Milne, who, being first duly sworn upon his oath, acknowledged the execution of the foregoing "Patent Assignment" as his voluntary act and deed.

WITNESS my hand and Notarial Seal this 22<sup>nd</sup> day of December, 2005.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 3/3/07

Printed: Lisa Blythe  
Resident of Johnson county



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