

11/26/03

11-26-2003

Form PTO-1594
(Rev. 03/01)
OMB No. 0651-0027 (exp. 5/31/2002)
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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):

The Bank of New York

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

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

2. Name and address of receiving party(ies)

Name: Majestic Investor Holdings, LLC

Internal Address: _____

Street Address: 301 Fremont Street, 12th Floor

City: Las Vegas State: NV Zip: 89101

- Individual(s) citizenship _____
- Association _____
- General Partnership _____
- Limited Partnership _____
- Corporation-State _____
- Other Limited Liability Company

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

Execution Date: October 7, 2003

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

A. Trademark Application No.(s) SEE ATTACHED

B. Trademark Registration No.(s) SEE ATTACHED

Additional number(s) attached Yes No

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

Name: Jennifer B. Hildebrandt, Esq.

Internal Address: _____

Paul, Hastings, Janofsky & Walker LLP

Street Address: 515 So. Flower Street

City: Los Angeles State: CA Zip: 90071

6. Total number of applications and registrations involved: _____

57

7. Total fee (37 CFR 3.41).....\$ 1,440.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

16-0752

DO NOT USE THIS SPACE

9. Signature.

Jennifer B. Hildebrandt, Esq.

Name of Person Signing

Jennifer B. Hildebrandt
Signature

November 25, 2003

Date

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

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

11/28/2003 570611 00000008 1844811

01 FC:0521 40.00 OP
02 FC:0522 1400.00 OP

TRADEMARK
REEL: 002870 FRAME: 0925

**Supplemental page to Trademark Recordation Sheet for
- The Bank of New York**

2. Additional name(s) & address(es) of receiving party(ies)

Names	Addresses
The Majestic Investor Capital Corp.	301 Fremont Street, 12th Floor Las Vegas, NV 89101
Barden Colorado Gaming, LLC	301 Fremont Street, 12th Floor Las Vegas, NV 89101
Barden Mississippi Gaming, LLC	301 Fremont Street, 12th Floor Las Vegas, NV 89101
Barden Nevada Gaming, LLC	301 Fremont Street, 12th Floor Las Vegas, NV 89101

<u>Mark</u>	<u>Registration No.</u>	<u>Owner</u>	<u>International Class(es)</u>
A Buffet Experience	1844811	Fitzgeralds Gaming Corporation	41
A Reel Experience	1839672	Fitzgeralds Gaming Corporation	41
A Tantalizing Experience	1856029	Fitzgeralds Gaming Corporation	41
Bigger Winners, More Often	1608541	Fitzgeralds Gaming Corporation	41
C'mon Get Lucky	1708808	Fitzgeralds Gaming Corporation	41
C'mon ... Get Reel Lucky!	2225989	Fitzgeralds Gaming Corporation	41
Certified Loose	1579526	Fitzgeralds Gaming Corporation	41
Downtown's Fun Experience	1844810	Fitzgeralds Gaming Corporation	41
Fitz	1579525	Fitzgeralds Gaming Corporation	41
Fitz	1639303	Fitzgeralds Gaming Corporation	42
Fitzgeralds	1599960	Fitzgeralds Gaming Corporation	41
Fitzgeralds	1616178	Fitzgeralds Gaming Corporation	42
Fitzgeralds (and Design)	1677084	Fitzgeralds Gaming Corporation	41
Fitzgeralds (and Design)	1676148	Fitzgeralds Gaming Corporation	41
Fitzgeralds (and Design)	1677129	Fitzgeralds Gaming Corporation	42
Fitzgeralds (and Design)	1682272	Fitzgeralds Gaming Corporation	42
Four Leaf Clover (Design Only)	1646327	Fitzgeralds Gaming Corporation	41
Four Leaf Clover (Design Only)	1648428	Fitzgeralds Gaming Corporation	42
Get Reel Lucky	1949064	Fitzgeralds Gaming Corporation	41
Leprechaun (Design Only)	1650374	Fitzgeralds Gaming Corporation	41
Luck Ness Monster (and Design)	1957710	Fitzgeralds Gaming Corporation	41
Lucky Forest	1580679	Fitzgeralds Gaming Corporation	41
Lucky Lane	1593515	Fitzgeralds Gaming Corporation	41
Lucky Lighting	1973719	Fitzgeralds Gaming Corporation	41
Lucky Streak	1593516	Fitzgeralds Gaming Corporation	41
O' Lucky	1586170	Fitzgeralds Gaming Corporation	41
Play Now... Rewards in Minutes	2218827	Fitzgeralds Gaming Corporation	41
Rewards in Minutes	2218902	Fitzgeralds Gaming Corporation	41
Shamrock Café	2070160	Fitzgeralds Gaming Corporation	42
Vincenzo's Italian Café (and Design)	2165320	Fitzgeralds Gaming Corporation	42
We're Committed to Make You Lucky	1580673	Fitzgeralds Gaming Corporation	41
Where Downtown Begins	1839677	Fitzgeralds Gaming Corporation	41
Where the Experience Begins!	2000068	Fitzgeralds Gaming Corporation	41
Where the Luck of the Irish Means More Winners!	1976599	Fitzgeralds Gaming Corporation	41
A Tasty Experience	1972410	Fitzgeralds Las Vegas Limited Partnership	41
Capture the Luck of the Irish	1924190	Fitzgeralds Las Vegas Limited Partnership	41
Fitzgeralds Loves Keno Players	1886380	Fitzgeralds Las Vegas Limited Partnership	41
Have a Lucky Day!	1930683	Fitzgeralds Las Vegas Limited Partnership	41
Luck Available	1875634	Fitzgeralds Las Vegas Limited Partnership	41
Luck Be With You	1876995	Fitzgeralds Las Vegas Limited Partnership	41
Lucky 4	1927525	Fitzgeralds Las Vegas Limited Partnership	9
Lucky Bar	1871732	Fitzgeralds Las Vegas Limited Partnership	42
Monster Hand Craps (and Design)	1955989	Fitzgeralds Las Vegas Limited Partnership	41
Our Guests Come First	1882571	Fitzgeralds Las Vegas Limited Partnership	41, 42
Pot O'Gold	2012515	Fitzgeralds Las Vegas Limited Partnership	41
Pot O'Gold A-K \$1000 Blackjack (and Design)	1952801	Fitzgeralds Las Vegas Limited Partnership	41
Strike It Lucky	1941739	Fitzgeralds Las Vegas Partnership	41
The Luck of the Irish Comes to the Mississippi	1947419	Fitzgeralds Las Vegas Limited Partnership	41
World Headquarter for Luck	1726385	Fitzgeralds Las Vegas Limited Partnership	41
You Are in Luck	1875635	Fitzgeralds Las Vegas Limited Partnership	41
Your Fun Experience	1875636	Fitzgeralds Las Vegas Limited Partnership	41
F (and Design)	1645579	Fitzgeralds Reno, Inc.	41
Mollys	1628725	Fitzgeralds Reno, Inc.	42
Luck is Always Smilin'	2510727		
F (and design)	78056505		

MAJESTIC STAR

2,157,290

Service Mark Application

THE MAJESTIC STAR CASINO M (and design) 75/052416

RELEASE OF SECURITY INTEREST IN TRADEMARKS

This Release of Security Interest in Trademarks (“**Release**”) is dated as of October 7, 2003. Reference is hereby made to the Trademark Security Agreement dated as of December 6, 2001 by and among Majestic Investor Holdings, LLC, The Majestic Investor Capital Corp., Barden Colorado Gaming, LLC, Barden Mississippi Gaming, LLC, Barden Nevada Gaming, LLC (collectively, the “**Assignor**”) and The Bank of New York, as collateral agent (the “**Assignee**”).

Assignee hereby notifies, acknowledges to and agrees with Assignor that the security interest granted by Assignor in the collateral set forth in the Grant (the “**Trademark Collateral**”) including, without limitation, the security interest granted in the Trademarks listed on the attached Schedule A, is terminated and released, and that Assignee hereby releases and forever discharges all of its right, title and interest of any kind or nature granted, assigned or conveyed pursuant to the Grant in the Trademark Collateral.

Assignee hereby releases all of its liens, pledges, security interests, charges and other encumbrances of whatever nature (collectively, “**Encumbrances**”) against Assignor including, without limitation, those Encumbrances created under or in connection with the Grant.

Assignee hereby agrees to take such further actions and to execute and deliver such further documents as Assignor may reasonably request to effect and evidence this Release, including, without limitation, the execution and delivery of any filings, statements, amendments, recordations or other instruments required to maintain the applications or registrations of the Trademark Collateral and record the chain of title accordingly with the United States Patent and Trademark Office, subject, in each case to Assignor’s prior payment in full to Assignee of its costs and expenses (including reasonable fees and disbursements of counsel) incurred in connection therewith; provided, however, that Assignee shall not be required to take any action which exposes Assignee to personal liability or which is contrary to applicable law.

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IN WITNESS WHEREOF, Assignee has caused this Release of Security Interest in Trademarks to be duly executed and delivered by its duly authorized officer as of the date first above written.

THE BANK OF NEW YORK, as Assignee

By: *Robert A. Marshall*
Title: _____

VICE PRESIDENT
AND
TREASURER

[Signature page to Release of Trademark Security Interest]

**SCHEDULE A
TO
RELEASE OF SECURITY INTEREST OF TRADEMARKS**

Service Marks

<u>Servicemark</u>	<u>Date of Registration</u>	<u>Registration No.</u>
MAJESTIC STAR	May 12, 1998	2,157,290

Trademark and Service Mark Applications

None, except:

<u>Servicemark</u>	<u>Application Date</u>	<u>Serial No.</u>
THE MAJESTIC STAR CASINO M (and design)	2/1/96	75/052416

Federally Registered Trade/Service Marks

<u>Mark</u>	<u>Registration No.</u>	<u>Owner</u>	<u>International Class(es)</u>
A Buffet Experience	1844811	Fitzgeralds Gaming Corporation	41
A Reel Experience	1839672	Fitzgeralds Gaming Corporation	41
A Tantalizing Experience	1856029	Fitzgeralds Gaming- Corporation	41
Bigger Winners, More Often	1608541	Fitzgeralds Gaming Corporation	41
C'mon Get Lucky	1708808	Fitzgeralds Gaming Corporation	41
C'mon ... Get Reel Lucky!	2225989	Fitzgeralds Gaming Corporation	41
Certified Loose	1579526	Fitzgeralds Gaming Corporation	41
Downtown's Fun Experience	1844810	Fitzgeralds Gaming Corporation	41
Fitz	1579525	Fitzgeralds Gaming Corporation	41
Fitz	1639303	Fitzgeralds Gaming Corporation	42
Fitzgeralds	1599960	Fitzgeralds Gaming Corporation	41
Fitzgeralds	1616178	Fitzgeralds Gaming Corporation	42
Fitzgeralds (and Design)	1677084	Fitzgeralds Gaming Corporation	41
Fitzgeralds (and Design)	1676148	Fitzgeralds Gaming Corporation	41
Fitzgeralds (and Design)	1677129	Fitzgeralds Gaming Corporation	42
Fitzgeralds (and Design)	1682272	Fitzgeralds Gaming Corporation	42
Four Leaf Clover (Design Only)	1646327	Fitzgeralds Gaming Corporation	41
Four Leaf Clover (Design Only)	1648428	Fitzgeralds Gaming Corporation	42
Get Reel Lucky	1949064	Fitzgeralds Gaming Corporation	41
Leprechaun (Design Only)	1650374	Fitzgeralds Gaming Corporation	41
Luck Ness Monster (and Design)	1957710	Fitzgeralds Gaming Corporation	41
Lucky Forest	1580679	Fitzgeralds Gaming Corporation	41
Lucky Lane	1593515	Fitzgeralds Gaming Corporation	41
Lucky Lightning	1973719	Fitzgeralds Gaming Corporation	41
Lucky Streak	1593516	Fitzgeralds Gaming Corporation	41
O'Lucky	1586170	Fitzgeralds Gaming Corporation	41
Play Now... Rewards in Minutes	2218827	Fitzgeralds Gaming Corporation	41
Rewards in Minutes	2218902	Fitzgeralds Gaming Corporation	41
Shamrock Café	2070160	Fitzgeralds Gaming Corporation	42
Vincenzo's Italian Café (and Design)	2165320	Fitzgeralds Gaming Corporation	42
We're Committed to Make You Lucky	1580673	Fitzgeralds Gaming Corporation	41
Where Downtown Begins	1839677	Fitzgeralds Gaming Corporation	41
Where the Experience Begins!	2000068	Fitzgeralds Gaming Corporation	41
Where the Luck of the Irish Means More Winners!	1976599	Fitzgeralds Gaming Corporation	41
A Tasty Experience	1972410	Fitzgeralds Las Vegas Limited Partnership	41
Capture the Luck of the Irish	1924190	Fitzgeralds Las Vegas Limited Partnership	41
Fitzgeralds Loves Keno Players	1886380	Fitzgeralds Las Vegas Limited Partnership	41
Have a Lucky Day!	1930683	Fitzgeralds Las Vegas Limited Partnership	41
Luck Available	1875634	Fitzgeralds Las Vegas Limited Partnership	41
Luck Be With You	1876995	Fitzgeralds Las Vegas Limited Partnership	41
Lucky 4	1927525	Fitzgeralds Las Vegas Limited Partnership	9
Lucky Bar	1871732	Fitzgeralds Las Vegas Limited Partnership	42
Monster Hand Craps (and Design)	1955989	Fitzgeralds Las Vegas Limited Partnership	41
Our Guests Come First	1882571	Fitzgeralds Las Vegas Limited Partnership	41, 42
Pot O'Gold	2012515	Fitzgeralds Las Vegas Limited Partnership	41
Pot O'Gold A K \$1000 Blackjack (and Design)	1952801	Fitzgeralds Las Vegas Limited Partnership	41
Strike It Lucky	1941739	Fitzgeralds Las Vegas Partnership	41

<u>Mark</u>	<u>Registration No.</u>	<u>Owner</u>	<u>International Class(es)</u>
The Luck of the Irish Comes to the Mississippi	1947419	Fitzgeralds Las Vegas Limited Partnership	41
World Headquarter for Luck	1726385	Fitzgeralds Las Vegas Limited Partnership	41
You Are in Luck	1875635	Fitzgeralds Las Vegas Limited Partnership	41
Your Fun Experience	1875636	Fitzgeralds Las Vegas Limited Partnership	41
F (and Design)	1645579	Fitzgeralds Reno, Inc.	41
Mollys	1628725	Fitzgeralds Reno, Inc.	42
Luck is Always Smilin'	2510727		
F (and design)	78056505		

Canceled and Abandoned Federal Trade/Service Marks

<u>Mark</u>	<u>Serial No.</u>	<u>Owner</u>	<u>International Class(es)</u>	<u>Status</u>
Your Lucky Place to Play	75407322	Fitzgeralds Gaming Corporation	41	Abandoned
Lucky 4 Draw Poker	74462590	Fitzgeralds Las Vegas Limited Partnership	41	Abandoned
Lucky Brew	74513414	Fitzgeralds Las Vegas Limited Partnership	42	Abandoned
Cassidy's Steakhouse	73820329	Fitzgeralds Las Vegas, Inc.	42	Abandoned
Heaping Platter Specials	73816065	Fitzgeralds Las Vegas, Inc.	30	Abandoned
King's Platter	73816067	Fitzgeralds Las Vegas, Inc.	30	Abandoned
King's Platter	73816066	Fitzgeralds Las Vegas, Inc.	42	Abandoned
Queen's Platter	73816061	Fitzgeralds Las Vegas, Inc.	30	Abandoned
F (and Design)	74025216	Fitzgeralds Reno, Inc.	41	Abandoned
F (and Design)	74025207	Fitzgeralds Reno, Inc.	41	Cancelled
F (and Design)	74025217	Fitzgeralds Reno, Inc.	42	Abandoned
Fitzgeralds Loves Keno Players	74479467	Fitzgeralds Reno, Inc.	41	Abandoned
Fort Smith	73823260	Fitzgeralds Reno, Inc.	41	Cancelled
Nickelmania	73798654	Fitzgeralds Reno, Inc.	41	Cancelled
Presidential Car	74004132	Fitzgeralds Reno, Inc.	42	Cancelled
Red Dog (and Design)	74025205	Fitzgeralds Reno, Inc.	41	Abandoned
Roaring Camp	73808682	Fitzgeralds Reno, Inc.	41	Cancelled
Your Luck Starts Here	73805769	Fitzgeralds Reno, Inc.	41	Cancelled
Quarteropolis	74004131	Nevada Club, Inc.	41	Cancelled
A Friendly Experience	1839674	Fitzgeralds Las Vegas Limited Partnership		Cancelled
A Rewarding Experience	1839673	Fitzgeralds Las Vegas Limited Partnership		Cancelled

State Registered Trademarks

<u>Mark</u>	<u>State</u>	<u>Filing No.</u>	<u>Owner</u>	<u>International Class(es)</u>	<u>Status</u>
Jackpot Blackjack (and Design)	NV	Book 24 Page 490	Fitzgeralds Las Vegas Limited	41	Registered
Mr. O'Lucky	NV	Book 22 Page 922	Fitzgeralds Las Vegas, Inc.	41	Registered
Rainbow's End	NV	Book 23 Page 882	Fitzgeralds Las Vegas, Inc.	41	Registered
Lucky Lane	NV	Book 22 Page 972	Fitzgeralds Reno, Inc.	41	Registered
Lucky Streak	NV	Book 22 Page 973	Fitzgeralds Reno, Inc.	41	Registered
Mollys	NV	Book 22 Page 966	Fitzgeralds Reno, Inc.	42	Registered
Super Spin	NV	Book 24 Page 178	Fitzgeralds Reno, Inc.	41	Registered
F (and Design)	NV	Book 20 Page 403	Lincoln Management Company, Inc.	42, 41, 35	Registered
F (and Design)	NV	Book 20 Page 402	Lincoln Management Company, Inc.	42, 41, 30 32, 16, 35	Registered
F (and Design)	NV	Book 20 Page 407	Lincoln Management Company, Inc.	42, 41, 35	Registered
F (and Design)	NV	Book 20 Page 406	Lincoln Management Company, Inc.	42, 35	Registered
Fitzgeralds	NV	Book 20 Page 398	Lincoln Management Company, Inc.	42	Registered
Fitzgeralds Reno Casino/Hotel	NV	Book 20 Page 396	Lincoln Management Company, Inc.	42	Registered
Four Leaf Clover (Design Only)	NV	Book 20 Page 404	Lincoln Management Company, Inc.	42, 35	Registered
Four Leaf Clover (Design Only)	NV	Book 20 Page 405	Lincoln Management Company, Inc.	35, 42	Registered
The Fitz	NV	Book 20 Page 401	Lincoln Management Company, Inc.	42, 41, 35	Registered
The Fitz	NV	Book 20 Page 399	Lincoln Management Company, Inc.	42, 35	Registered
King's Platter	NV	Book 22 Page 923	Fitzgeralds Las Vegas, Inc.	42	Expired
Queen's Platter	NV	Book 22 Page 926	Fitzgeralds Las Vegas, Inc.	29, 30, 31	Expired
Queen's Platter	NV	Book 22 Page 925	Fitzgeralds Las Vegas, Inc.	42	Expired
Bigger Winners, More Often	NV	Book 22 Page 725	Fitzgeralds Reno, Inc.	42, 41	Expired
Certified Loose	NV	Book 22 Page 639	Fitzgeralds Reno, Inc.	41	Expired
Fitzgeralds	NV	Book 22 Page 726	Fitzgeralds Reno, Inc.	42, 41	Expired
Fort Smith	NV	Book 22 Page 927	Fitzgeralds Reno, Inc.	41	Expired
Lucky Forest	NV	Book 22 Page 638	Fitzgeralds Reno, Inc.	41, 42	Expired
Nevada Annies	NV	Book 23 Page 750	Fitzgeralds Reno, Inc.	42	Expired

<u>Mark</u>	<u>State</u>	<u>Filing No.</u>	<u>Owner</u>	<u>International Class(es)</u>	<u>Status</u>
Roaring Camp	NV	Book 22 Page 794	Fitzgeralds Reno, Inc.	42, 41	Expired
Team Watch	NV	Book 23 Page 750	Fitzgeralds Reno, Inc.	35	Expired
We're Committed to Make You Lucky	NV	Book 22 Page 636	Fitzgeralds Reno, Inc.	41	Expired
Your Luck Starts Here	NV	Book 22 Page 637	Fitzgeralds Reno, Inc.	41	Expired
Cassidy's Steakhouse	NV	Book 22 Page 824	Fremont and Third Limited Partnership	42	Expired
Heaping Platter Specials	NV	Book 22 Page 711	Fremont and Third Limited Partnership	42	Expired
Heaping Platter Specials	NV	Book 22 Page 710	Fremont and Third Limited Partnership	29, 30, 42	Expired
Crazy Harry's	NV	Book 19 Page 223	Hughes Properties, Inc. db Harold's Club	42	Expired
Red Dog	NV	Book 19 Page 652	Lincoln Management Company, Inc.	28, 41	Expired