

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

|                              |   |
|------------------------------|---|
| <b>SUBMISSION TYPE:</b>      | CORRECTIVE ASSIGNMENT   |
| <b>NATURE OF CONVEYANCE:</b> | Corrective Assignment to correct the erroneous reference on Exhibit A to trademark 1326806. The trademark reference has been corrected to Jake's - 1328806. previously recorded on Reel 002902 Frame 0511. Assignor(s) hereby confirms the Termination and Release of Trademark Security Agreement. |

**CONVEYING PARTY DATA**

| Name   | Formerly | Execution Date | Entity Type                                 |
|--|----------|----------------|---|
| Bank of America (as successor by merger to Fleet National Bank), as Administrative Agent |          | 07/26/2004     | National Banking Association: UNITED STATES |

**RECEIVING PARTY DATA**

|                        |                                       |
|------------------------|---------------------------------------|
| <b>Name:</b>           | McCormick & Schmick Acquisition Corp. |
| <b>Street Address:</b> | 720 S.W. Washington, Suite 550        |
| <b>City:</b>           | Portland                              |
| <b>State/Country:</b>  | OREGON                                |
| <b>Postal Code:</b>    | 97205                                 |
| <b>Entity Type:</b>    | CORPORATION: DELAWARE                 |

|                        |                                      |
|------------------------|--------------------------------------|
| <b>Name:</b>           | McCormick & Schmick Restaurant Corp. |
| <b>Street Address:</b> | 720 S.W. Washington, Suite 550       |
| <b>City:</b>           | Portland                             |
| <b>State/Country:</b>  | OREGON                               |
| <b>Postal Code:</b>    | 97205                                |
| <b>Entity Type:</b>    | CORPORATION: DELAWARE                |

|                        |   |
|------------------------|---|
| <b>Name:</b>           | McCormick & Schmick Maryland Liquor, Inc. |
| <b>Street Address:</b> | 720 S.W. Washington, Suite 550            |
| <b>City:</b>           | Portland                                  |
| <b>State/Country:</b>  | MASSACHUSETTS                             |
| <b>Postal Code:</b>    | 97205                                     |
| <b>Entity Type:</b>    | CORPORATION: MARYLAND                     |

|              |   |
|--------------|---|
| <b>Name:</b> | McCormick & Schmick Acquisition I Texas, Inc. |
|              |   |

OP \$65.00 1326806

|                 |                                |
|-----------------|--------------------------------|
| Street Address: | 720 S.W. Washington, Suite 550 |
| City:           | Portland                       |
| State/Country:  | OREGON                         |
| Postal Code:    | 97205                          |
| Entity Type:    | CORPORATION: TEXAS             |

|                 |                                    |
|-----------------|------------------------------------|
| Name:           | McCormick & Schmick II Texas, Inc. |
| Street Address: | 720 S.W. Washington, Suite 550     |
| City:           | Portland                           |
| State/Country:  | OREGON                             |
| Postal Code:    | 97205                              |
| Entity Type:    | CORPORATION: DELAWARE              |

|                 |  |
|-----------------|--|
| Name:           | McCormick & Schmick Acquisition Texas LP |
| Street Address: | 720 S.W. Washington, Suite 550           |
| City:           | Portland                                 |
| State/Country:  | OREGON                                   |
| Postal Code:    | 97205                                    |
| Entity Type:    | LIMITED PARTNERSHIP:                     |

|                 |   |
|-----------------|---|
| Name:           | McCormick & Schmick Acquisition III Texas, Inc. |
| Street Address: | 720 S.W. Washington, Suite 550                  |
| City:           | Portland  |
| State/Country:  | OREGON  |
| Postal Code:    | 97205   |
| Entity Type:    | CORPORATION: TEXAS                              |

|                 |                                       |
|-----------------|---------------------------------------|
| Name:           | McCormick & Schmick's Atlanta II, LLC |
| Street Address: | 720 S.W. Washington, Suite 550        |
| City:           | Portland                              |
| State/Country:  | OREGON                                |
| Postal Code:    | 97205                                 |
| Entity Type:    | LIMITED LIABILITY COMPANY: DELAWARE   |

|                 |                                     |
|-----------------|-------------------------------------|
| Name:           | McCormick & Schmick Hackensack, LLC |
| Street Address: | 720 S.W. Washington, Suite 550      |
| City:           | Portland                            |
| State/Country:  | OREGON                              |
| Postal Code:    | 97205                               |
| Entity Type:    | LIMITED LIABILITY COMPANY: DELAWARE |

|                 |                                     |
|-----------------|-------------------------------------|
| Name:           | McCormick & Schmick Orlando, LLC    |
| Street Address: | 720 S.W. Washington, Suite 550      |
| City:           | Portland                            |
| State/Country:  | OREGON                              |
| Postal Code:    | 97205                               |
| Entity Type:    | LIMITED LIABILITY COMPANY: DELAWARE |

|                 |                                |
|-----------------|--------------------------------|
| Name:           | McCormick & Schmick Dallas, LP |
| Street Address: | 720 S.W. Washington, Suite 550 |
| City:           | Portland                       |
| State/Country:  | OREGON                         |
| Postal Code:    | 97205                          |
| Entity Type:    | LIMITED PARTNERSHIP: TEXAS     |

|                 |   |
|-----------------|---|
| Name:           | McCormick & Schmick Dallas Liquor, Inc. |
| Street Address: | 720 S.W. Washington, Suite 550          |
| City:           | Portland                                |
| State/Country:  | OREGON                                  |
| Postal Code:    | 97205                                   |
| Entity Type:    | CORPORATION: TEXAS                      |

|                 |                                |
|-----------------|--------------------------------|
| Name:           | McCormick & Schmick Austin, LP |
| Street Address: | 720 S.W. Washington, Suite 550 |
| City:           | Portland                       |
| State/Country:  | OREGON                         |
| Postal Code:    | 97205                          |
| Entity Type:    | LIMITED PARTNERSHIP: TEXAS     |

|                 |   |
|-----------------|---|
| Name:           | McCormick & Schmick Austin Liquor, Inc. |
| Street Address: | 720 S.W. Washington, Suite 550          |
| City:           | Portland                                |
| State/Country:  | OREGON                                  |
| Postal Code:    | 97205                                   |
| Entity Type:    | CORPORATION: TEXAS                      |

PROPERTY NUMBERS Total: 2

| Property Type        | Number  | Word Mark |
|----------------------|---------|-----------|
| Registration Number: | 1326806 | WATERFLEX |
|                      |         |           |

Registration Number:

1328806

JAKE'S

**CORRESPONDENCE DATA**

Fax Number: (617)951-8736

*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*

Phone: 617-951-8464

Email: paula.mazzeo@bingham.com

Correspondent Name: Paula A. Mazzeo

Address Line 1: 150 Federal Street

Address Line 2: c/o Bingham McCutchen LLP

Address Line 4: Boston, MASSACHUSETTS 02110

NAME OF SUBMITTER:

Paula A. Mazzeo

Signature:

/PAMazzeo/

Date:

02/07/2008

**Total Attachments: 10**

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**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



\*700101847A\*

JULY 29, 2004

PTAS

BINGHAM MCCUTCHEM LLP  
JULIE TAMBURIO  
150 FEDERAL STREET  
BOSTON, MA 02110

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/26/2004

REEL/FRAME: 002902/0511  
NUMBER OF PAGES: 7

BRIEF: TERMINATION AND RELEASE OF TRADEMARK SECURITY AGREEMENT

ASSIGNOR:

FLEET NATIONAL BANK, AS  
ADMINISTRATIVE AGENT

DOC DATE: 07/23/2004  
CITIZENSHIP:  
ENTITY: ASSOCIATION

ASSIGNEE:

MCCORMICK & SCHMICK ACQUISITION  
CORP.  
720 S.W. WASHINGTON, SUITE 550  
PORTLAND, OREGON 97205

CITIZENSHIP: DELAWARE  
ENTITY: CORPORATION

ASSIGNEE:

MCCORMICK & SCHMICK RESTAURANT  
CORP.  
720 S.W. WASHINGTON, SUITE 550  
PORTLAND, OREGON 97205

CITIZENSHIP: DELAWARE  
ENTITY: CORPORATION

**TRADEMARK**  
**REEL: 003714 FRAME: 0820**

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## ASSIGNEE:

MCCORMICK & SCHMICK MARYLAND  
LIQUOR, INC.  
720 S.W. WASHINGTON, SUITE 550  
PORTLAND, OREGON 97205

CITIZENSHIP: MARYLAND  
ENTITY: CORPORATION

## ASSIGNEE:

MCCORMICK & SCHMICK ACQUISTION I  
TEXAS, INC.  
720 S.W. WASHINGTON, SUITE 550  
PORTLAND, OREGON 97205

CITIZENSHIP: TEXAS  
ENTITY: CORPORATION

## ASSIGNEE:

MCCORMICK & SCHMICK II TEXAS, INC.  
720 S.W. WASHINGTON, SUITE 550  
PORTLAND, OREGON 97205

CITIZENSHIP: DELAWARE  
ENTITY: CORPORATION

## ASSIGNEE:

MCCORMICK & SCHMICK ACQUISITION  
TEXAS LP  
720 S.W. WASHINGTON, SUITE 550  
PORTLAND, OREGON 97205

CITIZENSHIP:  
ENTITY: A TEXAS LIMITED PARTNERSHIP

## ASSIGNEE:

MCCORMICK & SCHMICK ACQUISITION  
III TEXAS, INC.  
720 S.W. WASHINGTON, SUITE 550  
PORTLAND, OREGON 97205

CITIZENSHIP: TEXAS  
ENTITY: CORPORATION

## ASSIGNEE:

MCCORMICK & SCHMICK'S ATLANTA II,  
LLC  
720 S.W. WASHINGTON, SUITE 550  
PORTLAND, OREGON 97205

CITIZENSHIP:  
ENTITY: A DELAWARE LIMITED LIABILITY  
COMPANY

## ASSIGNEE:

MCCORMICK & SCHMICK'S HACKENSACK,  
LLC  
720 S.W. WASHINGTON, SUITE 550  
PORTLAND, OREGON 97205

CITIZENSHIP:  
ENTITY: A DELAWARE LIMITED LIABILITY  
COMPANY

## ASSIGNEE:

MCCORMICK & SCHMICK ORLANDO, LLC  
720 S.W. WASHINGTON, SUITE 550  
PORTLAND, OREGON 97205

CITIZENSHIP:  
ENTITY: A DELAWARE LIMITED  
LIABILITY COMPANY

## ASSIGNEE:

MCCORMICK & SCHMICK DALLAS, LP  
720 S.W. WASHINGTON, SUITE 550  
PORTLAND, OREGON 97205

CITIZENSHIP:  
ENTITY: A TEXAS LIMITED  
PARTNERSHIP

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ASSIGNEE:

MCCORMICK & SCHMICK DALLAS LIQUOR,  
INC.  
720 S.W. WASHINGTON, SUITE 550  
PORTLAND, OREGON 97205

CITIZENSHIP: TEXAS  
ENTITY: CORPORATION

ASSIGNEE:

MCCORMICK & SCHMICK AUSTIN, LP  
720 S.W. WASHINGTON, SUITE 550  
PORTLAND, OREGON 97205

CITIZENSHIP:  
ENTITY: A TEXAS LIMITED  
PARTNERSHIP

ASSIGNEE:

MCCORMICK & SCHMICK AUSTIN LIQUOR,  
INC.  
720 S.W. WASHINGTON, SUITE 550  
PORTLAND, OREGON 97205

CITIZENSHIP: TEXAS  
ENTITY: CORPORATION

APPLICATION NUMBER: 75625487  
REGISTRATION NUMBER: 2806038

FILING DATE: 01/22/1999  
ISSUE DATE: 01/20/2004

MARK: JAKE'S

DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

APPLICATION NUMBER: 73450318  
REGISTRATION NUMBER: 1326806

FILING DATE: 10/31/1983  
ISSUE DATE: 03/26/1985

MARK: WATERFLEX

DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

APPLICATION NUMBER: 73409701  
REGISTRATION NUMBER: 1306235

FILING DATE: 01/17/1983  
ISSUE DATE: 11/20/1984

MARK: JAKE'S

DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

APPLICATION NUMBER: 73719039  
REGISTRATION NUMBER: 1610827

FILING DATE: 03/28/1988  
ISSUE DATE: 08/21/1990

MARK: JAKE'S

DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

APPLICATION NUMBER: 73719308  
REGISTRATION NUMBER: 1520274

FILING DATE: 03/28/1988  
ISSUE DATE: 01/10/1989

MARK: MCCORMICK & SCHMICK'S

DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

APPLICATION NUMBER: 75339214  
REGISTRATION NUMBER: 2272893

FILING DATE: 08/07/1997  
ISSUE DATE: 08/24/1999

MARK: M & S GRILL

DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

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APPLICATION NUMBER: 75049522  
REGISTRATION NUMBER: 2038613

FILING DATE: 01/29/1996  
ISSUE DATE: 02/18/1997

MARK: MCCORMICK & SCHMICK'S HARBORSIDE  
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

APPLICATION NUMBER: 73719037  
REGISTRATION NUMBER: 1536934

FILING DATE: 03/28/1988  
ISSUE DATE: 04/25/1989

MARK: MCCORMICK'S  
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

APPLICATION NUMBER: 75738763  
REGISTRATION NUMBER: 2397465

FILING DATE: 06/29/1999  
ISSUE DATE: 10/24/2000

MARK: CRABCAKE LOUNGE  
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

MARY BENTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



EXHIBIT A

## Trademarks

| Registrations<br>United States Patent and Trademark Office |                         |                          |
|--|-------------------------|--------------------------|
| <u>Trademark or Service Mark</u>                           | <u>Registration No.</u> | <u>Registration Date</u> |
| Jake's   | 1,326,806               | 4/2/1985                 |
| Jake's   | 1,306,235               | 11/20/1984               |
| Jake's   | 1,610,827               | 8/21/1990                |
| McCormick & Schmick's                                      | 1,520,274               | 1/10/1989                |
| M&S Grill  | 2,272,893               | 8/24/1999                |
| McCormick & Schmick's<br>Harborside                        | 2,038,613               | 2/18/1997                |
| McCormick's  | 1,536,934               | 4/25/1989                |
| Jake's   | 75/625,487              | 1/1/1999                 |
| Crabcake Lounge  | 2,397,465               | 10/24/2000               |

BUSDOC81344283.1

**TERMINATION AND RELEASE**  
**OF**  
**AMENDED AND RESTATED TRADEMARK COLLATERAL SECURITY AND**  
**PLEDGE AGREEMENT**

**TERMINATION AND RELEASE OF AMENDED AND RESTATED TRADEMARK COLLATERAL SECURITY AND PLEDGE AGREEMENT**, dated as of July 23, 2004, by **FLEET NATIONAL BANK**, a national banking association with its head office at 100 Federal Street, Boston, Massachusetts 02110, as administrative agent (hereinafter in such capacity, the "Administrative Agent"), in connection with the Amended and Restated Revolving Credit Agreement, dated as of October 28, 2003 (as amended and in effect, the "Credit Agreement"), by and among **MCCORMICK & SCHMICK ACQUISITION CORP.**, a Delaware corporation ("MSAC"), **MCCORMICK & SCHMICK RESTAURANT CORP.**, a Delaware corporation, **MCCORMICK & SCHMICK MARYLAND LIQUOR, INC.**, a Maryland corporation, **MCCORMICK & SCHMICK ACQUISITION I TEXAS, INC.**, a Texas corporation, **MCCORMICK & SCHMICK ACQUISITION II TEXAS, INC.**, a Delaware corporation, **MCCORMICK & SCHMICK ACQUISITION TEXAS LP**, a Texas limited partnership, **MCCORMICK & SCHMICK ACQUISITION III TEXAS, INC.** a Texas corporation, **MCCORMICK & SCHMICK'S ATLANTA II, LLC**, a Delaware limited liability company, **MCCORMICK & SCHMICK'S HACKENSACK, LLC**, a Delaware limited liability company, **MCCORMICK & SCHMICK ORLANDO, LLC**, a Delaware limited liability company, **MCCORMICK & SCHMICK DALLAS, LP**, a Texas limited partnership, **MCCORMICK & SCHMICK DALLAS LIQUOR, INC.**, a Texas corporation, **MCCORMICK & SCHMICK AUSTIN, LP**, a Texas limited partnership, **MCCORMICK & SCHMICK AUSTIN LIQUOR, INC.**, a Texas corporation, (as hereinafter defined) (collectively, the "Grantors"), the Administrative Agent and the lending institutions party thereto (the "Lenders").

**WHEREAS**, in connection with the Credit Agreement, the Grantors and the Administrative Agent entered into an Amended and Restated Trademark Collateral Security and Pledge Agreement, dated as of October 28, 2003 (the "Trademark Agreement"), which Trademark Agreement was recorded November 3, 2003 with the United States Patent and Trademark Office at Reel 002741, Frame 0091 for the purpose of securing payment and performance of the Obligations (as defined in the Credit Agreement);

**WHEREAS**, pursuant to the Trademark Agreement, the Grantors granted to the Administrative Agent, for the benefit of the Administrative Agent and the Lenders, a security interest in, and granted, assigned and conveyed to the Administrative Agent, for

the benefit of the Administrative Agent and the Lenders, by way of collateral security, the Grantors entire right, title and interest in and to, the Pledged Trademarks (as defined in the Trademark Agreement); and

**WHEREAS**, the Administrative Agent has agreed to terminate and release the Trademark Agreement and assign and transfer to the Grantors its right, title and interest in the Pledged Trademarks as herein provided;

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Administrative Agent hereby terminates and releases the Trademark Agreement and assigns and transfers to the Grantors, without representation, warranty or recourse, all of the Administrative Agent's right, title and interest in and to the Pledged Trademarks, including without limitation the trademarks listed on Exhibit A attached hereto, effective as of the date set forth above.

[Signature Pages Follows]

**FLEET NATIONAL BANK,**  
as Administrative Agent

By: Cristin O'Hara

Name: Cristin O'Hara  
Title: Director

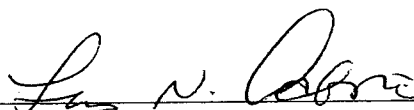
CERTIFICATE OF ACKNOWLEDGMENT

COMMONWEALTH OF MASSACHUSETTS)

) ss.

COUNTY OF SUFFOLK )

On this 20 day of July, 2004, before me, the undersigned notary public, personally appeared Christopher M. O'Hara, proved to me through satisfactory evidence of identification, which were MA drivers license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he)(she) signed it voluntarily for its stated purpose (as Director for Fleet National Bank, a national banking association).



Notary Public

My Commission Expires:

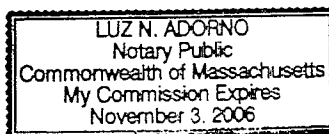


EXHIBIT A

Trademarks

|                                     | Registrations<br>United States Patent and Trademark Office |                          |
|-------------------------------------|--|--------------------------|
| <u>Trademark or Service Mark</u>    | <u>Registration No.</u>                                    | <u>Registration Date</u> |
| Jake's                              | 1,326,806  | 4/2/1985                 |
| Jake's                              | 1,306,235  | 11/20/1984               |
| Jake's                              | 1,610,827  | 8/21/1990                |
| McCormick & Schmick's               | 1,520,274  | 1/10/1989                |
| M&S Grill                           | 2,272,893  | 8/24/1999                |
| McCormick & Schmick's<br>Harborside | 2,038,613  | 2/18/1997                |
| McCormick's                         | 1,536,934  | 4/25/1989                |
| Jake's                              | 75/625,487   | 1/1/1999                 |
| Crabcake Lounge                     | 2,397,465  | 10/24/2000               |
| Jake's                              | 1,328,806  | 4/2/1985                 |