

08-13-1998

3 SHEET
ONLY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab settings



To the Honorable Commissioner

100791439

the attached original documents or copy thereof.

1. Name of conveying party(ies):

Champion Performance Products, Inc.
AKA, Champion Nutrition

- Individual(s)
- General Partnership
- Corporation-State of CA
- Other
- Association
- Limited Partnership

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

3. Nature of conveyance:

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

Execution Date: 7-31-98

2. Name and address of receiving party(ies):

Name: Champbev, Inc.

Internal Address:

Street Address: 1910 Mark Court, Suite 130

City: Concord State: CA ZIP: 94520

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State California
- 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)

S.N.: 75-288532
S.N.: 75-288558
S.N.: 75-288559

B. Trademark registration No.(s)

Reg. No.: 1,678,967
Reg. No.: 2,103,527

Additional numbers attached? Yes No

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

Name: Law Offices of James R. Cypher

Internal Address:

Street Address: 405 14th Street, Suite 1607

City: Oakland State: CA ZIP: 94612

6. Total number of applications and registrations involved:

5

7. Total fee (37 CFR 3.41): \$ 140.00

Enclosed ck.no. 3847

Authorized to be charged to deposit account

8. Deposit account number:

03-4075

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

James R. Cypher

Name of Person Signing

Signature

Date

Total number of pages comprising cover sheet:

3

OMB No. 0651-0011 (exp. 4/94)

08/12/1998 DNGUYEN 00000182 1678967

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01 FC:481
02 FC:482

40.00 OP
100.00 OP

Mail documents to be recorded with required cover sheet information to:

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Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

REEL: 1767 FRAME: 0349

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
ASSIGNMENT OF REGISTERED TRADEMARKS AND PENDING APPLICATIONS

In re Registration Nos.: 1,678,967; 2,103,527

and

In re Serial Nos.: 75-288532; 75-288558; and 75-288,559

Assignor: CHAMPION PERFORMANCE PRODUCTS, INC.
AKA, CHAMPION NUTRITION
A California Corporation
2615 Stanwell Drive
Concord, CA 94520

Assignee: CHAMPBEV, INC.
A California Corporation
1910 Mark Court, Suite 130
Concord, CA 94520

WHEREAS, CHAMPION PERFORMANCE PRODUCTS, INC., AKA, CHAMPION NUTRITION (ASSIGNOR), a corporation of California, having its principal office at 2615 Stanwell Drive, Concord, California 94520, adopted, used, and is the owner of the following registered trademarks as shown by the records in the U.S. Patent and Trademark Office:

Reg. No. 1,678,967	Reg. No. 2,103,527
Granted: March 10, 1992	Granted: October 7, 1997
Mark: SELFHEALTH LIFESTYLE DIET	Mark: CYTOMAX
Int. Class: 05	Int. Class: 05

WHEREAS, CHAMPION PERFORMANCE PRODUCTS, INC., AKA, CHAMPION NUTRITION (ASSIGNOR), a corporation of California, having its principal office at 2615 Stanwell Drive, Concord, California 94520, adopted, used, and is the owner of the following pending trademark application as shown by the records in the U.S. Patent and Trademark Office:

Serial No.: 75-288532	Serial No.: 75-288558
Filing Date: May 8, 1997	Filing Date: May 8, 1997
Mark: POLYLACTATE	Mark: ALPHA-L-POLYLACTATE
Int. Class: 05	Int. Class: 05

Serial No.: 75-288,559
Filing Date: May 8, 1997
Mark: CHAMPBEV
Int. Class: 35
Publication Date: March 10, 1998

WHEREAS, CHAMPBEV, INC. (ASSIGNEE), a California Corporation, having its principal office at 1910 Mark Court, Suite 130, Concord, CA 94520, has succeeded to

certain business assets of Champion Performance Products, Inc.; said marks; and registrations; pending applications thereof together with the goodwill of the business with which said marks are used and which is symbolized by said marks, pending applications and registrations;

WHEREAS, CHAMPBEV, INC., desires an assignment of the entire right, title and interest in and to the said marks and the trade name "CHAMPBEV," the goodwill of the business in connection with which said trade name and trademarks are used and which is symbolized by said marks and name, and the above identified U.S. Registrations, and the above identified U.S. pending applications for said marks, and all registrations for said marks, both U.S. and foreign, including the right to apply for registration of said marks both in the U.S. and in all foreign countries to be executed by CHAMPION PERFORMANCE PRODUCTS, INC.;

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, said CHAMPION PERFORMANCE PRODUCTS, INC. by these presents does sell, assign, and transfer as of July 31, 1998 unto said CHAMPBEV, INC., its successors and assigns, the entire right, title and interest in and to the said marks, and the trade name "CHAMPBEV" the goodwill of the business in connection with which said trade name and trademarks are used and which is symbolized by said marks and name, and the above identified U.S. Registrations, and the above identified U.S. pending applications for said marks, and all registrations for said marks, both U.S. and foreign, including the right to apply for registration of said marks both in the U.S. and in all foreign countries.

Signed at: Westport, Costa CHAMPION PERFORMANCE PRODUCTS, INC.
Date: July 31 1998 By: [Signature]
Michael Zumpano
Chairman of the Board

CERTIFICATE OF ACKNOWLEDGMENT OF EXECUTION OF INSTRUMENT

State of California
County of Contra Costa

On this 31st day of July, 1998, before me Elizabeth R. Cassvan, a Notary Public in and for the said County and State, residing therein, duly commissioned and sworn, personally appeared the above named Michael Zumpano personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed the within instrument as Chairman on behalf of the corporation therein named and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the county of Contra Costa on the day and year in this certificates first above written.

(SEAL)  [Signature]
(NOTARY PUBLIC)