

*MRP*  
*11-10-98*



100901126

To the Honorable Commissioner of Patents and Trademarks: Please record the foregoing information of \_\_\_\_\_ of \_\_\_\_\_.

1. Name of conveying party(ies):  
Omnitrition International, Inc.

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

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

2. Name and address of receiving party(ies)  
Name: Top of the Line Nutrients, Inc.  
Internal Address: 2400 Univision Center  
Street Address: 2323 Bryan Street, LB 129  
City: Dallas State: TX ZIP: 75201

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

3. Nature of conveyance:  
 Assignment       Merger  
 Security Agreement       Change of Name  
 Other

Execution Date: November 3, 1998

4. Application number(s) or patent number(s):  
 A. Trademark Application No.(s)  
75/284,254

Additional numbers attached?  Yes  No

B. Trademark Registration No.(s)

5. Name and address of party to whom correspondence concerning document should be mailed:  
 Name: John M. Cone  
 Internal Address: Akin, Gump, Strauss, Hauer & Feld LLP  
 Street Address: 1700 Pacific Avenue, Suite 4100  
 City: Dallas State: TX ZIP: 75201-4675

*11/16/1998 SBURNS 00000065 75284254*  
*01 FC:481 40.00 DP*

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41) \$40.00  
 Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number:  
 (Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

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.

John M. Cone  
 Name of Person Signing

Signature

11/16/98  
 Date

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

Mail documents to be recorded with required cover sheet information to:  
 Commissioner of Patents & Trademarks, Box Assignments  
 Washington, D.C. 20231  
 #174607

## ASSIGNMENT

WHEREAS, OMNITRITION INTERNATIONAL, INC., (hereinafter "Assignor"), is the owner of record the United States intent-to-use trademark application for PAR BAR, Application Serial No. 75/284,254, the use of such mark having commenced at least as early as October 1, 1998 and the statement of use having been filed in the United States Trademark Office.

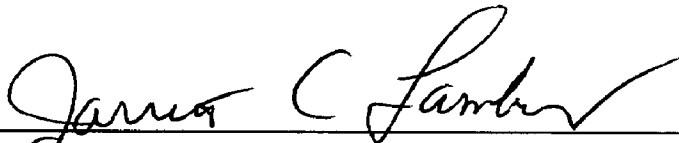
WHEREAS, TOP OF THE LINE NUTRIENTS, INC., a Texas corporation, having its principal place of business at 2400 Univision Center, 2323 Bryan Street, LB 129, Dallas, Texas 75201 (hereinafter "Assignee"), desires to acquire the entire right, title and interest in and to the above-identified mark and the application and resulting registration therefor, together with the goodwill of the business connected with the use of and symbolized by said mark;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby sells, assigns and transfers to Assignee the entire right, title and interest in and to the aforementioned mark and the application and resulting registration therefor, together with the goodwill of the business connected with the use of and symbolized by said mark.

IN WITNESS WHEREOF, Assignor has executed this Assignment on this 3<sup>RD</sup> day of November, A.D. 1998.

OMNITRITION INTERNATIONAL, INC.

BY: \_\_\_\_\_

  
Jarrett Lambert  
Chief Operating Officer

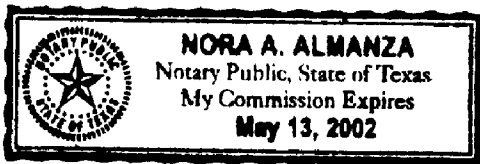
TRADEMARK  
REEL: 1814 FRAME: 0316

STATE OF TEXAS

COUNTY OF Dallas

BEFORE ME, the undersigned authority, on this day personally appeared Jarrett Lambert, and having been duly sworn by me, upon his oath states that he is Chief Operating Officer of Omnitrition International, Inc., that he has read and understands the foregoing instrument, that he is authorized to execute said instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said corporation.

SUBSCRIBED AND SWORN TO BEFORE ME, this End day of November, A.D. 1998.



(SEAL)

Nora A. Almanza  
Printed Name of Notary Public

Nora A. Almanza  
Signature of Notary Public

My Commission expires the 13th day of May, 19 2002