

RECORDATION FORM COVER SHEET

04-06-1999

174-00C(6)

TO: Box ASSIGNMENT  
Commissioner of Patents  
Washington DC, 20231



101002480

Honorable Commissioner of Patents and Trademarks:

Kindly record the attached original documents or copy thereof.

3-25-99

1. Name of conveying part(ies):

Name: Victor Rubino

Internal Address: \_\_\_\_\_

Street Address: 7 Corporate Avenue

City: Farmington State: CT ZIP: 06062

- Individual(s)
- General Partnership
- Corporation-State,
- Association
- Limited Partnership
- \_\_\_\_\_ Other

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

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

Name: Ultimate Nutrition, Inc.

Internal Address: \_\_\_\_\_

Street Address: 7 Corporate Avenue

City: Farmington State: CT ZIP: 06062

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation-State, Connecticut
- Other \_\_\_\_\_

If assignee is not domesticated in the United States, a domestic representative designation  
is attached:  Yes  No (Designations must be a separate document from Assignment)

Additional name(s) and address(es) attached?  Yes  No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Merger
- Change of Name and
- Other \_\_\_\_\_

Execution Date: March 10, 1999

04/05/1999 DMSUJEN 00000265 75245394  
40.00 DP  
25.00 DP  
01 FC:481  
02 FC:482

4. Application number(s) or registration number(s):  
A. Trademark Application No.(s) **75/245,394**

B. Trademark Registration No.(s) **2,135,796**

Additional numbers attached?  Yes  No

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

Name: **Frank J. Thompson, Esq.**

Internal Address: \_\_\_\_\_

Street Address: **111 Prospect Street**

City: **Stamford** State: **CT** ZIP: **06901**

6. Total number of applications and registrations involved: **2**

7. Total fee (37 CFR 3.41): **\$65.00**

Enclosed

Authorized to be changed to deposit account

8. Deposit account number: \_\_\_\_\_

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

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**DO NOT USE THIS SPACE**

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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.

**Frank J. Thompson**  
Name of Person Signing

  
Signature

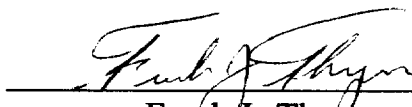
**3/22/99**  
Date

Total number of pages comprising cover sheet **2**

**CERTIFICATE OF MAILING**

This is to certify that this cover sheet, a check in the amount of \$65.00 in payment of the recording fee and an assignment are this day being deposited with the U.S. Postal Service, first class, postage prepaid and addressed to Box ASSIGNMENT FEE, Commissioner of Patents and Trademarks, Washington, D.C. 20231

**March 22, 1999**  
Date

  
Frank J. Thompson

TRADEMARK ASSIGNMENT

WHEREAS Victor Rubino, a citizen of the United States of America having a place of business at 7 Corporate Avenue, Farmington, Connecticut 06062, has adopted and used in his business in the United States of America, its territories, possessions and protectorates the trademarks listed in Schedule A appended hereto; and,

WHEREAS Ultimate Nutrition, Inc. a Connecticut corporation having a place of business at 7 Corporate Avenue, Farmington, Connecticut 06062, is desirous of acquiring said marks:

NOW, THEREFORE, be it known that for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is acknowledged, said Victor Rubino does effective November 30, 1998 assign, sell and transfer and set over unto said Ultimate Nutrition, Inc. the right, title and interest in and to and under its trademarks and the registrations and applications to register thereof listed in Schedule A appended hereto including its common law rights, and its registration rights together with the good will of the business associated therewith.

Ultimate Nutrition, Inc., a Connecticut corporation having a place of business at 7 Corporate Avenue, Farmington, Connecticut 06062, hereby accepts the transfer to it of the aforementioned trademark rights.

Victor Rubino

Date: MARCH 10, 1999

By: 

ULTIMATE NUTRITION, INC.  
a Connecticut Corporation

Date: MARCH 10, 1999

By: 

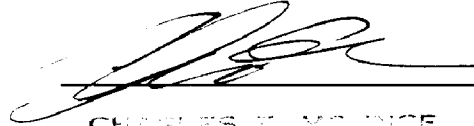
STATE OF CONNECTICUT

ss: Farmington

COUNTY OF HARTFORD

On the 10<sup>th</sup> day of MARCH, 1999 before me, the undersigned notary public, personally came Victor Rubino to me known, or who established his identity to my satisfaction, who, being by me duly sworn, did depose and say that he executed the foregoing instrument entitled Trademark Assignment of his own free will and volition.

NOTARY  
SEAL



CHARLES E. MOUNCE  
NOTARY PUBLIC  
COMMISSION EXPIRES 12-31-2003

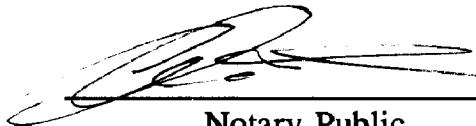
STATE OF CONNECTICUT

ss: Farmington

COUNTY OF HARTFORD

On the 10<sup>th</sup> day of MARCH, 1999 before me, the undersigned notary public, personally came Victor Rubino to me known, or who established his identity to my satisfaction, who, being by me duly sworn, did depose and say that he is President of Ultimate Nutrition, Inc., a Connecticut corporation, the corporation described in and which executed the foregoing instrument entitled Trademark Assignment and that he is authorized to sign the foregoing instrument on behalf of the corporation.

NOTARY  
SEAL



Notary Public  
CHARLES E. MOUNCE  
NOTARY PUBLIC  
COMMISSION EXPIRES 12-31-2003

**SCHEDULE A**

**TRADEMARK**

**INTERNATIONAL CLASS**

**Application/  
U.S. REG. NO.**

**CREA/MAX**

**5**

**2,135,796**

**BIOVOLUMIZING**

**5**

**75/245,394**