

10-11-2000

ny Docket No. 19305-000700, -000800, -001500

FORM PTO-1594  
1-3-92



U.S. DEPARTMENT OF COMMERCE  
Patents and Trademark Office

To the Honorable Commissioner of Patents and Trademark

101484314

or copy thereof

1. Name of conveying party(ies):

GTC Nutrition Company (now known as GTC Nut Company)

- Individual(s)
- General Partnership
- Corporation-State: Colorado
- Other

- Association
- Limited Partnership

Additional name(s) of conveying parties attached?  Yes  No

Name of receiving party(ies)

Name: Golden Partners, LLC  
 Internal Address:  
 Street Address: 14252 W. 44th Avenue, Unit F  
 City: Golden State: CO ZIP: 80403

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

Other: limited liability company (Colorado)  
 If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No

(Designation must be a separate document from Assignment)

Additional names and addresses attached?  Yes  No

3. Nature of conveyance:

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

Execution Date effective March 31, 2000

8-28-00

4. Application Number(s) or Registration Number(s).

A. Trademark Application No(s): 75/531,918 SCFOS

B. Trademark Registration No(s):

Additional numbers attached?  Yes  No

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

Name: Darin J. Gibby  
 TOWNSEND AND TOWNSEND AND CREW LLP  
 Two Embarcadero Center, 8<sup>th</sup> Floor  
 San Francisco, California 94111-3834  
 (303) 571-4000

6. Total number of applications and registrations involved 3

7. Total fee (37 CFR 3.41): \$90.00

- Enclosed
- Charge Fees to Deposit Account
- Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account.

8. Deposit account number: 20-1430

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

10/11/2000 R000E01 00000040 201430 75531918

01 FC:401 40.00 CH  
02 FC:402 50.00 CH

DO NOT USE THIS SPACE

9. Statement and signature.

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

Darin J. Gibby  
Name of Person Signing

Signature

8/21/00  
Date

Total number of pages including cover sheet, attachments and document: 5

10. Change Correspondence Address to that of Part 5?  Yes  No

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

Do not detach this portion

Mail documents to be recorded with required cover to:

Asst. Commissioner for Trademarks  
 Box: Assignments  
 Washington, D.C. 20231

TRADEMARK  
REEL: 002153 FRAME: 0045

1. Additional name(s) of conveying party(ies):  
(Continued from Page 1)

2. Additional name(s) and address(es) of receiving party(ies):  
(Continued from Page 1)

3. Additional application number(s) or registration number(s):  
(Continued from Page 1)

A. Trademark Application No.(s)

B. Trademark Reg. No.(s)

75/863,933 FORTIFEED  
75/902,116 AQUAFIBER

DE7021717

APPENDIX A

<u>Mark</u>	<u>Serial No.</u>	<u>Filing Date</u>
SCFOS	75/531,918	08/06/98
NUTRAFLORA FOSTERS BETTER HEALTH	75/532,120	08/06/98
FORTIFOS	75/863,932	12/03/99
FORTIFEED	75/863,933	12/03/99
AQUAFIBER	75/902,116	01/27/00
BIFIDOFIBER	75/913,433	02/09/00
PROFEED	75/921,661	02/17/00

DE7017268

## NUNC PRO TUNC TRADEMARK ASSIGNMENT

This ASSIGNMENT, effective March 31, 2000, was made by GTC Nutrition Company (now known as GTC Nut Company), a Colorado corporation, having a business address and situs at 4455 Table Mountain Dr., Golden, CO 80403 (hereinafter "ASSIGNOR") to Golden Partners, LLC, a Colorado limited liability company, having a business address and situs at 14252 W. 44th Avenue, Unit F, Golden, Colorado 80403 (hereinafter "ASSIGNEE");

WHEREAS, ASSIGNOR intended to use the marks shown on Appendix A affixed hereto (hereinafter "ASSIGNED TRADEMARKS") in interstate commerce and ASSIGNOR (or a predecessor in title) had filed applications with the United States Patent and Trademark Office based on its bona fide intent to use such marks in commerce, but had not yet filed allegations of use of the marks under Section 1(c) or 1(d) of the Trademark Act, and;

WHEREAS, ASSIGNEE acquired the entire business or portion thereof to which the ASSIGNED TRADEMARKS pertain as required by 15 USC §1060;

WHEREAS, on April 19, 2000, after the effective date of this assignment, ASSIGNOR changed its corporate name to GTC Nut Company;

NOW THEREFORE, pursuant to a General Conveyance, Bill of Sale and Assignment dated March 31, 2000, and in consideration of Ten Dollars (\$10.00) paid by ASSIGNEE to ASSIGNOR and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR did grant, assign, transfer, convey and deliver to ASSIGNEE all ASSIGNOR'S right, title and interest in, to and under the the ASSIGNED TRADEMARKS throughout the world, as part of the entire business or portion thereof to which the marks pertain as required by 15 USC §1060, along with any and all goodwill which existed in the United States or any other country or countries.

IN WITNESS WHEREOF, ASSIGNOR and ASSIGNEE have caused this Trademark Assignment to be executed by their duly authorized representatives.

**ASSIGNOR:** GTC NUT COMPANY (formerly GTC NUTRITION COMPANY)

By: [Signature]  
Name: \_\_\_\_\_  
Title: Secretary

Date: August 11, 2000

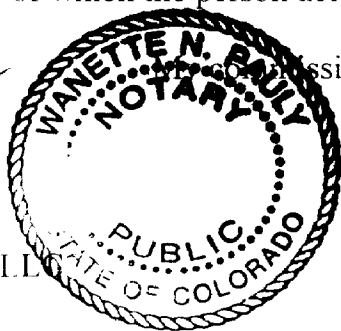
STATE OF COLORADO )

COUNTY OF Jefferson)

On this 11th day of August, 2000, before me Wanette N. Pauly, personally appeared Jill B. W. Sisson, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Wanette N. Pauly  
NOTARY PUBLIC



My commission expires: 6-3-2004

**ASSIGNEE:** GOLDEN PARTNERS, L.L.C.

By: [Signature]  
Patrick B. Smith  
Manager

Date: 08/12/00

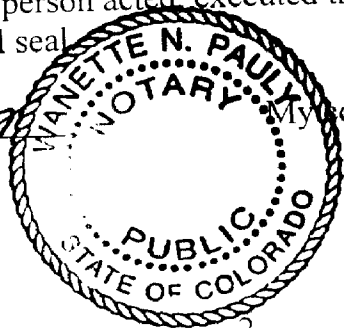
STATE OF COLORADO )

COUNTY OF Jefferson)

On this 12th day of August, 2000, before me Wanette N. Pauly, personally appeared Patrick B. Smith, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Wanette N. Pauly  
NOTARY PUBLIC



My commission expires: 6-3-2004

1. Additional name(s) of conveying party(ies):  
(Continued from Page 1)

2. Additional name(s) and address(es) of receiving party(ies):  
(Continued from Page 1)

3. Additional application number(s) or registration number(s):  
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