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FORM PTO-1618A  
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OMB 0651-0027



U.S. Department of Commerce  
Patent and Trademark Office  
**TRADEMARK**

101604411

1-24-01

### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

#### Submission Type

- New
- Resubmission (Non-Recordation)  
Document ID # \_\_\_\_\_
- Correction of PTO Error  
Reel # \_\_\_\_\_ Frame # \_\_\_\_\_
- Corrective Document  
Reel # \_\_\_\_\_ Frame # \_\_\_\_\_

#### Conveyance Type

- Assignment  License
  - Security Agreement  Nunc Pro Tunc Assignment
  - Merger  Change of Name
  - Other \_\_\_\_\_
- Effective Date  
Month Day Year  
\_\_\_\_\_

#### Conveying Party

Mark if additional names of conveying parties attached

Name CYBERDIET, INC.

Execution Date  
Month Day Year  
12182000

Formerly \_\_\_\_\_

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Other \_\_\_\_\_
- Citizenship/State of Incorporation/Organization CALIFORNIA

#### Receiving Party

Mark if additional names of receiving parties attached

Name DIETWATCH.COM, INC.

DBA/AKA/TA \_\_\_\_\_

Composed of \_\_\_\_\_

Address (line 1) 29 WEST 34TH STREET, 11TH FLOOR

Address (line 2) \_\_\_\_\_

Address (line 3) NEW YORK

City

NEW YORK, USA

State/Country

10001

Zip Code

- Individual  General Partnership  Limited Partnership  Association
- Corporation  Association
- Other \_\_\_\_\_
- Citizenship/State of Incorporation/Organization DELAWARE

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

02/01/2001 DBYRNE 00000118 2364196

#### FOR OFFICE USE ONLY

01 FC:481 40.00 OP  
02 FC:482 50.00 OP

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
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**TRADEMARK**  
**REEL: 002228 FRAME: 0042**

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Correspondent Name and Address**

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

#

**Trademark Application Number(s) or Registration Number(s)**

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

**Trademark Application Number(s)**

**Registration Number(s)**

**Number of Properties**

Enter the total number of properties involved.

#

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

Enclosed

Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes

No

**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. Charges to deposit account are authorized, as indicated herein.

WILLIAM F. DETWILER, ESQ.

*William F. Detwiler, Esq.*

01/19/2001

Name of Person Signing

Signature

Date Signed

## ASSIGNMENT OF TRADEMARK REGISTRATIONS

WHEREAS, CYBERDIET, INC., a California corporation, having a principal place of business at 560 White Plains Road, 4<sup>th</sup> Floor, Tarrytown, New York 10591, has adopted, used and is using the following trademarks and has registered said marks in the United States Patent & Trademark Office:

<u>Trademarks</u>	<u>Registration No.</u>	<u>Registration Date</u>
DIET PRESERVERS Logo	2,364,196	July 4, 2000
CYBERDIET EAT RIGHT Logo	2,245,538	May 18, 1999
FOOD COURT CYBERDIET Logo	2,266,180	August 3, 1999

WHEREAS, DIETWATCH.COM, INC., a Delaware corporation, having a place of business at 29 West 34th Street, 11th Floor, New York, New York 10001, is desirous of acquiring said marks and the said registrations thereof and the goodwill thereto pertaining;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, CYBERDIET, INC. does hereby assign unto the said, DIETWATCH.COM. all of its right, title and interest in and to the said marks, the registrations thereof, together with the goodwill of the business symbolized by the said marks, and the above identified registration thereof.

ATTEST: [Signature]

By: [Signature]  
Name:  
Title:  
Dated:

State of New York,  
County of Bronx

On this 18<sup>th</sup> day of December, 2000, before me personally appeared Mike Ingram, who being by me duly sworn, deposes and says that he is the Secretary of CYBERDIET, INC., the corporation described in and which executed the foregoing Assignment, that he signed such Assignment on behalf of said corporation by authority of the Board of Directors of said Corporation.

Marian C. O'Neil  
Notary Public  
My commission expires: May 8, 2001

**MARIAN C. O'NEIL**  
Notary Public, State of New York  
No. 010N5043314  
Qualified in New York County  
Commission Expires on May 8, 2001