

07-18-2001

Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002) Tab settings



101781738

U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office Attorney Docket: SCI-F

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Suarez Corporation Industries
[] Individual(s) [] Association
[] General Partnership [] Limited Partnership
[X] Corporation-State
[] Other
Additional name(s) of conveying party(ies) attached? [] Yes [X] No

2. Name and address of receiving party(ies)
Name: PatentHEALTH, LLC
Internal Address:
Street Address: 7800 Whipple Avenue, N.W.
City: N. Canton State: Ohio Zip: 44720
[] Individual(s) citizenship
[] Association
[] General Partnership
[] Limited Partnership
[X] Corporation-State Ohio
[] 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 [X] No

3. Nature of conveyance:
[X] Assignment [] Merger
[] Security Agreement [] Change of Name
[] Other
Execution Date: April 25, 2001

4. Application number(s) or registration number(s):
A. Trademark Application No.(s)
76/163,455
Additional number(s) attached [] Yes [X] No

B. Trademark Registration No.(s)
MMD 7/12/01

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: David P. Dureska, Esq.
Internal Address:
Buckingham, Doolittle & Burroughs, LLP
P. O. Box 35548
Street Address: 4518 Fulton Drive, NW
City: Canton State: OH Zip: 44735-5548

6. Total number of applications and registrations involved: 1
7. Total fee (37 CFR 3.41) \$ 40.00
[X] 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.
David P. Dureska Signature July 06, 2001 Date
Name of Person Signing

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

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

07/17/2001 DBYRNE 00000148 76163455 01 FC:481 40.00 OP

TRADEMARK REEL: 002330 FRAME: 0408

ASSIGNMENT OF TRADEMARK

WHEREAS, **Suarez Corporation Industries**, a corporation of the state of Ohio, located at 7800 Whipple Avenue, N.W., N. Canton, Ohio 44720 ("Assignor"), intends to adopt and use the mark "POTENTLEAN" to identify a dietary supplement, namely, a weight loss promoting substance (hereinafter referred to as the "MARK"), which currently is the subject of a pending application for registration in the United States Patent and Trademark Office, filed November 13, 2000, Serial No. 76/163,455; and

WHEREAS, **PatentHEALTH, LLC**, an Ohio corporation, located at 7800 Whipple Avenue, N.W., N. Canton, Ohio 44720 ("Assignee"), is desirous of acquiring the MARK, the application for registration and any future actual registration thereof, and the goodwill of the business symbolized thereby;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Assignor does hereby assign unto Assignee all right, title and interest in and to the MARK, together with the entire goodwill of the business symbolized by the MARK and the above-identified application for registration thereof. The Commissioner of Patents and Trademarks is requested to issue the certificate of registration for the MARK to Assignee.

SUAREZ CORPORATION INDUSTRIES

By: *Michael R. Giorgio CFO*
Michael R. Giorgio
Controller

State of Ohio)
)SS
County of Stark)

Before me, a Notary Public in and for said county, personally appeared **Michael R. Giorgio**, known to me to be the person who, as **Controller of Suarez Corporation Industries**, the corporation which executed the foregoing instrument, signed the same, and acknowledged to me that he did so sign said instrument in the name and upon behalf of said corporation as such officer; that the same is his free act and deed as such officer, and the free and corporate act and deed of said corporation; and that he was duly authorized thereunto by its board of directors.

In testimony whereof, I have hereunto subscribed my name, and affixed my official seal, at *Stark County*, Ohio, this *25th* day of *April*, 2001.

John Andrew Armstrong, Esq.
Notary Public
JOHN ANDREW ARMSTRONG, Attorney at Law
Notary Public, State of Ohio
My Commission has no expiration date
Section 147.03 R.C.

My commission expires on:
N/A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Conveying Party: Suarez Corporation Industries Receiving Party: PatentHEALTH, LLC

Serial No./Mark: 76/163,455 POTENTLEAN

Date: July 6, 2001

Commissioner of Patents and Trademarks
BOX ASSIGNMENTS
Washington, D.C. 20231

ASSIGNMENT OF TRADEMARK APPLICATION

Sir:

Attached is an Assignment for the above-referenced trademark application, together with the Recordation Form Cover Sheet TRADEMARKS ONLY, and a check in the amount of \$40.00. Please record this Assignment upon receipt.

Respectfully submitted,

BUCKINGHAM, DOOLITTLE & BURROUGHS, LLP

By: 

David P. Dureska
Registration No. 34,152

DPD/mp

4518 Fulton Drive, N.W.
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Canton, OH 44735-5548
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E-Mail: Ddureska@bdbl.com

Attorney Docket No.: SCI-F (05408-0032)

«CT2:286058_1»

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Conveying Party: Suarez Corporation Industries Receiving Party: PatentHEALTH, LLC

Serial No./Mark: 76/163,455 POTENTLEAN

Date: July 6, 2001

Commissioner of Patents and Trademarks
BOX ASSIGNMENTS
Washington, D.C. 20231

CERTIFICATE OF MAILING

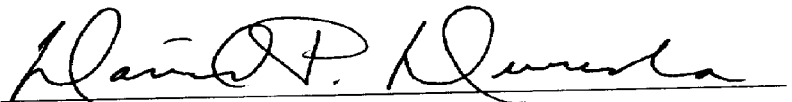
Sir:

The undersigned hereby certifies that the attached **ASSIGNMENT** was mailed to Commissioner of Patents and Trademarks, BOX ASSIGNMENTS, Washington, D.C. 20231, with sufficient first-class postage, no special handling, on July 6, 2001, before 5:00 p.m., thereby ensuring that such document(s) will be in the hands of the U.S. Postal Service by the close of business this day. Thus, timely response has been made to the outstanding Office Action prior to expiration of the shortened statutory period for the same ending **NONE**.

The Assignment Recordation Fee in the amount of \$40 is enclosed; however, in the event this fee is insufficient or excessive, the Commissioner is hereby authorized to charge any fees which might be required or credit any overpayment to Account No. 50-0983.

Respectfully submitted,

BUCKINGHAM, DOOLITTLE & BURROUGHS, LLP

By: 
David P. Dureska
Registration No. 34,152

DPD/mp

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Attorney Docket No.: (SCI-F) 05408-32)
«CT2:293291_1»

RECORDED: 07/12/2001

TRADEMARK
REEL: 002330 FRAME: 0411