

04-26-2002



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

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U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

Tab settings

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

1. Name of conveying party(ies): Nutrition & Fitness IMG, Inc. 4-16-02

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

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

Execution Date: October 31, 2001

2. Name and address of receiving party(ies) Name: Nutrition & Fitness, Inc. Internal Address: P.O. Box 35142 Street Address: City: Fayetteville, State: NC Zip: 28303

Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State of North Carolina 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

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1865548 1980889 2024834 2044916 2336070 2345806 2459567 2517079

Additional number(s) attached Yes No

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

Name: Randel S. Springer, Esquire

Internal Address:

Woimble Carlyle Sandridge & Rice, PLLC

Post Office Drawer 84

Street Address:

City: Winston-Salem, State: NC Zip: 27102

6. Total number of applications and registrations involved: 8

7. Total fee (37 CFR 3.41): \$ 215.00

Enclosed Authorized to be charged to deposit account

8. Deposit account number:

50-0517

(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.

Randel S. Springer Name of Person Signing

Randel S. Springer Signature

4/9/02 Date

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

04/25/2002 LMUELLER 00000208 500517 1865548

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

01 FC:481 40.00 CH 02 RC:482 175.00 CH

21 330 5250

**SOSID: 0326471**  
**Date Filed: 11/27/2001 1:44 PM**  
**Elaine F. Marshall**  
**North Carolina Secretary of State**

**ARTICLES OF AMENDMENT**  
**OF**  
**NUTRITION AND FITNESS INDEPENDENT MARKETING GROUP, INC.**  
**[which changes its name to "Nutrition & Fitness, Inc."]**

The undersigned corporation hereby submits the following Articles of Amendment for the purpose of amending its articles of incorporation:

1. The name of the corporation is Nutrition and Fitness Independent Marketing Group, Inc.

2. The following amendment to the articles of incorporation of the corporation was adopted by its shareholders on the 8<sup>th</sup> day of October, 2001, in the manner prescribed by law:

The articles of incorporation of the corporation shall be amended to delete article 1 in its entirety and insert the following in lieu thereof:

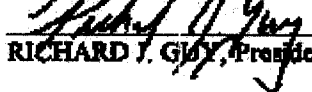
"1. NAME. The name of the corporation is Nutrition & Fitness, Inc."

3. The foregoing amendment was adopted on the 8<sup>th</sup> day of October, 2001, by the Board of Directors with shareholder action, which was required.

4. There shall be no exchange, reclassification, or cancellation of issued shares as the only effect of the amendment is to change the name of the corporation.

This 3 day of October, 2001.

**NUTRITION AND FITNESS INDEPENDENT  
MARKETING GROUP, INC.:**

By:   
RICHARD J. GLOY, President

F:\Public\Documents\Corporations\Nutrition&Fitness\Articles\amendm-7toChangeName.vpwr

April 9, 2002

Commissioner for Trademarks  
U.S. Patent & Trademark Office  
Box ASSIGNMENTS, 2900 Crystal Drive  
Arlington, Virginia 22202-3513

Re: *Recordation of Trademark Conveyance Document*  
*Our Reference: 21840.0001.5*

Dear Sir or Madam:

Enclosed for recording against the United States trademark registrations identified in the enclosed Recordation Form Cover Sheet (Form PTO-1594) is a copy of a Change of Name, dated October 31, 2001. The enclosed document evidences the change of name with respect to the referenced trademark registrations from Nutrition & Fitness IMG, Inc., a North Carolina corporation, to Nutrition & Fitness, Inc., a North Carolina corporation, with a business address of P.O. Box 35142, Fayetteville, North Carolina 35142.

The Commissioner is hereby authorized to charge the \$215.00 recordation fee to Deposit Account No. 50-0517. The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee or credit any overpayment to Deposit Account No. 50-0517.

Please send us evidence of the recording of this document at your earliest convenience. To the best of my knowledge and belief, the information contained in the cover sheet is true and correct. If you should have any questions with regard to the enclosed documents, please contact the undersigned at the address or telephone number listed above. Please direct all correspondence concerning this request to the undersigned. Thank you in advance for your prompt attention to this matter.

Very truly yours,

*Randel S. Springer*  
Randel S. Springer

Enclosures