



07-19-2002

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102160769 TRADEMARKS ONLY

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

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

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):

HSI Service Corp 7-15-02

- Individual(s) Association General Partnership Limited Partnership Corporation-State Delaware Other

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

3. Nature of conveyance:

- Assignment Merger Security Agreement Change of Name Other

Execution Date: 05/08/02 2002

2. Name and address of receiving party(ies)

Name: Phytos, Inc

Internal Address:

Street Address: 6 Crest Rd San Anselmo State: CA Zip: 94960

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

1,538,900

B. Trademark Registration No.(s)

Additional number(s) attached Yes No

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

Name: Phil Wolfson

Internal Address:

Street Address: 6 Crest Rd

San Anselmo CA 94960 City: State: Zip:

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00

- Enclosed Authorized to be charged to deposit account

8. Deposit account number:

See #7

(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.

Lawrence J. Back Name of Person Signing

Signature

6/15/02 Date

Total number of pages including cover sheet, attachments, and document: 3

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

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TRADEMARK REEL: 2545 FRAME: 0583

ASSIGNMENT OF TRADEMARK

WHEREAS, HSI SERVICE CORP., a Delaware corporation having a principal place of business at 220 Continental Drive - Suite 115, Newark, Delaware 19713 (hereinafter referred to as "ASSIGNOR"), is the owner of the trademark ORAL-MOIST and record owner of the United States trademark registration No. 1,538,900 registered May 16, 1989 (hereinafter referred to as the "TRADEMARK"); and

WHEREAS, PHYTOS, INC., a California corporation, having a place of business at 6 Crest Road, San Anselmo, California 94960, (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring all of the right, title and interest of ASSIGNOR in, to and under the TRADEMARK, together with the goodwill of the business associated with the TRADEMARK; and

NOW THEREFORE, in consideration of the sum of One Thousand Seven Hundred Fifty Dollars (\$1,750.00) and other good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, ASSIGNOR hereby transfers and assigns to ASSIGNEE the entire right, title and interest of ASSIGNOR in and to the TRADEMARK, together with the goodwill of the business associated with the TRADEMARK, and the United States registration of the TRADEMARK; and

ASSIGNOR, does hereby sell, assign, transfer and set over unto ASSIGNEE, its successors, legal representatives and assigns all claims for damages by reason of past infringement of the TRADEMARK, the right to sue for and collect the same for its own use and enjoyment and for the use and enjoyment of its successors, assigns, or other legal representative;

ASSIGNOR further authorizes the Commissioner of Patents and Trademarks of the United States to record the TRADEMARK as the property of ASSIGNEE; and

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ASSIGNOR further agrees to execute such further documents as may be required to record
ASSIGNEE as the owner of the TRADEMARK and registration herein assigned.

IN WITNESS WHEREOF, the parties have executed this instrument this 8th day of
May, 2002.

HSI SERVICE CORP.

By: 
Name: Michael Ettlinger
Title:

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