

RECORD
TR

04-22-2003



102426164

U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

1853-970019

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

1. Name of conveying party(ies):

Perry A. Isenberg, Christopher D. Cox, Craig Cox, Ed Krall
and Danne King d/b/a Biofreeze Associates

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

4-18-03

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

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Dates: 03-05-03; 3-07-03; 3-16-03; 3-18-03

2. Name and address of receiving party(ies)

Name: Performance Health, Inc.

Street Address: Box 308

City: Delmont State: Pennsylvania Zip: 19026

- ☐ Individual(s) citizenship
☐ Association
☐ General Partnership
☐ Limited Partnership
☒ Corporation-State Pennsylvania
☐ Other

Additional name(s) & address(es) attached? ☒ No

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

List of 7 registered trademarks attached

Additional number(s) attached? ☒ Yes ☐ No

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

Name: Kent E. Baldauf

Internal Address: Webb Ziesenheim Logsdon

Orkin & Hanson, P.C.

Street Address: 700 Koppers Building

436 Seventh Avenue

City: Pittsburgh State: PA ZIP: 15219-1818

6. Total number of applications and registrations involved:

7

7. Total fee (37 CFR 3.41).....\$ 280.00

- ☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number:

(Attach triplicate 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.

Kent E. Baldauf, Reg. No. 25,826

Name of Person Signing

Signature

April 14, 2003

Date

Refund Ref:

04/21/2003 DBYRNE 0000126338

Total number of pages including cover sheet, attachments and document

4

CHECK Refund Total:

\$90.00

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

04/21/2003 DBYRNE 00000013 1774041

01 FC:8521
02 FC:852240.00 OP
150.00 OPTRADEMARK
REEL: 002715 FRAME: 0647

REGISTERED TRADEMARKS BEING ASSIGNED
FROM BIOFREEZE ASSOCIATES TO PERFORMANCE HEALTH, INC.

MARK	Reg. No.	Reg. Date	Reel/Frame	Attorney Docket No.
BIOFREEZE	1,774,041	06-01-1993	1722/0043	1853-930023
CRYOTHERAPY - THE COLD METHOD	2,007,198	09-17-1996	1819/0837	1853-951440
PAIN RELIEF THAT WORKS!	2,269,944	08-10-1999		1853-961618
PAIN RELIEF THAT WORKS	2,318,703	02-15-2000		1853-981511
PERFORM	2,127,009	01-06-1998		1853-961314
STOPS PAIN COLD	2,234,542	03-23-1999		1853-951606
YOUR NATURAL CHOICE FOR MAXIMUM PAIN RELIEF	2,469,031	07-17-2001		1853-991106

ASSIGNMENT

THIS ASSIGNMENT is made the 3rd day of March, 2003

BETWEEN:

BIOFREEZE ASSOCIATES of 1017 Boyd Road, Export, Pennsylvania 15632, (the "Assignor") and

PERFORMANCE HEALTH, INC. of Box 308, Delmont, Pennsylvania 15626 (the "Assignee")

WHEREAS:

A. The Assignor is the registered owner of the seven (7) trademark registrations detailed on the attached "Schedule of Marks" (hereinafter "the Trademarks");

B. The parties have agreed upon the following assignment:

AGREED TERMS:

1. Good and valuable consideration having been paid by the Assignee to the Assignor, the receipt of which the Assignor acknowledges, Assignor assigns to Assignee absolutely all property, right, title and interest in and to the Trademarks together with the goodwill in the Trademarks, and together with all rights of action, powers and benefits belonging or accrued to the same, including the right to claim and recover relief in respect of all infringements of the Trademarks arising prior to the date hereof.

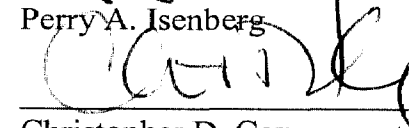
2. The Assignor will, at the request of Assignee, execute and sign all such instruments, applications and documents and do all such other acts and things as may reasonably required by the Assignee to give effect to the terms of this assignment and to ensure that the Trademarks vest in the Assignee.

IN WITNESS WHEREOF, this assignment has been executed and delivered on the date first above written.

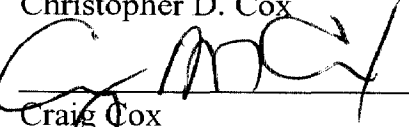
BIOFREEZE ASSOCIATES:


Perry A. Isenberg

3-7-03
Date


Christopher D. Cox

3-7-2003
Date


Craig Cox

3-5-03
Date


Ed Krall

3-18-03
Date


Danne King

3-16-03
Date

{W0046076.1}

SCHEDULE OF MARKS
BIOFREEZE ASSOCIATES

MARK	Registration No.	Class	Goods	Registration Date
BIOFREEZE	1,774,041	5	Analgesic balm	June 1, 1993
CRYOTHERAPY-THE COLD METHOD	2,007,198	5	Pain relief medication, namely, a topical gel	Sep. 17, 1996
PAIN RELIEF THAT WORKS	2,269,944	25	Articles of clothing, namely, shirts	Aug. 10, 1999
PAIN RELIEF THAT WORKS	2,318,703	5	Analgesic balm	Feb. 15, 2000
PERFORM	2,127,009	5	Cool pain relief medication in the form of a topical gel or liquid, namely, an analgesic balm	Jan. 6, 1998
STOPS PAIN COLD	2,234,542	5	Pain relieving gel	Mar. 23, 1999
YOUR NATURAL CHOICE FOR MAXIMUM PAIN RELIEF	2,469,031	5	Topical analgesics	July 17, 2001