

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
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NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL
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CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Dickey Consumer Products, Inc.		02/16/2004	CORPORATION: INDIANA

RECEIVING PARTY DATA	
Name:	Dickey Investments, LLC
Street Address:	15268 Stony Creek Way
Internal Address:	Suite 100
City:	Noblesville
State/Country:	INDIANA
Postal Code:	46060
Entity Type:	Limited Liability Company: INDIANA

PROPERTY NUMBERS Total: 28

Property Type	Number	Word Mark
Serial Number:	76327470	3-WAY
Serial Number:	76389420	DIET EPHEP PLUS
Registration Number:	2510876	DMD PHARMACEUTICALS
Registration Number:	2797693	DMD
Registration Number:	2168319	DMD NATURALS
Serial Number:	78209130	DR. SCRIPT
Registration Number:	1791247	EP
Registration Number:	2217874	EP 12.5
Registration Number:	2158647	EP225
Serial Number:	76346825	EPHEP 225
Serial Number:	76346899	EPHEP 30
Registration Number:	2784790	EPHEP PLUS
Serial Number:	76495797	EPHEP PLUS
Registration Number:	1817332	EPHEDRINE PLUS

OP \$715.00 76327470

Registration Number:	1700133	EPHEDRINE PLUS MINI WHITE
Registration Number:	2231197	FED 7
Registration Number:	2646184	FED KOLA
Registration Number:	2300661	FED PLUS LIGHTS
Registration Number:	2515781	METABOFED
Registration Number:	1669116	PEPTIME
Serial Number:	78252224	PEPTIME
Serial Number:	78209180	PEPTIME BLACK
Serial Number:	76231148	PSEUDO EPHEDRINE PLUS
Registration Number:	2211903	RED LABEL
Registration Number:	1815328	SUPRA THIN
Registration Number:	2000356	VITA BLITZ
Registration Number:	2616042	XTRAPHEN
Serial Number:	76346791	EPHRINE PLUS

**CORRESPONDENCE DATA**

Fax Number: (317)776-5051  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
Phone: 317-773-2090  
Email: jterry@ckplaw.com  
Correspondent Name: John S. Terry  
Address Line 1: 198 S. 9th Street, P.O. Box 2020  
Address Line 4: Noblesville, INDIANA 46060

NAME OF SUBMITTER:	John S. Terry
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Total Attachments: 12  
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**ASSIGNMENT OF REGISTERED AND UNREGISTERED TRADEMARKS**

Dickey Consumer Products, Inc., an Indiana corporation, has adopted, used and is using the trademarks as found in the attached Exhibit A.

Dickey Investment, LLC, an Indiana limited liability company, desires to acquire such trademarks.

In consideration of the foregoing, and for One Thousand Dollars (\$1000.00) and other good a valuable consideration, receipt of which is hereby acknowledged, Dickey Consumer Products, Inc. does hereby assign to Dickey Investments, LLC all its right, title, and interest in and to the trademarks as found in the attached Exhibit A, together with the good will of business symbolized by such mark.

**Assignor**

Dickey Consumer Products, Inc.

By *David Dickey*  
Its *President*

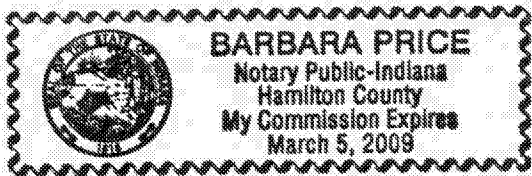
State of Indiana            )  
  )ss:  
County of Hamilton        )

Before me, a Notary Public within and for said County and State, personally appeared DAVE DICKEY the PRESIDENT of Dickey Consumer Products, Inc. who acknowledged execution of the foregoing Assignment of Registered and Unregistered Trademarks for and on behalf of said Assignor, and who, having been duly sworn, stated that the representations therein contained are true.

WITNESS my hand and official seal this 16<sup>th</sup> day of February 2004

*Barbara Price*  
Notary Public  
BARBARA PRICE (Printed)  
Resident of HAMILTON County, IN

My Commission Expires:  
3-5-2009



Friday, January 23, 2004

### Trademark Status Report by Client

Page: 1

Client: 6885 Dickey Consumer Products, Inc.

Case Number Trademark Name	Status Client Ref Number	App Number Reg Number	App Date Reg Date	Next Action(s)	Due Date(s)
6885-69128 3-WAY	Allowed	76327470	18-Oct-2001	Statement of Use-4th Extension	11-Jun-2004

Country: United States of America

List of Classes/Goods:

Class Goods

5 dietary supplements

Remarks:

6885-37728

DIETEPHED PLUS

Country: United States of America

List of Classes/Goods:

Class Goods

05 dietary supplements

Filed

76389420

28-Mar-2002

6885-62408

DMD PHARMACEUTICALS

Country: United States of America

List of Classes/Goods:

Class Goods

5 bronchodilators, expectorant and nasal decongestant

Remarks:

Registered

75594063

2510876

23-Nov-1998

20-Nov-2001

Aff of Use - 5 Year

20-Nov-2006

Exhibit A

Friday, January 23, 2004

### Trademark Status Report by Client

Page: 2

Client: 6885 Dickey Consumer Products, Inc.

Case Number	Trademark Name	Status	Client Ref Number	App Number	App Date	Next Action(s)	Due Date(s)
6885-71892	DMD and Design	Registered		78/196982 2797693	20-Dec-2002 23-Dec-2003	Aff of Use - 5 Year	23-Dec-2008

Country: United States of America

List of Classes/Goods:

Class      Goods

5      dietary supplements, bronchodilators; expectorants; nasal decongestants; pain relievers

**Remarks:** 1. Special-form drawing  
2. Stippling  
3. DMD meaning the trade or industry.

6885-27452

DMD NATURALS

Country: United States of America

List of Classes/Goods:

Class      Goods

5      dietary supplements

**Remarks:**

75/161388 2168319	05-Sep-1996 23-Jun-1998	Aff of Use - 6 Year	23-Jun-2004
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Trademark Status Report by Client

Client: 6885 Dickey Consumer Products, Inc.

Case Number	Trademark Name	Status	Client Ref Number	App Number	App Date	Reg Date	Next Action(s)	Due Date(s)
6885-72232	DR. SCRIPT	Filed		78209130	30-Jan-2003			

Country: United States of America

List of Classes/Goods:

Class	Goods
5	pharmaceuticals, namely, pain relievers

6885-22003	EP	Registered		74329375	09-Nov-1992	1791247	07-Sep-1993	07-Sep-2013
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Country: United States of America

List of Classes/Goods:

Class	Goods
5	pharmaceutical bronchodilators

Remarks:

Friday, January 23, 2004

### Trademark Status Report by Client

Page: 4

Client: 6885 Dickey Consumer Products, Inc.

Case Number Trademark Name	Status Client Ref Number	App Number Reg Number	App Date Reg Date	Next Action(s)	Due Date(s)
6885-28334 EP 12.5	Registered	75/296547 2217874	22-May-1997 12-Jan-1999	First Renewal	12-Jan-2009

Country: United States of America

List of Classes/Goods:

Class	Goods
5	pharmaceutical bronchodilators

Remarks:

6885-28227 EP225	Registered	75/281957 2158647	24-Mar-1997 19-May-1998	Aff of Use - 6 Year	19-May-2004
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Country: United States of America

List of Classes/Goods:

Class	Goods
5	pharmaceutical bronchodilators

Remarks:

6885-69505 EPHD 225	Allowed	76/346825	07-Dec-2001	Statement of Use 1st Extension	16-Mar-2004
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Country: United States of America

List of Classes/Goods:

Class	Goods
5	dietary supplements

TRADEMARK

REEL: 002826 FRAME: 0546

Friday, January 23, 2004

### Trademark Status Report by Client

Page: 5

Client: 6885 Dickey Consumer Products, Inc.

Case Number Trademark Name	Status Client Ref Number	App Number Reg Number	App Date Reg Date	Next Action(s)	Due Date(s)
6885-69506 EPHED 30	Allowed	76346899	07-Dec-2001	Statement of Use 1st Extension	23-Mar-2004

Country: United States of America

List of Classes/Goods:

Class	Goods
5	nasal decongestants and expectorants

6885-69458

EPHED PLUS

Country: United States of America

List of Classes/Goods:

Class	Goods
5	dietary supplements; nasal decongestants and expectorants

Registered

76346793

2784790

07-Dec-2001

18-Nov-2003

Aff of Use - 5 Year

18-Nov-2008

6885-72547

EPHED PLUS

Country: United States of America

List of Classes/Goods:

Class	Goods
5	bronchial dilators and expectorants

Published

76495797

06-Mar-2003



Friday, January 23, 2004

### Trademark Status Report by Client

Page: 6

Client: 6885 Dickey Consumer Products, Inc.

Case Number Trademark Name	Status Client Ref Number	App Number Reg Number	App Date Reg Date	Next Action(s)	Due Date(s)
6885-21425 EPHEDRINE PLUS	Registered	74/205771 1817332	19-Sep-1991 18-Jan-1994	Next Renewal	18-Jan-2014

Country: United States of America

List of Classes/Goods:

Class Goods

5 pharmaceutical bronchodilators

Remarks:

6885-20823 EPHEDRINE PLUS MINI-WHITE	Registered	74/134819 1700133	30-Jan-1991 14-Jul-1992	Next Renewal	14-Jul-2012
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Country: United States of America

List of Classes/Goods:

Class Goods

5 pharmaceutical bronchodilators

Remarks:

6885-69507 EPHIRINE PLUS	Registered	76/346791 2738537	07-Dec-2001 15-Jul-2003	Aff of Use - 5 Year	15-Jul-2008
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Country: United States of America

List of Classes/Goods:

Class Goods

5 dietary supplements

TRADEMARK

REEL: 002826 FRAME: 0548

Trademark Status Report by Client

Client: 6885 Dickey Consumer Products, Inc.

Case Number Trademark Name	Status Client Ref Number	App Number Reg Number	App Date Reg Date	Next Action(s)	Due Date(s)
6885-28335 FED 7	Registered	75/296667 2231197	22-May-1997 09-Mar-1999	Aff of Use - 5 Year	09-Mar-2004

Country: United States of America

List of Classes/Goods:

Class	Goods
5	nasal decongestant

Remarks:

6885-64077 FED KOLA	Registered	75/701498 2646184	10-May-1999 05-Nov-2002	Aff of Use - 5 Year	05-Nov-2007
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Country: United States of America

List of Classes/Goods:

Class	Goods
5	dietary supplements

Remarks:

6885-29475 FED PLUS LIGHTS	Registered	75/915145 2300661	08-Jan-1998 14-Dec-1999	Aff of Use - 5 Year	14-Dec-2004
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Country: United States of America

List of Classes/Goods:

Class	Goods
5	bronchodilator and expectorant

Remarks:

Friday, January 23, 2004

### Trademark Status Report by Client

Page: 8

Client: 6885 Dickey Consumer Products, Inc.

Case Number Trademark Name	Status Client Ref Number	App Number Reg Number	App Date Reg Date	Next Action(s)	Due Date(s)
6885-65167 METABOFED	Registered	75/874529 2515781	17-Dec-1999 04-Dec-2001	Aff of Use - 5 Year	04-Dec-2006

Country: United States of America

List of Classes/Goods:

Class	Goods
5	dietary supplements

*Remarks:*

6885-20822 PEPTIME	Registered	74/35041 1669116	31-Jan-1991 24-Dec-1991	Next Renewal	24-Dec-2011
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Country: United States of America

List of Classes/Goods:

Class	Goods
5	pharmaceutical stimulants

*Remarks:*

6885-72844 PEPTIME	Published	78/252224	20-May-2003		
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Country: United States of America

List of Classes/Goods:

Class	Goods
5	dietary supplements

**Trademark Status Report by Client**

Client: 6885 Dickey Consumer Products, Inc.

Case Number	Trademark Name	Status	Client Ref Number	App Number Reg Number	App Date Reg Date	Next Action(s)	Due Date(s)
6885-72243	PEPTIME BLACK	Filed		78/209180	30-Jan-2003	REQ FOR RECON (LAST DAY)	20-Feb-2004

Country: United States of America

List of Classes/Goods:

Class	Goods
5	pharmaceuticals

6885-67851

PSEUDO EPHEDRINE PLUS

Country: United States of America

List of Classes/Goods:

Class	Goods
5	bronchodilators and nasal decongestants

Remarks: Sent reminder letter 3/14/03. Will file extension if we do not receive instructions by deadline.

6885-28926

RED LABEL

Country: United States of America

List of Classes/Goods:

Class	Goods
5	pharmaceutical bronchodilators and expectorants

Remarks:

Friday, January 23, 2004

### Trademark Status Report by Client

Page: 10

Client: 6885 Dickey Consumer Products, Inc.

Case Number Trademark Name	Status Client Ref Number	App Number Reg Number	App Date Reg Date	Next Action(s)	Due Date(s)
6885-21794 SUPRA THIN	Registered	74/266544 1815328	16-Apr-1992 04-Jan-1994		04-Jul-2004

Country: United States of America

*List of Classes/Goods:*

Class	Goods
5	appetite suppressants

Remarks:

Trademark Status Report by Client

Client: 6885 Dickey Consumer Products, Inc.

Case Number	Trademark Name	Status	Client Ref Number	App Number	App Date	Next Action(s)	Due Date(s)
6885-25062	VITA BLITZ	Registered		74/596860 2000356	09-Nov-1994 10-Sep-1996	Next Renewal	10-Sep-2006

Country: United States of America

List of Classes/Goods:

Class Goods

5 vitamin and dietary supplements

Remarks:

6885-67828	XTRAPHEN	Registered		78/051147 2616042	02-Mar-2001 03-Sep-2002	Aff of Use - 5 Year	03-Sep-2007
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Country: United States of America

List of Classes/Goods:

Class Goods

5 pain relievers

Remarks: