

10-29-2003

HEET

Docket No.:

LY

49204-02010

10-24-03

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To the Honorable Commissioner of Patents and Trademarks, Washington, DC 20503. Do not attach original documents or copy thereof.

1. Name of conveying party(ies):

Terry Enterprises, LLC
2248 Cottonwood Cove Lane
Salt Lake City, UT 84121

- Individual(s)
- General Partnership
- Corporation-State
- Other

Additional names(s) of conveying party(ies) Yes No



2. Name and address of receiving party(ies):

Name: Douglas C. Terry

Internal Address: _____

Street Address: 2248 Cottonwood Cove Lane

City: Salt Lake City State: UT ZIP: 84121

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

If assignee is not domiciled in the United States, a domestic designation is Yes N
(Designations must be a separate document from Additional name(s) & address(es) Yes N

3. Nature of conveyance:

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

Execution Date: October 17, 2003

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

A. Trademark Application No.(s)

76/404,738

Additional numbers

B. Trademark Registration No.(s)

Yes No

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

Name: Thomas J. Rossa

Internal Address: _____

Street Address: Holme Roberts & Owen LLP

299 South Main, Suite 1800

City: Salt Lake City State: UT ZIP: 84111

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:

08-2665

10/28/2003 DBYRNE 00000206 082665 76404738

01 FC:8521 40.00 DA

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.

Thomas J. Rossa

Name of Person Signing

Signature

October 20, 2003

Date

Total number of pages including cover sheet, attachments, and

2

TRADEMARK ASSIGNMENT

This is an Assignment by Terry Enterprises, LLC ("ASSIGNOR"), having an address of 2248 Cottonwood Cove Lane, Salt Lake City, UT 84121 to Douglas C. Terry, an individual, ("ASSIGNEE"), having an address of 2248 Cottonwood Cove Lane, Salt Lake City, UT 84121

WHEREAS, ASSIGNOR is the owner of the trademark application for "GYMBAR", application no. 76/404,738 (the "MARK") and is desirous of assigning the MARK to ASSIGNEE.

WHEREAS, ASSIGNEE is desirous of acquiring all right, title and interest in the MARK.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR does hereby assign to ASSIGNEE whatever right, title and interest of ASSIGNOR in and to the MARK together with the goodwill of the business symbolized by the MARK and all registrations and applications therefor.

ASSIGNOR: Terry Enterprises, LLC


Douglas C Terry

Douglas C. Terry, Manager

State of Utah)
) ss.
County of Salt Lake)

Before me, a Notary Public in and for said County and State, personally appeared Douglas C. Terry, who acknowledged that he executed the foregoing instrument for the purposes and considerations therein expressed.

Given under my hand and seal of office this 17th day of October, 2003.

(SEAL)  Notary Public
JEFFREY C. WILLIAMS
299 South Main Street, Suite 1800
Salt Lake City, Utah 84111
My Commission Expires
October 2, 2004
State of Utah

Jeffrey C Williams

Notary Public