

12-19-2003

Form PTO-1594  
(Rev. 10/02)  
OMB No. 0651-0027 (exp. 6/30/2005)  
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U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

12-19-03

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

1. Name of conveying party(ies): 12-19-03

CITIBANK, N.A.

- Individual(s)                       Association
- General Partnership               Limited Partnership
- Corporation-State \_\_\_\_\_
- Other National Association

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

3. Nature of conveyance:

- Assignment                               Merger
- Security Agreement                   Change of Name
- Other Release of Security Interest in Trademarks

Execution Date: November 12, 2003

2. Name and address of receiving party(ies)

Name: ATKINS NUTRITIONALS, INC.

Internal \_\_\_\_\_

Address: \_\_\_\_\_

Street Address: 2002 Orville Drive North

City: Ronkonkoma State: NY Zip: 11779

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation - State New York
- 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)

PLEASE SEE THE ATTACHED.

B. Trademark Registration No.(s)

PLEASE SEE THE ATTACHED.

Additional number(s) attached?  Yes  No

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

Name: Claudine Meredith-Goujon

Internal Address: \_\_\_\_\_

Paul, Weiss, Rifkind, Wharton & Garrison LLP

Street Address: \_\_\_\_\_

1285 Avenue of the Americas

City: New York State: NY Zip: 10019-6064

6. Total number of applications and registrations involved: 12

7. Total fee (37 CFR 3.41) \$ 315.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

50-0706

(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.*

Claudine Meredith-Goujon

Name of Person Signing

Claudine Meredith-Goujon

Signature

December 18, 2003

Date

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

8

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

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

12/22/2003 LHMELLER 00000033 500706 2706482

Q1 FC:0521 40.00 DA  
Q2 FC:0522 275.00 DA

Doc #:NY6:638406.1

TRADEMARK  
REEL: 002882 FRAME: 0949

**TRADEMARKS**

**Registration Numbers**

1. 2,708,482
2. 2,689,975
3. 2,689,974
4. 2,708,481
5. 2,699,457
6. 2,253,675
7. 2,437,823
8. 2,411,688
9. 2,436,113
10. 2,434,476

**TRADEMARK APPLICATIONS**

**Serial Numbers**

1. 76/290,508
2. 76/225,471

Release of Lien on Trademarks

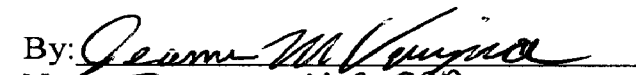
This Release of Lien on Trademarks (the "Release"), dated as of November 14, 2003 is made by Citibank, N.A. ("Lender"), in favor of Atkins Nutritionals, Inc., a New York corporation ("Grantor").

WHEREAS, Grantor entered into a Security Agreement, dated as of August 23, 2001, and recorded in the United States Patent and Trademark Office as of September 6, 2001, at Reel number 2364 and Frame number 0083, pursuant to which Grantor granted to the Lender a security interest in and lien on all right, title and interest of the Grantor in certain trademarks, including the trademark registrations and applications set forth on Schedule A attached hereto (the "Released Trademarks") to secure the performance of certain obligations (the "Obligations");

WHEREAS, the Obligations have now been satisfied, Grantor has requested that the Lender release any and all interest it may have in the Released Trademarks, and the Lender has agreed to do so.

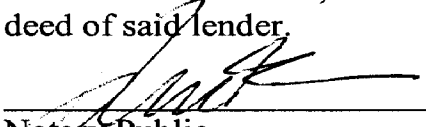
NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, the Lender does hereby release, relinquish and discharge its security interest in, to and under the Released Trademarks.

IN WITNESS WHEREOF, the Lender has caused this Release to be duly executed and delivered by its officer thereunto duly authorized as of the date hereinabove set forth.

By:   
Name: JEANNE M VIRZERA  
Title: ASSISTANT VICE PRESIDENT

STATE OF NY )  
COUNTY OF ) Suffolk ss:

On the 12<sup>th</sup> day of November, 2003 before me and personally came JENNIFER H. VIZKINA, to me known, who, being by me duly sworn, did depose and say that he resides at 770 Veterans Memorial Dr. Apt. 107 that he is Asst. Vice Pres. of Citibank Lender, the lender described in and which executed the above instrument; that he signed his name thereto on behalf of said lender; and that he acknowledged said instrument to be the free act and deed of said lender.

  
\_\_\_\_\_  
Notary Public

**RICHARD ROMANO**  
Notary Public, State of New York  
No. 4873628  
Qualified in Suffolk County  
Commission Expires October 20, 19.....

**SCHEDULE A**

**Released Trademarks**

<b>Mark</b>	<b>Serial/ Registration No.</b>	<b>Filing Date</b>	<b>Registration Date</b>	<b>Owner</b>
ATKINS NUTRITIONAL PRINCIPLES	76/290,508	July 27, 2001		Atkins Nutritionals, Inc..
ATKINS DIRECT	2,708,482	March 16, 2001	April 22, 2003	Atkins Nutritionals, Inc.
A ATKINS and Design	2,689,975	March 16, 2001	February 25, 2003	Atkins Nutritionals, Inc.
A ATKINS ENDULGE and Design	76/225,471	March 16, 2001		Atkins Nutritionals, Inc.
ATKINS	2,689,974	March 16, 2001	February 25, 2003	Atkins Nutritionals, Inc.
ATKINS	2,708,481	March 16, 2001	April 22, 2003	Atkins Nutritionals, Inc.
ATKINS	2,699,457	March 16, 2001	March 25, 2003	Atkins Nutritionals, Inc.
ARTHRI-JOINT	2,253,675	May 22, 1998	June 15, 1999	Atkins Nutritionals, Inc.
ATKINS DIET ADVANTAGE BAR	2,437,823	February 25, 1998	March 27, 2001	Atkins Nutritionals, Inc.

<b>Mark</b>	<b>Serial/ Registration No.</b>	<b>Filing Date</b>	<b>Registration Date</b>	<b>Owner</b>
A BASIC #3 and Design	2,411,688	February 25, 1998	December 12, 2000	Atkins Nutritionals, Inc.
DR. ATKINS	2,436,113	February 25, 1998	March 20, 2001	Atkins Nutritionals, Inc.
ATKINS DIET	2,434,476	February 25, 1998	March 13, 2001	Atkins Nutritionals, Inc.