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02-09-2004



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

To the Honorable Commissioner c

102664861

Attached original documents or copy thereof.

1. Name of conveying party(ies):

HELLER FINANCIAL, INC.,
as Administrative Agent

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

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

2. Name and address of receiving party(ies)

Name: THE HYGENIC CORPORATION

Internal
Address: _____

Street Address: 1245 HOME AVENUE

City: AKRON State: OH Zip: 44310

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other Release and Reassignment
- Merger
- Change of Name

Execution Date: 01/30/2004

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

A. Trademark Application No.(s) 75/942,466

B. Trademark Registration No.(s) See attached.

Additional number(s) attached Yes No

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

Name: Penelope S. Johnson

Internal Address: Katten Muchin Zavis Rosenman
Suite 1600

Street Address: 525 West Monroe Street

City: Chicago State: IL Zip: 60661

6. Total number of applications and registrations involved:

28

7. Total fee (37 CFR 3.41).....\$ 715.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

DO NOT USE THIS SPACE

9. Signature.

Penelope S. Johnson
Name of Person Signing

Penelope S. Johnson
Signature

02/04/04
Date

Total number of pages including cover sheet, attachments, and document: **20**

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

TRADEMARK
REEL: 002910 FRAME: 0031

EXHIBIT A

**United States
Trademark Registrations**

<u>Mark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
THERA-BAND Resistive exerciser (Class 10- Rubber sheeting used for medical purposes)	1,063,239	09/13/1976
HYGENIC & Design (Class 5, 10 - Dental supplies & accessories)	1,173,854	10/06/1078
H & HYGENIC logo (Class 27 - Floor Mats)	1,238,548	10/06/1978
H & HYGENIC logo (Class 17 - Rubber and Plastic in the form of sheets and tubing for industrial use)	1,241,177	10/06/1978
H & HYGENIC logo (Class 10 - Rubber and Plastic in the form of sheets and tubing for medical applications)	1,269,061	10/06/1978
DYNA- BAND-Resistive exerciser (Class 28 - exercise equipment; namely, resistive exercisers)	1,379,345	05/31/1985
H & HYGENIC logo (Class 28 - Exercise equipment)	1,380,599	05/31/1985
THERA - BAND & Design (Class 10- Rubber sheeting for medical purposes)	1,542,392	09/29/1988
Color Band Design (Class 10 - Rubber sheeting for medical purposes)	1,541,408	09/29/1988

PARABATH- Unit, Paraffin Bath, Paraffin Refills, Accessories (Class 10)	1,011,451	06/13/1973
HYSYNAL (Class 17- Synthetic Polyisoprene Rubber Tubing for medical and industrial use)	1,890,535	08/24/1994
THERA-BAND - Resistive exercisers (Class 10 - for elastic tensioning exerciser for rehab physical therapy)	1,895,004	09/13/1976
THERA- BAND PRESCRIPTION PACK Resistive Exercise System (Class 10) (NO LONGER USING PRODUCT)	1,927,943	08/23/1994
MARK H HYGENIC & DESIGN (Class 28 - G.P. Points, & 10 - Dental Products)	1,966,739	10/06/1978
HYTONE (Class 24- latex rubber sheeting sold in rolls used in the manufacture of evening wear)	2,144,993	07/10/1997
H HYGENIC & DESIGN (Class 17 Rubber and Plastic in the Form of sheets and tubing for General Industrial Use)	2,120,982	10/06/1978
COLOR PINK (Dyna-Band) (Class 28)	2,037,964	05/31/1985
COLOR GREEN (Dyna-Band) (Class 28)	2,037,965	05/31/1985
COLOR PURPLE (Dyna-Band) (Class 28)	2,037,966	05/31/1985

H & HYGENIC LOGO (Class 10 - Rubber and plastic in the form of sheets and tubing for medical applications)	2,262,494	10/06/1978
THERA - BAND (Class 28 - product for exercise or recreational use - bands, tubing, balls, kits, mats, aquatic devices)	2,295,811	09/18/1998
THERAROBICS (Class 12 - Exercise physical therapy services)	1,932,938	10/27/1998
HYSYNAL (Synthetic rubber tubing for medical and industrial use Class 10; synthetic rubber tubing and tourniquets for medical and industrial use Class 17)	2,308,554	04/17/1998
AQUA DEEP WRAP (Class 28 - Floation belt for bathing and swimming)	1,883,696	02/18/1994
THERA-BAND & BALL (Class 10 - Rubber sheeting used for medical purposes)	1,799,243	10/19/1993

United States
Trademark Applications

<u>Mark</u>	<u>Serial No.</u>	<u>Filing Date</u>
THERAEROBICS (Class 28, 41-exercise kits comprising resistive bands and tubing)	75/578,579	
AQUAFINS (Class 10,28 - products for physical therapy use; namely, vests, belts, bands, floatation devices, swim fins)	75/712,381	05/24/1998

TRADEMARK RELEASE AND REASSIGNMENT

THIS TRADEMARK RELEASE AND REASSIGNMENT is made as of January 30, 2004, by HELLER FINANCIAL, INC., a Delaware corporation, as Administrative Agent ("Administrative Agent").

WITNESSETH:

WHEREAS, Administrative Agent and The Hygenic Corporation, a Delaware corporation formerly known as Hygenic Acquisition, Inc. ("Hygenic"), were parties to that certain Trademark Security Agreement dated as of April 30, 2000 (the "Security Agreement"; capitalized terms used but not otherwise defined herein shall have the respective meanings ascribed thereto in the Security Agreement), pursuant to which Hygenic granted a security interest to Administrative Agent in, among other things, the Trademarks (as defined in the Security Agreement), including the Trademarks set forth on Exhibit A hereto;

WHEREAS, the Security Agreement was recorded by the Assignment Division of the United States Patent & Trademark Office on June 16, 2000 at Reel/Frame 002099/0333; and

WHEREAS, Hygenic has requested that Administrative Agent release its security interest in the Trademarks and reassign the same to Hygenic.

NOW THEREFORE, for good and valuable consideration, receipt and sufficiency of which are hereby acknowledged:

1. Administrative Agent hereby releases its security interest in all of Hygenic's right, title and interest in and to all of the following:

(a) each Trademark, Trademark registration and Trademark application, including, without limitation, the Trademarks, Trademark registrations (together with any reissues, continuations or extensions thereof) and Trademark applications referred to in Exhibit A annexed hereto, and all of the goodwill of the business connected with the use of, and symbolized by, each Trademark, Trademark registration and Trademark application;

(b) each Trademark license and all of the goodwill of the business connected with the use of, and symbolized by, each Trademark license; and

(c) all products and proceeds of the foregoing, including, without limitation, any claim by Hygenic against third parties for past, present or future (a) infringement or dilution of any Trademark or Trademark registration including, without limitation, the Trademarks and Trademark registrations

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referred to in Exhibit A annexed hereto, the Trademark registrations issued with respect to the Trademark applications referred in Exhibit A and the Trademarks licensed under any Trademark license or (b) injury to the goodwill associated with any Trademark, Trademark registration or Trademark licensed under any Trademark license.

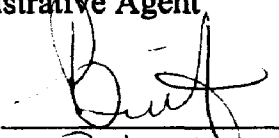
2. Administrative Agent hereby reassigns, grants and conveys to Hygenic, without any representation, recourse or undertaking by Administrative Agent, all of Administrative Agent's right, title and interest in and to the Trademarks, and the goodwill of Hygenic's business connected with the use of and symbolized by the Trademarks.

*- Remainder of Page Intentionally Left Blank -
[Signature Page Follows]*

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IN WITNESS WHEREOF, Administrative Agent has caused this Release and Reassignment to be duly executed by its duly authorized officer as of the day and year first above written.

**HELLER FINANCIAL, INC., as
Administrative Agent**

By: 
Name: Beth Kehring
Title: Vice President

Trademark Release and Reassignment

**TRADEMARK
REEL: 002910 FRAME: 0037**

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<u>Mark</u>	<u>Serial No.</u>	<u>Filing Date</u>
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AQUAFINS (Class 10,28 - products for physical therapy use; namely, vests, belts, bands, floatation devices, swim fins)	75/712,381	05/24/1998

FLEXBAR
(Handheld physical therapy device
Class 10; handheld exercise device Class 28)

75/942,466

03/13/2000

Foreign Trademarks

<u>Mark</u>	<u>Country</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
DYNA-BAND (Class 10 & 28)	Austria	134,133	
H HYGENIC LOGO (Class 5 chemical products and artfical resins for dental purposes & 10 - Medical and dental instruments and apparatus; all remaining categories are dental)	Austria	160,822	
THERA-BAND (Class 10)	Australia	160,168	
THERA-BAND (Class 10)	Australia	A501926	
DYNA-BAND (Class 10)	Australia	A501925	
THERAROBICS (Classes 28,41)	Australia	763150	
AQUAFINS (Classes 10,28)	Australia	770960	
THERA-BAND (Class 28)	Australia	772043	
THERA-BAND (Class 10)	Brazil	816.666.180	
THERA-BAND (Class 5, 10)	Benclux	450,458	

H & HYGENIC logo (Class 5, 10 & 28 - dental and medical)	Benelux	501,502
DYNA-BAND (Class 10 & 28)	Benelux	483,254
DYNAROBICS (Class 16, 28, 41)	Benelux	563537
HYGENIC H & DESIGN (Canada has no class system)	Canada	360,478
THERA-BAND (Canada has no class system)	Canada	461,454
THERA-BAND & DESIGN (Canada has no class system)	Canada	460,636
THERA-BAND (Class 10)	Switzerland	356,844
DYNA-BAND (Class 10 & 28)	Switzerland	384,212
H HYGENIC LOGO (Class 10)	Switzerland	430,090
THERAROBICS (Class 28,41)	Switzerland	455.894
THERA-BAND (Class 10)	Chile	390,492
AQUAFINS (Class 10)	Columbia	144,549

AQUAFINS (Class 10)	Columbia	216,809
AQUAFINS (Class 28)	Columbia	216,810
THERA-BAND (Class 28)	Columbia	217,536
THERA-BAND (Class 10)	Germany	1,178,481
H & HYGENIC logo (Class 5, 10 & 28 - dental and medical)	Germany	2,006,219
DYNA-BAND (Class 10 & 28)	Germany	1,178,451
H & HYGENIC logo (Class 5, 10 & 28- dental and medical)	Denmark	08/369-92
THERA-BAND (Class 10)	Denmark	08.919-93
DYNA-BAND (Class 10 & 28)	Denmark	00998-94
THERA-BAND (Class 10)	Spain	1,786,082
THE HYGENIC CORPORATION & DESIGN (Class 10- dental and rubber and plastic in the form of sheets and tubing for medical applications)	Spain	1,920,092
DYAN-BAND (Class 10)	Spain	1,585,250

DYNA-BAND (Class 28)	Spain	2,124,363
THERAROBICS (Classes 9, 28, 41)	CTM	000846071
AQUAFINS (Classes 9, 10,28)	CTM	0009128816
THERA-BAND (Classes 9, 10, 16, 28)	CTM	000920892
DYNA-BAND (Class 10 & 28)	Finland	119181
HYGENIC LOGO (Class 10- dental only)	Finland	200442
THERA-BAND (Class 10)	Finland	201034
THERA-BAND (Class 5)	France	1,467,991
H & HYGENIC logo (Class 10, 5, & 28 - dental and medical)	France	1,651,880
DYNA-BAND (Class 10 & 28)	France	1,610,223
THERA-BAND (Class 10)	U.K.	1,319,651
H & HYGENIC logo (Class 10- dental and rubber and plastic in the form of sheets and tubing for medical applications)	U.K.	1,453,018

DYNA-BAND (Class 9)	U.K.	1,454,823
DYNA-BAND (Class 10)	U.K.	1,419,170
DYNA-BAND (Class 28)	U.K.	1,419,171
H & HYGENIC logo (Class 5, 10 & 28- dental and rubber and plastic in the form of sheets and tubing for medical application)	Greece	103,904
THERA-BAND (Class 10)	Greece	116,382
DYNA-BAND (Class 10 & 28)	Greece	100,292
H & HYGENIC logo(Class 10 - dental and medical)	Ireland	143,241
THERA-BAND (Class 10)	Ireland	157,724
DYNA-BAND (Class 10 & 28)	Ireland	141,486
H & HYGENIC logo (Class 5,10 & 28-dental and medical)	Italy	00623157
THERA-BAND (Class 10)	Italy	00677912
DYNA-BAND (Class 10 & 28)	Italy	587,979

THERA-BAND (Class 1)	Japan	2717467
DYNA-BAND (Class 28)	Japan	4113423
HYGENIC H & DESIGN (Class 5-dental)	Japan	4143278
HYGENIC H & DESIGN (Class 10-dental and medical)	Japan	4632388
HYGENIC H & DESIGN (Class 17-dental and medical)	Japan	4159679
THERA-BAND (Classes 28)	Japan	4086677
THERA-BAND (Class 11) (Korean)	Korea	259028
AQUAFINS (Classes 10 & 28)	Korea	463,276
DYNA-BAND (Class 10 & 28)	Monoco	90.13441
DYNA-BAND (Class 10)	Malta	19,926
DYNA-BAND (Class 28)	Malta	19,927
THERA-BAND (Class 10)	Mexico	416,337
THERA-BAND (Class 28)	Mexico	593,559
DYNA-BAND (Class 10 & 28)	Norway	152,399

THERAROBICS (Classes 28,41)	Norway	193,241
AQUAFINS (Classes 10,28)	Norway	198,726
THERAROBICS (Class 28)	New Zealand	292,904
THERAROBICS (Class 41)	New Zealand	292,905
AQUAFINS (Class 10)	New Zealand	297,100
AQUAFINS (Class 28)	New Zealand	297,101
AQUAFINS (Class 10)	Peru	052773
AQUAFINS (Class 10)	Peru	052960
THERA-BAND (Class 44-based on old U.S. classification)	Puerto Rico	30,976
H & HYGENIC logo (Class 5- dental and rubber and plastic in the form of sheets and tubing for medical applications)	Portugal	273,052
H & HYGENIC logo (Class 10- dental only)	Portugal	273,053
THERA-BAND (Class 10)	Portugal	295,414

DYNA-BAND (Class 10)	Portugal	266,675
DYNA-BAND (Class 28)	Portugal	266,676
THERA-BAND (Class 10)	Saudi-Arabia	273/63
THERA-BAND (Class 28)	Saudi-Arabia	473/93
THERA-BAND (Class 10)	Sweden	227,877
DYNA-BAND (Class 10 & 28)	Sweden	231,723
HYGENIC & DESIGN (Class 10- rubber in the form of sheets and tubing for use in the medical, dental, industrial and exercise fields)	Singapore	4624/95
THERA-BAND (Class 10)	Thailand	TM256339
THERA-BAND (Class 28)	Thailand	374383

Foreign Trademark Applications

<u>Mark</u>	<u>Country</u>	<u>Serial No.</u>	<u>Reg. Date</u>
AQUAFINS (Class 10)	Bolivia	85320-21	
AQUAFINS (Class 28)	Bolivia		
HYGENIC	Bolivia	817726250	

THERA-BAND (Class 5 - Products used specifically in dental treatment)	Brazil	815746806	
AQUAFINS (Class 12)	Brazil	821209787	11/13/1998
AQUAFINS (Class 25)	Brazil	821209795	11/13/1998
AQUAFINS (Class 28)	Brazil	821209809	11/13/1998
THERA-BAND (Class 25)	Brazil	821221183	11/17/1998
THERA-BAND (Class 28)	Brazil	821221191	11/17/1998
THERAROBICS (Canada has no class system)	Canada	893,133	10/13/1998
AQUAFINS (Canada has no class system)	Canada	1,015,327	05/11/1999
AQUAFINS (Classes 10,28)	Switzerland	07650/1998	09/17/1998
THERA-BAND (Class 10)	Switzerland	07649/1998	09/17/1998
THERA-BAND (Class 28)	Chile	542,326	10/27/1998
AQUAFINS (Class 10)	Ecuador	90611	09/02/1998
AQUAFINS (Class 28)	Ecuador	90612	09/02/1998
THERAROBICS (Classes 28,41)	Japan	10(1998) 48820	

THERA-BAND (Class 28)	Korea	99-227
HYGENIC & DESIGN (Class 10- International rubber goods, dental and exercise fields)	Malaysia	95/04467
AQUAFINS (Classes 10,28)	Philippines	
HYGENIC LOGO (Class 10- dental only)	Sweden	95-8257
THERA-BAND (Class 10)	Venezuela	S/N 5.857-92
AQUAFINS (Class 10)	Venezuela	023802
AQUAFINS (Class 28)	Venezuela	023803