

# TRADEMARKS ONLY

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To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
**Labrada Nutritional Systems, Inc.**

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

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

3. Nature of conveyance:

Assignment                       Merger  
 Security Agreement               Change of Name  
 Other \_\_\_\_\_

Execution Date: **July 21, 1998**

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

Name: **Hunter Alexander Labrada 1994 Trust**  
Internal Address: **Attn.: Carlos E. Valladares, Trustee**  
Street Address: **403 Century Plaza Drive, Suite 440**  
City: **Houston**                      State: **TX**      ZIP: **77073**

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State \_\_\_\_\_  
 Other **Trust**

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

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

A. Trademark Application No.(s)	B. Trademark Registration No.(s)
	<b>2,001,051</b>
Additional numbers	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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

Name: **Tim Headley**  
Internal Address: **Gardere Wynne Sewell LLP**  
\_\_\_\_\_  
\_\_\_\_\_  
Street Address: **1000 Louisiana, Suite 3400**  
\_\_\_\_\_  
\_\_\_\_\_  
City: **Houston**                      State: **TX**      ZIP: **77002**

6. Total number of applications and registrations involved: **1**

7. Total fee (37 CFR 3.41): \$ **540.00**

Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number:  
**07-0153**

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.*

**Tim Headley**                      *Tim Headley*                      **September 13, 2004**  
Name of Person Signing                      Signature                      Date

Total number of pages including cover sheet, attachments, and **5**

CH \$40.00 070153 2001051

ASSIGNMENT

WHEREAS, **Labrada Nutritional Systems, Inc.** ("Assignor"), a corporation organized and existing under and by virtue of the laws of Texas, having a place of business at 21303 Glenwillow Drive, Tomball, Texas 77375, owns certain trademarks as follows:

<u>TRADEMARK</u>	<u>U.S. REGISTRATION NO.</u>	<u>DATE REGISTERED</u>
LEAN BODY	1,979,782	June 11, 1996
KWIK BURN	2,001,051	September 17, 1996

and

WHEREAS, **Carlos E. Valladares** ("Assignee"), as trustee of the **Hunter Alexander Labrada 1994 Trust**, under an instrument dated October 6, 1994 by Eleusipo J. Labrada and Robin A. Labrada as Grantors, and Carlos E. Valladares, as Trustee, is desirous of acquiring the entire right, title and interest in and to the trademarks, and registrations, and in and to any renewals and extensions that may be granted thereon, together with the goodwill of the business connected therewith;

THEREFORE, in consideration of the sum of One Dollar (\$1.00) in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Assignor has sold, assigned, transferred and by these presents does hereby sell, assign and transfer unto the Assignee, his successors and assigns, the entire right, title and interest in and to the trademarks and registrations, and in and to any renewals and extensions that may be granted thereon,

together with the goodwill of the business connected therewith and any right to recover for past infringement thereof and other past injury thereto.

**Labrada Nutritional Systems, Inc.**

Date: July 21, 1998

By: *Elmer J. Sobner*

Title: PRESIDENT / CEO

**Acceptance of Assignment**

**Carlos E. Valladares**, as Trustee of the Hunter Alexander Labrada 1994 Trust dated October 6, 1994, hereby accepts the foregoing Assignment.

EXECUTED in Porto Vedia, Florida on the 12 day of September, 1998.

*Carlos E. Valladares*

Carlos E. Valladares, as Trustee of the Hunter Alexander Labrada 1994 Trust dated October 6, 1994.

STATE OF TEXAS     §  
                              §  
COUNTY OF HARRIS   §

BEFORE ME, the undersigned authority, on this day personally appeared **Eleusipo J. Labrada**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me under oath that he executed the same as the act and deed of **Labrada Nutritional Systems, Inc.**, as President thereof, and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office, this 2<sup>nd</sup> day of July, 1998.



Sandra Baker Gambill  
Notary Public in and for  
the State of Texas

§  
§  
§

BEFORE ME, the undersigned authority, on this day personally appeared **Carlos E. Valladares**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me under oath that he executed the same as the act and deed of **Hunter Alexander Labrada 1994 Trust**, as Trustee thereof, and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office, this 4<sup>th</sup> day of ~~July~~ <sup>September</sup>, 1998.

Deborah Henson  
Notary Public

