

CONFIRMATORY AGREEMENT AND ASSIGNMENT OF REGISTERED MARK

THIS IS TO CONFIRM the following Agreement and Assignment of United States Trademark Registration No. 1,351,946 for the mark "JACK LA LANNE" for candy bars dated July 30, 1985 (hereinafter referred to as "Registration") between THE JACK LA LANNE COMPANY formerly a California corporation, now dissolved, whose business address is 430 Quintana Road, PMB 151, Morro Bay, California 93442 (hereinafter referred to as "Assignor") and BEFIT ENTERPRISES, a California corporation, having its principal place of business at 430 Quintana Road, PMB 151, Morro Bay, California 93442 (hereinafter referred to as "Assignee").


WHEREAS, ASSIGNOR on September 5, 1991, subsequent to the filing of a Section 8 & 15 Affidavit for the Registration which was accepted in the United States Patent and Trademark Office on or about November 25, 1991, assigned all right, title and interest in and to said Registration, together with the good will of the business symbolized by the "JACK LA LANNE" trademark and the Registration to ASSIGNEE;

WHEREAS, ASSIGNOR and ASSIGNEE are agreed that it is desirable that the aforesaid Assignment be confirmed by an instrument in writing for the benefit and protection of the parties and of the aforesaid Registration;

NOW THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, said ASSIGNOR does hereby assign unto said ASSIGNEE all right, title, and interest in and to the said "JACK LA LANNE" mark, together with the good will of the business symbolized by the mark, and the above identified Registration thereof.

THE JACK LA LANNE COMPANY
a California corporation
now dissolved

By


Elaine LaLanne, Secretary Treasurer

Dated: March 11, 2005