

## TRADEMARK ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Cyto Health and Nutrition, Inc.		08/31/2005	CORPORATION: CALIFORNIA
RECEIVING PARTY DATA			
Name:	Cytosport, Inc.		
Street Address:	4795 Industrial Way		
City:	Benicia		
State/Country:	CALIFORNIA		
Postal Code:	94510		
Entity Type:	CORPORATION: CALIFORNIA		
PROPERTY NUMBERS Total: 2			
Property Type	Number	Word Mark	
Serial Number:	78393083	META PHASE	
Serial Number:	78555163	META PHASE	
CORRESPONDENCE DATA			
Fax Number:	(801)566-0750		
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>			
Phone:	801-566-6633		
Email:	jackson@tnw.com		
Correspondent Name:	Peter M. de Jonge		
Address Line 1:	P.O. Box 1219		
Address Line 4:	Sandy, UTAH 84091		
NAME OF SUBMITTER:	Peter M. de Jonge		
Signature:	/petermdejonge/		
Date:	09/09/2005		
Total Attachments: 2			

OP \$65.00 78393083



WHEN RECORDED RETURN TO:

Peter M. de Jonge  
THORPE NORTH & WESTERN, LLP  
P.O. BOX 1219  
SANDY, UTAH 84091-1219

ATTORNEY DOCKET NOS. 22429.TM & 22383.TM

## ASSIGNMENT

WHEREAS, CYTO HEALTH AND NUTRITION, INC. (hereinafter referred to as "ASSIGNOR"), a California corporation, is the owner of all right, title, and interest in and to the following trademarks (hereinafter referred to as the "Marks") and corresponding trademark applications (hereinafter referred to as the "applications"):

"META PHASE & Design"

Serial No.: 78/393,083      Filed: March 30, 2004

"META PHASE"

Serial No.: 78/555,163      Filed: January 27, 2005

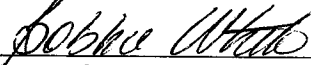
WHEREAS, CYTOSPORT, INC., (hereinafter referred to as "ASSIGNEE"), a corporation duly organized and existing under the laws of the State of California, having a principal business office at 4795 Industrial Way, Benicia, California 94510, is desirous of acquiring all right, title and interest in and to the Marks held by ASSIGNOR, and the above-identified applications;

NOW, THEREFORE, in consideration of one dollar (\$1.00) and other good and valuable consideration paid to the ASSIGNOR by the ASSIGNEE, the receipt and sufficiency of which is hereby acknowledged, THE ASSIGNOR HEREBY ASSIGNS TO THE ASSIGNEE any and all right, title and interest which it may hold in and to the Marks and the above-identified applications, and any registrations issuing therefrom, together with the goodwill of the business symbolized by and associated with the Marks.

This Assignment and Agreement shall be binding upon any and all successors of the  
ASSIGNOR.

EFFECTIVE as of this 31 day of August, 2005.

Cyto Health and Nutrition, Inc.



By: BOBBIE WHITE

Title: VP Corp Dev.