



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant: Pacific Foods of Oregon, Inc. Attorney Docket No.: PFOO219270  
Registration No.: 2,299,029 Issued: December 7, 1999  
Mark: SOY COMPLETE International Class: 29

DECLARATION IN SUPPORT OF REQUEST FOR CORRECTION  
OF ASSIGNMENT RECORDS

Seattle, Washington 98101

April 25, 2006

TO THE COMMISSIONER FOR TRADEMARKS:

I, Charles W. Eggert, President of Pacific Foods of Oregon, Inc., declare as follows:

1. Pacific Foods of Oregon, Inc. is the owner of U.S. Registration No. 2,299,029, for the mark SOY COMPLETE (hereinafter "SOY COMPLETE").
2. Pacific Foods of Oregon, Inc. acquired ownership of SOY COMPLETE by written Assignment from General Nutrition Investment Company; the original owner of SOY COMPLETE. The effective date of the Assignment was December 31, 1999. A copy of the Assignment is attached hereto as Exhibit A
3. In accordance with the Assignment, Pacific Foods of Oregon, Inc., became the legal owner of SOY COMPLETE on December 31, 1999.
4. The Assignment was duly recorded with the Assignment Services Division of the U.S. Patent and Trademark Office on January 24, 2000, at Reel 2026, Frame 665.
5. Pacific Foods of Oregon, Inc. has not sold nor has it transferred its rights in SOY COMPLETE to any other entity since execution of the Assignment.
6. The Assignment records of the U.S. Patent and Trademark Office incorrectly

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show three additional transactions recorded against SOY COMPLETE. Those transactions are identified as:

Conveyance: Change of Name  
 Assignor: General Nutrition Investment Company  
 Assignee: GN Investment Oldco Company  
 Recorded: November 24, 2003  
 Reel/Frame: 2756/0645

Conveyance: Assigns the Entire Interest  
 Assignor: GN Investment Oldco Company  
 Assignee: General Nutrition Investment Company  
 Recorded: December 9, 2003  
 Reel/Frame: 2762/0001

Conveyance: Security Agreement  
 Assignor: General Nutrition Investment Company  
 Assignee: Lehman Commercial Paper Inc., as Administrative Agent  
 Recorded: December 30, 2003  
 Reel/Frame: 2894/0022

7. Pacific Foods of Oregon, Inc., through its attorney Faye L. Tomlinson, has repeatedly attempted to contact David J. Sullivan, attorney of record for General Nutrition Investment Company, via telephone to request recordation of corrective papers. David J. Sullivan has failed to respond to any inquiries concerning correction of the Assignment records.

8. In accordance with the provisions set forth in the Trademark Manual of Examining Procedure Section 503.06(c), Pacific Foods of Oregon, Inc. requests that the records of the Assignment Services Division be corrected to reflect that **Pacific Foods of Oregon, Inc.** is the true and correct owner of SOY COMPLETE.

9. Please charge the \$40 recordation fee to Deposit Account No. 03-1740. Please charge any additional fees or credit any overpayment to Deposit Account No. 03-1740.

The undersigned states that he is authorized to execute this declaration on behalf of Pacific Foods of Oregon, Inc.; that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these

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statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the registration.

Respectfully submitted,  
Pacific Foods of Oregon, Inc.

  
\_\_\_\_\_  
Charles W. Eggert  
President

FL:GLS

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**TRADEMARK**  
**REEL: 003328 FRAME: 0970**

EXHIBIT A

TRADEMARK AND SERVICE MARK ASSIGNMENT

WHEREAS, General Nutrition Investment Company, an Arizona corporation, having its principal office at 1002 South 63rd Avenue At Buckeye, Phoenix, AZ 85043, is owner of the following trademark and service mark now applied for in the United States Patent and Trademark Office:

<u>Trademark</u>	<u>Registration No.</u>	<u>Registration Date</u>
Soy Complete	2,299,029	12/07/99

WHEREAS, Pacific Foods of Oregon, Inc., an Oregon corporation, having its principal office at 19480 SW 97th Avenue, Tualatin, OR 97062, desires to acquire all of the rights to the trademark and service mark;

NOW, THEREFORE, for good and valuable consideration, General Nutrition Investment Company, an Arizona corporation, hereby assigns to Pacific Foods of Oregon, Inc., an Oregon corporation, all of its right, title and interest in and to all of the rights to the trademark and service mark for such trademark and service mark, together with the goodwill of the business associated with the trademark and service mark and the above-identified application thereof.

EFFECTIVE the 31st day of December 1999.

GENERAL NUTRITION INVESTMENT COMPANY

By: [Signature]  
Name: JAMES M. SANDER  
Its: V.P.

STATE OF PENNSYLVANIA :  
COUNTY OF ALLEGHENY :

The foregoing instrument was acknowledged before me this 29th day of December, 1999 by James M. Sander, General Nutrition Investment Company on behalf of the corporation.

Notarial Seal  
Shirley A. Magalik, Notary Public  
Pittsburgh, Allegheny County  
My Commission Expires Aug. 28, 2003  
Member, Pennsylvania Association of Notaries

[Signature]  
Notary Public

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CHRISTENSEN  
O'CONNOR  
JOHNSON  
KINDNESS<sup>PLC</sup>

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DATE: June 14, 2006

TO: Commissioner for Trademarks  
U.S. Patent and Trademark Office

FACSIMILE NO: 1-571-273-0140

RE: Declaration in Support of Request for  
Correction of Assignment Records;  
Mark: SOY COMPLETE  
Trademark Registration No. 2,299,029

OUR REFERENCE: PFOO-2-19270

FROM: Faye L. Tomlinson

**(Facsimile No. 206.224.0779)**

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**MESSAGE:** Please see attached.

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Ext. 1275

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