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## RECORDATION FORM COVER SHEET TRADEMARKS ONLY

Patent and Trademark Office Attorney Docket No: PFOO219270

1 11	CARL MALE NAME AND ADDRESS OF TAXABLE PARTY.			
d Trademark Office:	Please record the	attached original	documents or	copy thereof.

To the Director - U.S. Patent and Trademark Office. Thouse record			
<ol> <li>Name of conveying party(ies):</li> </ol>	2. Name and address of receiving party(ies):		
Pacific Foods of Oregon, Inc.	Name: Pacific Foods of Oregon, Inc. Address: 19480 SW 97th Avenue		
Individuals Association	City: Tualatin State: OR ZIP: 97062		
General Partnership Limited Partnership	Individual(s) citizenship		
Corporation-State of Oregon	Association State of		
Other	General Partnership State of		
Additional name(s) of conveying party(ics) attached? Yes No	Limited Partnership State of		
Nature of conveyance:	Corporation-State State of Oregon		
Assignment Merger	Other		
Security Agreement Change of Name	If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No (Designation must be a separate document from Assignment)		
Other Corrective assignment to delete Registration No.			
2.299.029 previously recorded on December 9, 2003, at			
Reel 2762, Frame 0001, that erroneously affects identified registration.	Additional name(s) & address(es) attached? 🔲 Yes 🕱 No		
Execution date: December 31, 1999			
4. Application number(s) or registration number(s):	B. Trademark Registration No(s). 1,786,007		
A. Trademark Application No(s).  Additional numbers atta-			
Zidditona, Marrosis did			
<ol><li>Name and address of party to whom correspondence concerning document should be mailed.</li></ol>	6. Total number of applications and registrations involved: 1		
Faye L. Tomlinson, Esq. CHRISTENSEN O'CONNOR	7. Total fee (37 CFR 3.41):\$ 40.00		
JOHNSON KINDNESSPLLC			
1420 Fifth Avenue Suite 2800	8. The Director is authorized to charge any fees that may be required or credit any overpayment to Deposit Account		
Seattle, WA 98101-2347	Number 03-1740.		
206.682.8100	THIS SPACE		
DO NOT USE	THIS SPACE		
9. Statement and signature:			
To the best of my knowledge and belief, the foregoing informat original document.	tion is true and correct and any attached copy is a true copy of the		
Faye L. Tomlinson	Signature Date		
Name of Attorney or Agent Direct Dial 206.695.1717 Total num	Signature Date / ber of pages including cover sheet, attachments and document: 20		
OMB No. 0651-0011 (exp. 4/94)			
***************************************			

I hereby certify that this paper for U.S. Trademark Registration No. 2,299,029 is being facsimile transmitted to: Commissioner for Trademarks, U.S. Patent and Trademark Office, Facsimile No. 571,273,0140, on June 3, 2006.

TRADEMARK

7,00270516 LY 2006

Sarah Berel: 003328 FRAME: 0967

## 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

Scattle, Washington 98101

April 25, 2006

### TO THE COMMISSIONER FOR TRADEMARKS:

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

- Pacific Foods of Oregon, Inc. is the owner of U.S. Registration No. 2,299,029, for 1. the mark SOY COMPLETE (hereinafter "SOY COMPLETE").
- Pacific Foods of Oregon, Inc. acquired ownership of SOY COMPLETE by 2. 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
- In accordance with the Assignment, Pacific Foods of Oregon, Inc., became the 3. legal owner of SOY COMPLETE on December 31, 1999.
- 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.
- Pacific Foods of Oregon, Inc. has not sold nor has it transferred its rights in SOY 5. COMPLETE to any other entity since execution of the Assignment.
  - The Assignment records of the U.S. Patent and Trademark Office incorrectly 6.

LAW OFFICES OF CHRISTENSEN O'CONNOR JOHNSON KINDNESS\*\*\* 1420 Fifth Avenue Suite 2800 Scattle, Washington 98101 206,682,8100

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TRADEMARK REEL: 003328 FRAME: 0968 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

Assignce: 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

LAW OFFICES OF
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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

FLT:GL5

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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: ·

Trademark	Registration No.	Registration <u>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.

REFECTIVE the 31st day of December 1999.

GENERAL NUTRITION INVESTMENT COMPANY

Name:

Its:

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.

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TRADEMARK REEL: 003328 FRAME: 0971 CHRISTENSEN
O'CONNOR
JOHNSON
KINDNESS.\*\*\*\*

Law Offices

Intellectual Property Law and Related Litigation

1420 Fifth Avenue, Suite 2800 Seattle, Washington 98101-2347

206.682.8100 phone 206.224.0779 fax www.cojk.com

FACSIMILE COVER SHEET

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)

MESSAGE: Please see attached.

We have 11 pages to send, including this sheet. If any pages need to be retransmitted, please call 206.682.8100, Ext. 1275

sdb

TRADEMARK REEL: 003328 FRAME: 0972

**RECORDED: 06/14/2006** 

<sup>\*\*\*</sup> The information contained in this facsimile message is privileged and confidential information intended only for the use of the recipient named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, any distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address by mail. \*\*\*