

FORM PTO-1618A  
Expires 03/30/99  
OMB 0651-0027

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U.S. Department of Commerce  
Patent and Trademark Office  
TRADEMARK

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)  
Document ID # \_\_\_\_\_
- Correction of PTO Error  
Reel # \_\_\_\_\_ Frame # \_\_\_\_\_
- Corrective Document  
Reel # \_\_\_\_\_ Frame # \_\_\_\_\_

Conveyance Type

- Assignment  License
- Security Agreement  Nunc Pro Tunc Assignment  
Effective Date  
Month Day Year \_\_\_\_\_
- Merger
- Change of Name
- Other \_\_\_\_\_

Conveying Party

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name GENERAL NUTRITION INVESTMENT COMPANY

12/29/99

Formerly \_\_\_\_\_

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Other \_\_\_\_\_

Citizenship/State of Incorporation/Organization ARIZONA

Receiving Party

Mark if additional names of receiving parties attached

Name PACIFIC FOODS OF OREGON, INC.

DBA/AKA/TA \_\_\_\_\_

Composed of \_\_\_\_\_

Address (line 1) 19480 SW 97TH AVENUE

Address (line 2) \_\_\_\_\_

Address (line 3) TUALATIN

City

OR

State/Country

97062

Zip Code

- Individual  General Partnership  Limited Partnership
- Corporation  Association
- Other \_\_\_\_\_

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

Citizenship/State of Incorporation/Organization OREGON

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Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

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U.S. Department of Commerce  
Patent and Trademark Office  
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**Domestic Representative Name and Address** Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Correspondent Name and Address** Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages** Enter the total number of pages of the attached conveyance document including any attachments. #

**Trademark Application Number(s) or Registration Number(s)**  Mark if additional numbers attached  
Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)			Registration Number(s)		
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="2299029"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**Number of Properties** Enter the total number of properties involved. #

**Fee Amount** Fee Amount for Properties Listed (37 CFR 3.41): \$

Method of Payment: Enclosed  Deposit Account

Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: #

Authorization to charge additional fees: Yes  No

**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. Charges to deposit account are authorized, as indicated herein.

ZACHARY A. WRIGHT  
Name of Person Signing

Zachary A Wright  
Signature

1/19/00  
Date Signed

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## 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

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

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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(e), 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  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

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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

RT:GLS

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>LLP</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.662.8100

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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:

<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: James M. Sander  
Name: James M. Sander  
Es: 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.

James M. Sander  
Notary Public

Notarial Seal  
Shirley A. Mays, Notary Public  
Pittsburgh, Allegheny County  
My Commission Expires Aug. 25, 2003  
Member, Pennsylvania Association of Notaries

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