

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT
EFFECTIVE DATE:	08/21/2007

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
In Zone Holdings, Inc.		01/15/2008	CORPORATION: GEORGIA

**RECEIVING PARTY DATA**

Name:	In Zone Brands, Inc.
Street Address:	2251 Corporate Plaza Parkway, Suite 220
City:	Smyrna
State/Country:	GEORGIA
Postal Code:	30080
Entity Type:	CORPORATION: GEORGIA

**PROPERTY NUMBERS Total: 6**

Property Type	Number	Word Mark
Registration Number:	2505641	BELLYWASHERS
Registration Number:	2823383	BELLYWASHERS 100% VITAMIN C DRINK
Registration Number:	2975625	
Registration Number:	2643602	TUMMYTICKLER
Serial Number:	78587756	WATERPOP
Registration Number:	2881473	BELLYWASHERS 100% VITAMIN C DRINK TRICKY TREAT

**CORRESPONDENCE DATA**

Fax Number: (832)446-2443  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
 Phone: 832 446 2400  
 Email: WCTrademark@counselip.com  
 Correspondent Name: John C. Cain  
 Address Line 1: Wong Cabello Lutsch Rutherford & Bruccul  
 Address Line 2: 20333 Tomball Pkwy, Suite 600

CH \$165.00 2505641

Address Line 4: Houston, TEXAS 77070

ATTORNEY DOCKET NUMBER: 249-0000 IZHI TO IZBI

NAME OF SUBMITTER: Kathleen E. Clavenna

Signature: /Kathleen E. Clavenna/

Date: 03/03/2008

**Total Attachments: 4**

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**NUNC PRO TUNC ASSIGNMENT OF  
UNITED STATES AND FOREIGN TRADEMARKS**

WHEREAS, **In Zone Holdings, Inc.**, a Georgia Corporation (hereinafter referred to as “Assignor”), having a place of business located at 2251 Corporate Plaza Parkway, Suite 220, Smyrna, Georgia 30080, owns the common law trademarks referenced below, some of which are the subject of trademark applications or registrations in the United States Patent and Trademark Office or foreign trademark offices, as set forth in the attached **Exhibit A** (hereinafter referred to as the “Trademarks”):


WHEREAS, **In Zone Brands, Inc.**, a Georgia Corporation (hereinafter referred to as “Assignee”), having a place of business located at 2251 Corporate Plaza Parkway, Suite 220, Smyrna, Georgia 30080, is desirous of acquiring all right, title and interest in and to the Trademarks, including any choses in action relating to said Trademarks, together with the goodwill of the business symbolized by the Trademarks and the applications and registrations thereof set forth above as the successor to the portion of the business of the applicant to which the Trademarks pertain; and

WHEREAS, it is desired that the assignment of the trademark applications and registrations referenced above be made a matter of record in the United States Patent and Trademark Office and foreign trademark offices.

NOW, THEREFORE, for good and valuable consideration, the full receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, Assignor hereby sells, assigns, transfers and conveys unto Assignee all of its right, title and interest in and to the aforesaid Trademarks, including any choses in action relating to said Trademarks, claims for damages, profits and costs, both in equity and law, for any infringement

or infringements of said Trademark rights accruing on or before the date of this Assignment, together with the goodwill of the business symbolized by the Trademarks, and including the applications and registrations thereof as set forth above, nunc pro tunc effective **August 21, 2007**, and further, Assignor hereby covenants, agrees and undertakes to execute, whenever requested by Assignee, all applications, assignments, lawful oaths and any other papers which Assignee may deem necessary or desirable for securing to Assignee or for maintaining for Assignee the Trademarks hereby assigned, all without further compensation to Assignor.

**IN ZONE HOLDINGS, INC.**

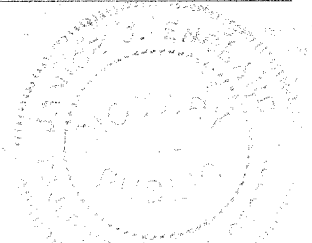
By:   
Name: Leon James Scott  
Title: CEO

STATE OF GEORGIA           §  
  §    ss.  
COUNTY OF Paulding    §

BEFORE ME, the undersigned authority, on this 15 day of January 2008, personally appeared Leon James Scott, personally known to me (or proven to me on the basis of satisfactory evidence) to be the person who executed the foregoing instrument as \_\_\_\_\_  
CEO on behalf of Assignor, the entity therein named, and acknowledged to me that the instrument was the free deed and act of said entity for the purposes therein set forth and intending that this instrument be recorded.

[SEAL]

  
Notary Public



**EXHIBIT A  
TO  
NUNC PRO TUNC ASSIGNMENT**

**LIST OF TRADEMARK REGISTRATIONS**

<u>Trademark</u>	<u>Jurisdiction</u>	<u>Registration Number</u>	<u>Registration Date</u>	<u>Expiration Date</u>
BELLYWASHERS	Argentina	2115429	9/20/2006	9/20/2016
BELLYWASHERS	Australia	916775	02/06/2003	06/17/2012
BELLYWASHERS	Brazil	827523270	10/30/2007	10/30/2017
BELLYWASHERS	Canada	TMA564,443	07/09/2002	07/09/2017
BELLYWASHERS	China	3213414	12/21/2003	12/20/2013
BELLYWASHERS	European Community	001660463	08/22/2001	5/31/2010
BELLYWASHERS	Hong Kong	2003 B05821	06/17/2002	6/17/2009
BELLYWASHERS	Japan	4598881	08/23/2002	8/23/2012
BELLYWASHERS	Mexico	780714	02/27/2003	5/30/2010
BELLYWASHERS	Taiwan	1039605	04/01/2003	3/31/2013
BELLYWASHERS	United States	2,505,641	11/06/2002	11/6/2012
BELLYWASHERS (in Chinese Characters)	China	3476404	07/28/2004	7/27/2014
BELLYWASHERS (in Chinese Characters)	Hong Kong	200315690	02/25/2003	2/25/2010
BELLYWASHERS 100% VITAMIN C DRINK & Design	United States	2,823,383	03/16/2004	3/16/2014

BellyWashers 100% Vitamin C Drink Tricky Etc. and Design (Trade Dress)	United States	2,881,473	09/07/2004	9/7/2014
BELLYWASHERS Bottle Configuration	United States	2,975,625	07/26/2005	7/26/2015
BELLYWASHERS Logo	Taiwan	1118312	09/01/2004	8/31/2014
TUMMYTICKLER	Japan	4675871	05/23/2003	5/23/2013
TUMMYTICKLER	Canada	TMA643,896	07/08/2005	7/8/2020
TUMMYTICKLER	European Community	002735884	10/02/2003	6/30/2012
TUMMYTICKLER	Mexico	766516	10/31/2002	7/1/2012
TUMMYTICKLER	United States	2,643,602	10/29/2002	10/29/2012

**LIST OF TRADEMARK APPLICATIONS**

<u>Trademark Application</u>	<u>Jurisdiction</u>	<u>Application/Serial Number</u>	<u>Application Date</u>
WATERPOP	United States	78/587,756	03/15/2005
WATERPOP	Brazil	827982950	12/19/2005