# TRADEMARK ASSIGNMENT

# Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	RELEASE BY SECURED PARTY

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Comerica Bank		11/24/2010	Banking Association: TEXAS

## RECEIVING PARTY DATA

Name:	Matrixx Initiatives, Inc.
Street Address:	8515 East Anderson Drive
City:	Scottsdale
State/Country:	ARIZONA
Postal Code:	85255
Entity Type:	CORPORATION: DELAWARE

### PROPERTY NUMBERS Total: 2

Property Type	Number	Word Mark
Registration Number:	2978529	BETTER WAYS TO GET BETTER
Serial Number:	78211073	BETTER WAYS TO GET BETTER

## **CORRESPONDENCE DATA**

Fax Number: (602)382-6070

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 602-382-6296

Email: cpillote@swlaw.com, matanacio@swlaw.com

SNELL & WILMER L.L.P. Correspondent Name: Address Line 1: 400 East Van Buren Street

Address Line 2: Cynthia L. Pillote

Address Line 4: Phoenix, ARIZONA 85004-2202

ATTORNEY DOCKET NUMBER:	33205.0165
NAME OF SUBMITTER:	Cynthia L. Pillote
Signature:	/Cynthia L. Pillote/
	TRADEMARK

**TRADEMARK** REEL: 004428 FRAME: 0238

900178249

Date:	12/08/2010
Total Attachments: 4 source=332050165MRLSI#page1.tif source=332050165MRLSI#page2.tif source=332050165MRLSI#page3.tif source=332050165MRLSI#page4.tif	

## RELEASE OF SECURITY INTEREST

This Release of Security Interest is made as of November 24, 2010 by COMERICA BANK, a Texas banking association, successor in interest to Comerica Bank - California ("Bank") in favor of Matrixx Initiatives, Inc., a Delaware corporation, successor by merger with Gum Tech International, Inc, a Utah Corporation, with its principal place of business at 2375 East Camelback Road, Suite 500, Phoenix, Arizona 85016 ("Company").

#### Recital

WHEREAS, COMPANY assigned certain interests in the trademarks described on Exhibit A and attached hereto, respectively (collectively, the "Intellectual Property") to BANK under an Intellectual Property Security Agreement dated as of May 29, 2002 and July 10, 2002 and amended by an Amended and Restated Intellectual Property Security Agreement dated as of September 27, 2005, and recorded with the US Patent and Trademark Office as set forth on Exhibit A.

WHEREAS, COMPANY has satisfied all its obligations to BANK in the Intellectual Property Security Agreement, and BANK wishes to release its security interest in the Intellectual Property.

### <u>Agreement</u>

Now Therefore, BANK agrees that it terminates and releases its security interest in the Intellectual Property and reassigns to COMPANY, without warranty or recourse, all interest of BANK in the Intellectual Property.

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BANK: COMERICA BANK

Michael S. Sak

Assistant Vice President November 24, 2010

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Address:

Comerica Bank CLS Collateral Services, MC 7575 39200 Six Mile Road

Livonia, MI 48152

# **EXHIBIT A**

# TRADEMARKS

No.	Liens/Status	Trademark	Reg. No./	Reg. Date/ File Date
<del></del>	2 11 01	GD V Z Z OSE	Serial No.	1
i	Pending (Non- Final Action)	ZINULLOSE	78-335,801	12-03-03
2	Registered	BETTER WAYS TO GET	2,978,529	07-26-05
1		BETTER	78-211,077	02-05-03
3	Pending	BETTER WAYS TO GET BETTER	78-211,073	02-05-03
4	Abandoned	MATRIXX	76-427,640	07-05-02
5	Abandoned	MATRIXX INITIATIVES	76-392,742	04-09-02
6	Abandoned Liens: Comerica Bank-California, filed 07/15/02, Reel 2546, Frame 0610 Comerica Bank- California, filed 08/13/02, Reel 2565, Frame 0937	MATRIXX	76-388,880	03-28-02
7	Registered  Liens: Comerica Bank-California, filed 07/15/02, Reel 2546, Frame 0610  Comerica Bank- California, filed 08/13/02, Reel 2565, Frame 0937	SCIENCE FOR HEALTH AND FITNESS	2,274,623 75-577,492	08-31-99 10-26-98

# **EXHIBIT A CONTINUED**

# TRADEMARKS

No.	Liens/Status	Trademark	Reg. No./ Serial No.	Reg. Date/ File Date
8	Registered	GUMTECH	2,274,622 75-577,491	08-31-99 10-26-98
	Liens: Comerica Bank-California, filed 07/15/02, Reel 2546, Frame 0610	·		
	Comerica Bank- California, filed 08/13/02, Reel 2565, Frame 0937			
9	Registered Liens: Comerica Bank-California, filed 07/15/02, Reel 2546, Frame 0610	Design Only (Globe surrounded by "G")	2,281,728 75-577,490	09-28-99 10-26-98
	Comerica Bank- California, filed 08/13/02, Reel 2565, Frame 0937			
10	Registered	CHROMA TRIM	2,710,587 76-232,761	04-29-03 03-29-01
11	Abandoned	KICK ASH	75-420,006	01-20-98
12	Abandoned	ACES +	75-284,265	04-30-97
13	Cancelled	DENTA HEALTH	75-146,036	08-06-96
14	Abandoned	XYLIMINT	75-091,162	04-19-96
15	Abandoned	RELIEF	75-091,161	04-19-96
16	Abandoned	EUROGUM	75-091,160	04-19-96
17	Cancelled	XYLIDENT	75-089,787	04-17-96
18	Abandoned	BLACK BLACK	75-081,247	03-29-96
19	Cancelled	TAKE TEN	75-066,588	03-01-96

# **EXHIBIT A CONTINUED**

## **TRADEMARKS**

No.	o. Liens/Status Trademark Reg. No./ Reg. Da			Reg. Date/
	,		Serial No.	File Date
20	Abandoned	GOOD2	75-066,466	03-01-96
21	Cancelled	GOOD AND GOOD FOR YOU	75-065,899	03-01-96
22	Cancelled	HIGH GEAR	75-065,897	03-01-96
23	Cancelled	CUT UP	75-060,210	02-20-96
24	Abandoned	PURE MINT	75-060,209	02-20-96
25	Cancelled	NUGUM	75-060,208	02-20-96
26	Abandoned	CALIFORNIA CLEAN	75-037,348	12-26-95
27	Cancelled	JUST CHEW IT	75-037,269	12-26-95
28	Cancelled	CHEW & SOOTH	75-030,304	12-01-95
29	Abandoned	VISTA ACE	75-027,264	12-05-95
30	Abandoned	POWERGUM	75-027,262	12-05-95
31	Cancelled	DENTA HEALTH	75-023,044	11-21-95
32	Cancelled	CITRUS SLIM	75-023,043	11-21-95
33	Cancelled	REPOSE .	75-023,042	11-21-95
34	Abandoned	MIDNIGHT EXPRESS	74-648,735	03-20-95
35	Abandoned	ACE ANTIOXIDANT CHEWING GUM	74-502,515	03-21-94
36	Registered	LOVE GUM	1,875,456	01-24-95
27	A1 . 7 3	ODESTRAL EXPRESS COS	74-501,425	03-18-94
37	Abandoned	ORIENTAL EXPRESS GUM	74-501,424	03-18-94
38	Cancelled	CHROMA TRIM	74-392,635	05-20-93

ÙTAH:			
Trademark	Serial Number	Reg. No.	Status
GTI GUM TECH INTERNATIONAL	UT008691		

Bank's security interest recorded at the US Patent and Trademark Office on July 15, 2002 at Reel and Frame Number 2546/0610 and again on August 13, 2002 at Reel and Frame Number 2565/0937 and again on December 28, 2005 at Reel and Frame Number 3217/0533.

**RECORDED: 12/08/2010**