

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Nutritional Excellence, LLC		10/06/2011	LIMITED LIABILITY COMPANY: CONNECTICUT
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Kevin Leville		
<b>Street Address:</b>	76 Nubel Lane		
<b>City:</b>	New Canaan		
<b>State/Country:</b>	CONNECTICUT		
<b>Postal Code:</b>	06840		
<b>Entity Type:</b>	INDIVIDUAL: UNITED STATES		
<b>PROPERTY NUMBERS Total: 4</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	3662109	EAT RIGHT AMERICA	
<b>Registration Number:</b>	3898699	EAT RIGHT AMERICA	
<b>Serial Number:</b>	85283535	DAY 3	
<b>Serial Number:</b>	77868068	EAT RIGHT AMERICA	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	(202)263-4329		
<b>Phone:</b>	202-263-4300		
<b>Email:</b>	sdwoldow@sgrlaw.com		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>			
<b>Correspondent Name:</b>	Scott D. Woldow		
<b>Address Line 1:</b>	1130 Connecticut Avenue, NW, Suite 1130		
<b>Address Line 4:</b>	Washington, DISTRICT OF COLUMBIA 20036		
<b>ATTORNEY DOCKET NUMBER:</b>	700468.002		

**OP \$115.00 3662109**

**900204384**

**TRADEMARK  
 REEL: 004639 FRAME: 0989**

NAME OF SUBMITTER:	Scott D. Woldow
Signature:	/SW/
Date:	10/12/2011
<b>Total Attachments: 3</b> source=SDW Trademark Doc 1#page1.tif source=SDW Trademark Doc 1#page2.tif source=SDW Trademark Doc 1#page3.tif	

ATTORNEY DOCKET NO.  
700468.002

TRADEMARK

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**NAME OF REGISTRANT** : Leville, Kevin (through assignment from  
Nutritional Excellence, LLC )

**MARKS** : SEE ATTACHED EXHIBIT A

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**REGISTRATION/  
APPLICATION NOS.** : SEE ATTACHED EXHIBIT A

**REGISTRATION/  
APPLICATION  
FILING DATES** : SEE ATTACHED EXHIBIT A

**ASSIGNMENT OF UNITED STATES TRADEMARK APPLICATIONS AND  
REGISTRATIONS**

WHEREAS, Nutritional Excellence, LLC, a Limited Liability Company of Connecticut, with a principal place of business located at 76 Nubel Lane, New Canaan, Connecticut, 06840 adopted, used, is using, or intended to use the trademarks listed in Exhibit A attached hereto, and is the owner of all rights, titles, and interests in and to said trademarks and in and to said United States Trademark Applications and Registrations; and

WHEREAS, Kevin Leville, an individual citizen of the United States, with a principal place of business located at 76 Nubel Lane, New Canaan, Connecticut, 06840, is desirous of acquiring the aforesaid trademarks, trademark applications and trademark registrations, together with the goodwill of the business symbolized by said trademarks;

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, Nutritional Excellence, LLC does hereby assign unto Kevin Leville, all rights, titles and interests in and to said trademarks, United States Trademark Applications and United States Trademark Registrations, together with the goodwill of the business symbolized by said trademarks.

Nutritional Excellence, LLC also hereby assigns, sells, transfers and sets over unto Kevin Leville all claims for damages for reason of past infringement of said marks, as well as the right to sue for and collect the same for its own use and enjoyment.

**TRADEMARK**

**REEL: 004639 FRAME: 0991**

Nutritional Excellence, LLC further authorizes the Commissioner of Patents and Trademarks of the United States, to record said marks, applications, registrations and titles thereto as the property of Kevin Leville, its successors, legal representatives and assigns in accordance with the terms of this instrument.

Nutritional Excellence, LLC

Date: 10-6-11

Signature:



Name:

Kevin Leville

Title:

CEO

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#9089863

**EXHIBIT A**

**United States Trademark Applications and Registrations**

<b>Serial Number</b>	<b>Reg. Number</b>	<b>Word Mark</b>
85283535		DAY 3
78981090	3662109	EAT RIGHT AMERICA
77868068		EAT RIGHT AMERICA
77868078	3898699	EAT RIGHT AMERICA

#9089898