

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

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|---|-------------------------------------|-----------------------|-------------------------------------|
| SUBMISSION TYPE: | | NEW ASSIGNMENT | |
| NATURE OF CONVEYANCE: | | CHANGE OF NAME | |
| CONVEYING PARTY DATA | | | |
| Name | Formerly | Execution Date | Entity Type |
| Topspin-IDS Acquisition, LLC | | 09/08/2010 | LIMITED LIABILITY COMPANY: DELAWARE |
| RECEIVING PARTY DATA | | | |
| Name: | NEW WHEY NUTRITION, LLC | | |
| Street Address: | 5707 Dot Com Court | | |
| Internal Address: | Suite 1079 | | |
| City: | Oviedo | | |
| State/Country: | FLORIDA | | |
| Postal Code: | 32765 | | |
| Entity Type: | LIMITED LIABILITY COMPANY: DELAWARE | | |
| PROPERTY NUMBERS Total: 1 | | | |
| Property Type | Number | Word Mark | |
| Serial Number: | 85212673 | NEW WHEY NUTRITION | |
| CORRESPONDENCE DATA | | | |
| Fax Number: | (407)926-7720 | | |
| Phone: | 407-926-7706 | | |
| Email: | ldavis@iplawfl.com | | |
| <i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i> | | | |
| Correspondent Name: | Robert L. Wolter | | |
| Address Line 1: | 390 N. Orange Avenue | | |
| Address Line 2: | Suite 2500 | | |
| Address Line 4: | Orlando, FLORIDA 32801 | | |
| ATTORNEY DOCKET NUMBER: | 11009-051 | | |
| NAME OF SUBMITTER: | Robert L. Wolter | | |

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 REEL: 004677 FRAME: 0854**

| | |
|--|--------------------|
| Signature: | /Robert L. Wolter/ |
| Date: | 12/13/2011 |
| Total Attachments: 3 source=name change amendment#page1.tif source=name change amendment#page2.tif source=name change amendment#page3.tif | |

APPLICATION BY FOREIGN LIMITED LIABILITY COMPANY TO FILE AMENDMENT TO APPLICATION FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

SECTION I (1-3 must be completed)

- 1. Name of limited liability company as it appears on the records of the Florida Department of State: TOPSPIN-IDS ACQUISITION, LLC
- 2. Jurisdiction of its organization: Delaware
- 3. Date authorized to do business in Florida: 09/23/2008

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
10 DEC 17 AM 8:35

SECTION II (4-7 complete only the applicable changes)

- 4. If the amendment changes the name of the limited liability company, when was the change effected under the laws of its jurisdiction of organization? 09/17/2010
- 5. New name of the limited liability company: New Whey Nutrition, LLC
(must end with "Limited Liability Company," "L.L.C.," or "LLC.")


(If name unavailable, enter alternate name adopted for the purpose of transacting business in Florida and attach a copy of the written consent of the managers or managing members adopting the alternate name. The alternate name must end with "Limited Liability Company," "L.L.C." or "LLC.")

- 6. If the amendment changes the period of duration, indicate new period of duration:

- 7. If the amendment changes the jurisdiction of organization, indicate new jurisdiction:

- 8. If the amendment corrects any false statement, indicate the statement being corrected and the correction:

- 9. Attached is an original certificate, no more than 90 days old, evidencing the aforementioned amendment(s), duly authenticated by the official having custody of records in the jurisdiction under the law of which this entity is organized.


Signature of a member or the authorized representative of a member

Charles Walkley
Typed or printed name of signer

Filing Fee: \$25.00


**AMENDED AND RESTATED CERTIFICATE OF FORMATION
OF
NEW WHEY NUTRITION, LLC
(ORIGINALLY FILED AS TOPSPIN-IDS ACQUISITION, LLC)**

THIS Amended and Restated Certificate of Formation of New Whey Nutrition, LLC (the "LLC"), dated as of September 8, 2010, has been duly executed and is being filed by the undersigned, as an authorized person, in accordance with the provisions of 6 Del. C. § 18-208, to amend and restate the original Certificate of Formation of the LLC, which was filed on September 12, 2008 with the Secretary of State of the State of Delaware (the "Certificate").

The Certificate is hereby amended and restated in its entirety to read as follows:

1. Name. The name of the limited liability company is New Whey Nutrition, LLC.
2. Registered Office. The address of the registered office of the LLC in the State of Delaware is c/o 2711 Centerville Road, Suite 400, Wilmington, New Castle County, Delaware 19808.
3. Registered Agent. The name and address of the registered agent for service of process on the LLC in the State of Delaware is Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, New Castle County, Delaware 19808.

IN WITNESS WHEREOF, the undersigned has executed this Amended and Restated Certificate of Formation as of the date first-above written.



Name: Charles Walkley
Title: Authorized Person

Delaware

PAGE 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT THE SAID "TOPSPIN-IDS ACQUISITION, LLC", FILED A RESTATED CERTIFICATE, CHANGING ITS NAME TO "NEW WHEY NUTRITION, LLC", THE SEVENTEENTH DAY OF SEPTEMBER, A.D. 2010, AT 3:41 O'CLOCK P.M.

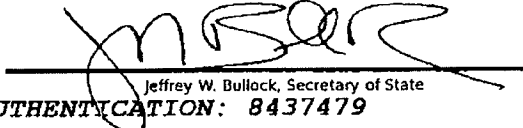
AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID LIMITED LIABILITY COMPANY IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE NOT HAVING BEEN CANCELLED OR DISSOLVED SO FAR AS THE RECORDS OF THIS OFFICE SHOW AND IS DULY AUTHORIZED TO TRANSACT BUSINESS.



4593363 8320

101204605

You may verify this certificate online
at corp.delaware.gov/authver.shtml


Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 8437479

DATE: 12-17-10

RECORDED: 12/13/2011

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