

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Confirmatory Assignment		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Health Innovations, Inc.		09/18/2012	CORPORATION: DELAWARE
RECEIVING PARTY DATA			
Name:	PICS, Inc.		
Street Address:	12007 Sunrise Valley Drive		
City:	Reston		
State/Country:	VIRGINIA		
Postal Code:	22091		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Serial Number:	74105398	DIETMATE	
CORRESPONDENCE DATA			
Fax Number:	7038164100		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>			
Phone:	(703) 816-4063		
Email:	nixonptomail@nixonvan.com		
Correspondent Name:	Nixon & Vanderhye P.C./Sheryl De Luca		
Address Line 1:	901 N. Glebe Road		
Address Line 2:	11th Floor		
Address Line 4:	Arlington, VIRGINIA 22203		
ATTORNEY DOCKET NUMBER:	SLD-1560-12		
NAME OF SUBMITTER:	Sheryl De Luca		
Signature:	/Sheryl De Luca/		

Date:

09/18/2012

Total Attachments: 4

source=DietMate Confirmatory Assignment#page1.tif

source=DietMate Confirmatory Assignment#page2.tif

source=DietMate Confirmatory Assignment#page3.tif

source=DietMate Confirmatory Assignment#page4.tif

CONFIRMATORY ASSIGNMENT

WHEREAS, HEALTH INNOVATIONS, INC., a corporation of Delaware, had its principal place of business at 12355 Sunrise Valley Drive, Reston, Virginia 22091 (hereinafter referred to as "Assignor"), had adopted and used the trademark DIETMATE to identify "**computer programs and computers which create a weight reduction/maintenance program for an individual desiring to lose weight**" in commerce and interstate commerce in the United States since at least as early as March 31, 1991;

WHEREAS, on October 12, 1990, Assignor filed an application to register the mark DIETMATE in the United States Patent and Trademark office and assigned Serial No. 74/105,398, which application issued on December 15, 1992, as U.S. Registration No. 1,740,517;

WHEREAS, Assignor claimed to have owned the entire right, title and interest in and to the trademark DIETMATE, including the common law rights arising from Assignor's use of the mark in commerce in the United States, as well as all rights in and to the United States trademark application and registration relating to such mark and the goodwill of the business associated therewith;

WHEREAS, on April 1, 1994, Assignor made the attached assignment (of Exhibit A) to **PICS, Inc.**

WHEREAS, an inadvertent error in the assignment of April 1, 1994, indicated that the PICS, Inc. was a corporation of the Commonwealth of Virginia, instead of a corporation of Delaware.

WHEREAS, PICS, Inc. had a place of business at **12007 Sunrise Valley, Drive, Reston, Virginia 22091** and was authorized to do business in Virginia at the time of assignment of April 1, 1994;

Whereas **PICS, Inc.** is and has always been incorporated in Delaware; and

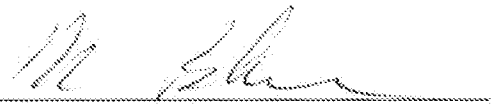
WHEREAS, Assignor desires to confirm the assignment of the DIETMATE mark and Registration No. 1,740,517, to PICS, Inc., a corporation of Delaware, which had its principal place of business at **12007 Sunrise Valley Drive, Reston, Virginia, 22091.**

NOW, THEREFORE, Health Innovations, Inc., hereby confirms that, for good and valuable consideration, that it assigned and transferred to PICS, Inc., a corporation of Delaware, which had its principal place of business at **12007 Sunrise Valley Drive, Reston, Virginia, 22091**, its successors, assigns and legal representatives, nunc pro tunc, as of the date of first use of the mark, the entire right, title and interest in and to the trademark **DIETMATE** of Registration No. 1,740,517, including any and all common law rights in the mark, the U.S. trademark application and registration relating thereto, and the goodwill of the business associated therewith, together with all rights of action accrued under and by virtue hereof, including the right to sue and recover for past infringement of said trademark.

HEALTH INNOVATIONS, INC.

Date:

9/18/12



Name: Al Behar

Title: President

ASSIGNMENT

WHEREAS, **HEALTH INNOVATIONS, INC.**, a corporation of **Delaware**, had its principal place of business at **12355 Sunrise Valley Drive, Reston, Virginia, 22091** (hereinafter referred to as "Assignor"), has adopted and used the trademark/service mark **DIETMATE** to identify **COMPUTER PROGRAMS AND COMPUTERS WHICH CREATE A WEIGHT REDUCTION/MAINTENANCE PROGRAM FOR AN INDIVIDUAL DESIRING TO LOSE WEIGHT** in commerce and interstate commerce in the United States since at least as early as **January 15, 1986**;

WHEREAS, on **October 12, 1990**, Assignor filed an application to register the mark **DIETMATE** in the United States Patent and Trademark office and assigned Serial No. **74/105,398**, which application issued on **December 15, 1992**, as U.S. Registration No. **1,740,517**;

WHEREAS Assignor claims to have owned the entire right, title and interest in and to the trademark **DIETMATE**, including the common law rights arising from Assignor's use of the mark in commerce in the United States, as well as all rights in and to the United States trademark application and registration relating to such mark and the goodwill of the business associated therewith;

WHEREAS, **PICS, Inc.**, a corporation of **the Commonwealth of Virginia**, having its principal place of business at **12007 Sunrise Valley Drive, Reston, Virginia, 22091** (hereinafter referred to as "Assignee"), has obtained Assignor's ownership rights, of whatever kind or nature, in and to the mark **DIETMATE**, including any common law rights, the United States trademark application and registration relating thereto, and the goodwill of the business associated therewith;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor has assigned and transferred to said Assignee, its successors, assigns and legal representatives, nunc pro tunc, as of the date of first use of the mark, the entire right, title and interest in and to the trademark **DIETMATE**, including any and all common law rights in the mark, the United States trademark application and registration relating

EXHIBIT A

TRADEMARK

REEL: 004863 FRAME: 0092

thereto, and the goodwill of the business associated therewith, together with all rights of action accrued under and by virtue hereof, including the right to sue and recover for past infringement of said trademark.

HEALTH INNOVATIONS, Inc.

Al Behar

Name: Al Behar

Title: President

Witnessed by:

Qua Behar

Date 4-1-94

Kay H. Antis

Date 4-1-94