

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM861381

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT		
EFFECTIVE DATE:	11/17/2023		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
IFIT INC.		12/14/2023	Corporation: DELAWARE
RECEIVING PARTY DATA			
Name:	THE BIKIBI BDY TRAINING COMPANY PTY. LTD.		
Street Address:	UNIT 2, 62-66 GLEN OSMOND ROAD		
City:	PARKSIDE SA		
State/Country:	AUSTRALIA		
Postal Code:	5062		
Entity Type:	Private Limited Company: AUSTRALIA		
PROPERTY NUMBERS Total: 5			
Property Type	Number	Word Mark	
Serial Number:	87718939	SWEAT	
Serial Number:	87626495	SWEAT	
Serial Number:	97118386	SWEAT	
Serial Number:	97158019	SWEAT MADE	
Serial Number:	87665059	PWR	
CORRESPONDENCE DATA			
Fax Number:	8013281707		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
Phone:	801-533-9800		
Email:	mbarlow@wnlaw.com		
Correspondent Name:	MATTHEW A. BARLOW		
Address Line 1:	60 E. SOUTH TEMPLE, SUITE 1000		
Address Line 4:	SALT LAKE CITY, UTAH 84111		
ATTORNEY DOCKET NUMBER:	23680.0		
NAME OF SUBMITTER:	Matthew A. Barlow		
SIGNATURE:	/Matthew A. Barlow/		
DATE SIGNED:	12/15/2023		

OP \$140.00 87718939

Total Attachments: 4

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TRADEMARK ASSIGNMENT NUNC PRO TUNC

WHEREAS, iFIT Inc., a corporation of the State of Delaware, having a principle place of business at 1500 South 1000 West, Logan, Utah 84321 (“Assignor”), is the owner of the entire right, title and interest in the trademarks, as reflected by the records of the U.S. Patent and Trademark Office, identified in the U.S. Trademark Registrations and Applications set forth in the attached Schedule A (the “U.S. Trademark Registrations”);

WHEREAS, The Bikini Body Training Company Pty Ltd., a private limited company of Australia, having a principal place of business at Unit 2, 62-66 Glen Osmond Road, Parkside SA 5062, Australia (“Assignee”), desires to secure all right, title and interest in and to the U.S. Trademark Registration, the goodwill of the business symbolized by and associated with the U.S. Trademark Registration thereby, and the right to sue for past infringement thereof; and

WHEREAS, the Assignor having executed an Trade Mark Assignment Deed on November 17, 2023, wherein Assignor agreed to assign to the Assignee all of the Assignor’s right, title and interest in the U.S. Trademark Registrations and the Assignee agreed to accept such assignment;

WHEREAS, at all times up to and including the execution date of the Trade Mark Assignment Deed, it was the intention of both Parties to transfer the goodwill of the business symbolized by and associated with the U.S. Trademark Registrations, even though the executed assignment failed to expressly recite the term “goodwill”;

WHEREAS, the undersigned each held full signatory authority and authorization to assign and receive all right, title, and interest, including any associated goodwill or rights to sue for past infringement in and to any intellectual property of Assignee prior to the Effective Date;

WHEREAS, in order to reconfirm said Assignment to Assignee, do execute this Assignment Nunc Pro Tunc as of the effective date set forth herein.

In consideration of One Dollar (\$1.00) and other good and valuable consideration paid to Assignor by the Assignee, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR DOES HEREBY ASSIGN TO THE ASSIGNEE:

The entire right, title and interest in and to the U.S. Trademark Registrations, the goodwill of the business symbolized by and associated with the U.S. Trademark Registrations and the right to bring legal action for any trademark that is likely to cause confusion therewith and the right to sue for past infringement and to receive damages therefore.

Assignor hereby agrees, without further consideration and without expense to it, to sign all lawful papers and to perform all other lawful acts which Assignee may reasonably request of it to make this Assignment fully effective. Assignor further agrees to provide all evidence upon request by Assignee, including any use in commerce (or lack thereof) of any of the Mark identified in schedule A, which would be reasonably required to maintain, renew, or otherwise establish any new filings of the Mark.

This assignment and agreement shall be binding upon our heirs and legal representatives and shall be effective as of November 17, 2023 (the "Effective Date").

For Assignor:

IFIT Inc.

By: 

Printed Name: Richard Chang

Title: Associate General Counsel

Date: 11/12/2023

For Assignee:

The Bikini Body Training Company Pty Ltd.

By:  

Printed Name: Mathew Shane Zauner Adam Koch

Title: Director Company Secretary

Date: 13 / 12 / 2023 13 / 12 / 2023

SCHEDULE A

United States Trademark Registrations/Applications

Trademark	Number
	87718939
PWR	87665059
	87626495
	97118386
SWEAT MADE	97158019

Title	Trade mark assignment nunc pro tunc
File name	SWEAT TRADEMARK A...NUNC PRO TUNC.pdf
Document ID	981fab4550d5a13da172862c3767238f024a901a
Audit trail date format	DD / MM / YYYY
Status	✳ Signed

Document history



SENT

13 / 12 / 2023
15:40:34 UTC+10.5

Sent for signature to Adam Koch (adam@sweat.com) and Mathew Shane Zauner (matt.zauner@zauners.com) from melanje.richards@sweat.com
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VIEWED

13 / 12 / 2023
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SIGNED

13 / 12 / 2023
15:42:19 UTC+10.5

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VIEWED

13 / 12 / 2023
15:46:57 UTC+10.5

Viewed by Mathew Shane Zauner (matt.zauner@zauners.com)
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SIGNED

13 / 12 / 2023
15:47:26 UTC+10.5

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COMPLETED

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The document has been completed.