FORM PTO-1618A Expres 06/30/99 OMB 0651-0027

06-14-2000

U.S. Department of Commerci Paters and Trademark Office TRADEMARK



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OPR/FIHANCE

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks:	Please record the attached original document(s) or copy(ies).				
Submission Type 5.18.00	Conveyance Type				
New New	xx Assignment License				
Resubmission (Non-Recordation) Document ID #	Security Agreement Nunc Pro Tunc Assignment Effective Date Month Day Year				
Correction of PTO Error Reel # Frame #	U4182000				
Corrective Document	Change of Name				
Reel # Frame #	Other				
Conveying Party Mark if additional names of conveying parties attached Execution Date Month Day Year					
Name Cole Bros. Corp.	04182000				
Formerly					
romeny					
Individual General Partnership	Limited Partnership xx Corporation Association				
Other					
Citizenship/State of Incorporation/Organiza	tion Indiana				
Receiving Party	Mark if additional names of receiving parties attached				
Name Cole Bros. LLC					
DBA/AKA/TA					
DBA/AKA/TA Composed of					
Composed of 51 Strawtown Pike					
Composed of Address (line 1) 51 Strawtown Pike Address (line 2) P.O. Box 1244	Indiana 46970-1244				
Composed of Address (line 1) 51 Strawtown Pike Address (line 2) P.O. Box 1244 Address (line 3) Peru City	State/Country Zip Code				
Composed of Address (line 1) 51 Strawtown Pike Address (line 2) P.O. Box 1244 Address (line 3) Peru	State/Country Zip Code Limited Partnership If document to be recorded is an assignment and the receiving party is				
Composed of Address (line 1) 51 Strawtown Pike Address (line 2) P.O. Box 1244 Address (line 3) Peru City	State/Country Zip Code Limited Partnership If document to be recorded is an				
Composed of Address (line 1) 51 Strawtown Pike Address (line 2) P.O. Box 1244 Address (line 3) Peru City Individual General Partnership	State/Country Zip Code Zip Code If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic				
Composed of Address (line 1) 51 Strawtown Pike Address (line 2) P.O. Box 1244 Address (line 3) Peru City Individual General Partnership Corporation Association	State/Country Limited Partnership If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)				

40.00 BP 100.00 DP

Public burden reporting for this contention of information's estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the document Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (9651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package. P651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS APPLICATE.

Mail documents to be recorded with required cover sheet(s) information to:

Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK

REEL: 002087 FRAME: 0148

FORM PTO- Expires 06/30/99 OMB 0651-0027	1618B	Page 2	U.S. Department of Commerce Patent and Trademark Office TRADEMARK		
Domestic R	epresentative Name	and Address Enter for the first R	aceiving Party only.		
Name					
Address (line 1)					
Address (line 2)					
Address (line 3)					
Address (line 4)					
Correspond	lent Name and Addre	SS Area Code and Telephone Number 31	7-231-7439		
Name	Julia Spoor Gard				
Address (line 1)	Barnes & Thornbu	rg			
Address (line 2)	ll South Meridia	n Street			
Address (line 3)	Indianapolis, In	diana 46204			
Address (line 4)					
Pages	Enter the total number of including any attachmen	of pages of the attached conveyance do nts.	cument # 2		
	• •	s) or Registration Number(s)	Mark if additional numbers attached		
	e Trademark Application Number Iemark Application Numl	r <u>or</u> the Registration Number (DO NOT ENTER BO	TH numbers for the same property). ration Number(s)		
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75923690					
73923090					
Number of I	Properties Enter the	total number of properties involved.	# 5		
Fee Amoun	t Fee Amour	nt for Properties Listed (37 CFR 3.41):	\$ 140.00		
		nclosed XX Deposit Account			
Deposit A (Enter for p		additional fees can be charged to the account.)	# 10-0435		
		Deposit Account Number:			
		Authorization to charge additional fees:	Yes XX No		
Statement and Signature To the best of my knowledge and belief, the foregoing information is true and correct and any					
attached copy is a true copy of the original document. Charges to deposit account are authorized, as					
indic	ated herein.				
	Spoor Gard	Cerlia Gard	May/2 , 2000		
Name	of Person Signing	Signáture	Date Signed		

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TRADEMARK ASSIGNMENT

For and in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Cole Bros. Corp., an Indiana corporation having a place of business at 51 Strawtown Pike, P.O. Box 1244, Peru, Indiana 46970-1244 (ASSIGNOR), hereby assigns, sells, conveys and transfers to Cole Bros. LLC, an Indiana limited liability company having a place of business at 51 Strawtown Pike, P.O. Box 1244, Peru, Indiana 46970-1244 (ASSIGNEE), all rights, title and interests in and to the trademarks listed in the attached Exhibit A (the "Marks"), the applications and registrations thereto, and the goodwill of the business in which the Marks are used, together with all claims for damages by reason of infringement, with the right to sue for and collect the same for, its own use and for the use of its successors and assigns. ASSIGNEE is the successor to the ongoing and existing business of the ASSIGNOR, or portion thereof, to which the marks pertain.

the Marks are used, together with all claims f sue for and collect the same for, its own	ions thereto, and the goodwill of the business in which for damages by reason of infringement, with the right to use and for the use of its successors and assigns. It is and existing business of the ASSIGNOR, or portion
	ASSIGNOR: COLE BROS. CORP. By: Dr. Trent Jones, Chief Executive Officer Date: 4/18/00
State, personally appeared Dr. Trent Jones a of Cole Bros. Corp.; that he is authorized by	, before me, a Notary Public in and for said County and nd acknowledged that he is the Chief Executive Officer said Corporation to execute the foregoing Assignment lid execute the foregoing Assignment on behalf of said
SEAL *	Mutchen Langler Notary Public Printed Name
My Commission Expires: County of Residence:	Gretchen L. Snyder, Notary Public County of Residence: Hamilton My Commission Expires: Oct. 5, 2006

TRADEMARK
REEL: 002087 FRAME: 0150

Exhibit A

U.S. Assigned Trademarks Registrations

Mark Registration No. Registration Date

COLE BROS. & Design 2267822 August 3, 1999

Applications

<u>Mark</u>	Application No.	Application Date
ALMOST MILK	PENDING	April 6, 2000
CALCIUM IS COOL	76/011349	March 27, 2000
COST BENEFIT NUTRITION	75/923698	February 22, 2000
TEAM CALCIUM	75/924482	February 22, 2000
THE CALCIUM CAR	75/923690	February 22, 2000

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RECORDED: 05/18/2000

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