

08/22/2005
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Form PTO-1594 (Rev. 07/05)
OMB Collection 0651-0027 (exp. 6/30/2008)

U.S. DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies):

First DataBank, Inc.

- Individual(s)
- General Partnership
- Corporation- State: Missouri
- Other _____
- Association
- Limited Partnership

Citizenship (see guidelines) _____

Additional names of conveying parties attached? Yes No

3. Nature of conveyance / Execution Date(s):

Execution Date(s) June 17, 2005

- Assignment
- Security Agreement
- Other _____
- Merger
- Change of Name

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached? Yes No

Name: Axxya Systems, LLC

Internal

Address: Shazia Nathoo

Street Address: 4035 Willowbend Blvd, Ste. 410

City: Houston

State: TX

Country: USA Zip: 77025

- Association Citizenship _____
- General Partnership Citizenship _____
- Limited Partnership Citizenship _____
- Corporation Citizenship _____
- Other LLC Citizenship TEXAS

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No
(Designations must be a separate document from assignment)

4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No.(s)

76/129492

B. Trademark Registration No.(s)

2,643,962

Additional sheet(s) attached? Yes No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

Nutritionist Pro

5. Name & address of party to whom correspondence concerning document should be mailed:

Name: First DataBank, Inc

Internal Address: _____

Street Address: 500 East 96th Street
Suite 500

City: Indianapolis

State: IN Zip: 46240

Phone Number: (317) 571-7200

Fax Number: (317) 571-7253

Email Address: _____

6. Total number of applications and registrations involved:

1

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 100.00

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed

8. Payment Information:

a. Credit Card Last 4 Numbers 2845
Expiration Date 05/08

b. Deposit Account Number _____

Authorized User Name _____

9. Signature: [Signature]

Signature

8/22/05

Date

LANCE E. JENNINGS DIRECTOR OF FINANCE

Name of Person Signing

Total number of pages including cover sheet, attachments, and document: 3

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to: Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1480, Alexandria, VA 22313-1480

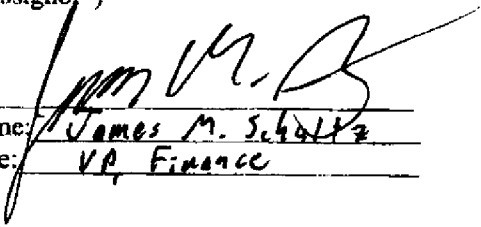
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ASSIGNMENT OF TRADEMARK

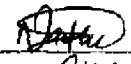
FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, First DataBank, Inc., a Missouri corporation ("Assignor") located at 1111 Bayhill Drive, San Bruno, CA 94066, does hereby sell, assign and transfer to Axxya Systems LLC, a Texas company ("Assignee"), located at 4800 Sugar Grove Blvd Suite 602 Stafford, TX 77477, all of its rights, title and interest in and to the trademark NUTRITIONIST PRO, Registration No. 2,643,962 (the "Trademark"), together with the goodwill of the business symbolized by the said Trademark, effective June 17, 2005.

Executed at First DataBank, Inc.
This 28th day of December, 2005

First DataBank, Inc.
A Missouri corporation
("Assignor")

By: 
Name: James M. Schultz
Title: VP, Finance

Axxya Systems, LLC
A Texas company
("Assignee")

By: 
Name: SHAZIA NATHOO
Title: PRESIDENT.

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 2,643,962

United States Patent and Trademark Office

Registered Oct. 29, 2002

**TRADEMARK
PRINCIPAL REGISTER**

NUTRITIONIST PRO

**FIRST DATABANK, INC. (MISSOURI CORPORATION)
1111 BAYHILL DRIVE
SAN BRUNO, CA 94066**

FIRST USE 2-15-2001; IN COMMERCE 2-15-2001.

FOR: COMPUTER PROGRAMS FOR USE IN DEVELOPING INDIVIDUAL NUTRITIONAL PROGRAMS BY PROVIDING NUTRITIONAL INFORMATION ON FOOD AND DIET, ANALYZING DIET AND RECIPES, AND TRACKING CLIENT'S DIET, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "NUTRITIONIST", APART FROM THE MARK AS SHOWN.

SN 76-129,492, FILED 9-15-2000.

VERNA BETH RIRIE, EXAMINING ATTORNEY

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FAX: Cover Sheet

DATE: January 3, 2006

TO: USPTO Assignment Division

Fax Number: 571-273-0140

NUMBER OF PAGES: 7 (including cover sheet)

FROM: Tricia Stolz

FAX NUMBER: 317-571-7253

PHONE: 317-571-7204

EMAIL: tricia_stolz@firstdatabank.com

SUBJECT: Assignment of Trademark

Attached is the original request, response from the USPTO, and a supporting document for the assignment of the trademark. Please call me if any additional information is required.

Thank you.

Tricia Stolz
First DataBank, Inc
500 East 96th Street Ste. 500
Indianapolis, IN 46240
Finance Department
800-428-4495 ext 204

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First DataBank, Inc.
A subsidiary of The Hearst Corporation

500 East 96th Street, Ste. 500
Indianapolis, IN 46240

800-428-4495
317-571-7200

Fax 317-571-7253
www.firstdatabank.com

TRADEMARK
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Facsimile Transmission

*This company uses RightFAX® fax
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From: Name: USPTO ASSIGNMENT DIVISION
Fax Number:
Voice Phone: 703-308-9723

To: Name: FIRST DATABANK, INC.
Company: 500 EAST 96TH STREET
Fax Number: 13175717253
Voice Phone:

Fax Notes:

Pg#	Description
1	Cover Page
2	46.TXT
4	Document 1, Batch 515815
5	Credit Card Authorization
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

OCTOBER 21, 2005

PTAS

700204850A

FIRST DATABANK, INC.
500 EAST 96TH STREET
SUITE 500
INDIANAPOLIS, IN 46240

~~*700204850*~~

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF NON-RECORDATION OF DOCUMENT

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MAIL STOP: ASSIGNMENT SERVICES DIVISION, P.O. BOX 1450, ALEXANDRIA, VA 22313.
IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE,
YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT
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1. INSUFFICIENT FEE SUBMITTED, AUTHORIZATION TO CHARGE NOT GRANTED. ADDITIONAL FEE REQUIRED IS \$0 .
2. THE COVER SHEET SUBMITTED FOR RECORDING IS NOT ACCEPTABLE. TO RECORD A DOCUMENT IN THE ASSIGNMENT DIVISION, A DOCUMENT MUST ACCOMPANY THE COVER SHEET.

SHARON LATIMER, EXAMINER

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