

10-29-2007



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Stylesheet Version v1.1

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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	MERGER
EFFECTIVE DATE:	10/01/2001

CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Dietsmart, Inc.		10/01/2001	CORPORATION: DELAWARE

RECEIVING PARTY DATA	
Name:	eDiets.com, Inc.
Street Address:	3467 W. Hillsboro Boulevard
Internal Address:	Suite 2
City:	Deerfield Beach
State/Country:	FLORIDA
Postal Code:	33442
Entity Type:	CORPORATION: DELAWARE

PROPERTY NUMBERS Total: 1		
Property Type	Number	Word Mark
Registration Number:	2493454	DIETSMART

CORRESPONDENCE DATA

Fax Number: (212)972-5487
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 212-687-2770
 Email: docket@cplplaw.com
 Correspondent Name: Cohen, Pontani, Lieberman & Pavane
 Address Line 1: 551 Fifth Avenue
 Address Line 2: Suite 1210
 Address Line 4: New York, NEW YORK 10176

NAME OF SUBMITTER:	Jason S. Howell
Signature:	/jason s. howell/

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TRADEMARK
REEL: 003168 FRAME: 0018
TRADEMARK
REEL: 003651 FRAME: 0179

TRADEMARK ASSIGNMENT

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SUBMISSION TYPE:	CORRECTIVE ASSIGNMENT
NATURE OF CONVEYANCE:	Corrective Assignment to correct the Assignor and Assignee previously recorded on Reel 003168 Frame 0018. Assignor(s) hereby confirms the Nunc Pro Tunc (effective Oct. 19, 2001).

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
DietSmart Acquisition Corp. (nka DietSmart, Inc.)		02/22/2007	CORPORATION: DELAWARE

RECEIVING PARTY DATA

Name:	eDiets.com, Inc.
Street Address:	1000 Corporate Drive
Internal Address:	Suite 600
City:	Fort Lauderdale
State/Country:	FLORIDA
Postal Code:	33334
Entity Type:	CORPORATION: DELAWARE

PROPERTY NUMBERS Total: 1

Property Type	Number	Word Mark
Registration Number:	2493454	DIETSMART

CORRESPONDENCE DATA

Fax Number: (206)359-9000
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
 Phone: (206) 359-3134
 Email: pctrademarks@perkinscoie.com
 Correspondent Name: Perkins Coie LLP (Jason S. Howell)
 Address Line 1: 1201 Third Avenue
 Address Line 2: Suite 4800
 Address Line 4: Seattle, WASHINGTON 98101-3099

ATTORNEY DOCKET NUMBER:	60996-4000.0004.US002
NAME OF SUBMITTER:	Jason S. Howell

CH \$40.00 2493454

TO:PERKINS COIE LLP (JASON S. HOWELL) COMPANY:1201 THIRD AVENUE

Signature:	/Jason S. Howell/
Date:	09/25/2007
Total Attachments: 3 source=DIETSMART Nunc Pro Tunc#page1.tif source=DIETSMART Nunc Pro Tunc#page2.tif source=DIETSMART Nunc Pro Tunc#page3.tif	

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ASSIGNMENT OF TRADEMARK RIGHTS

Napo Pro Tunc

WHEREAS, DietSmart Acquisition Corp. (aka DietSmart, Inc.) ("Assignor"), a Delaware corporation with its principal place of business at 3801 W. Hillsboro Boulevard, Deerfield Beach, Florida 33442, is the owner of the mark DIETSMART ("Mark") and all common law rights in the Mark, as well as Canadian trademark registration no. TMA627802 for the Mark and United States federal registration no. 2493454 for the Mark;

On October 19, 2001, DietSmart, Inc., a Delaware corporation with its principal place of business at 1032 Sixth Avenue (Avenue of the Americas), 3rd Floor, New York, New York 10018, merged with DietSmart Acquisition Corp. (aka DietSmart, Inc.), a Delaware corporation and a wholly owned subsidiary of eDietz.com, Inc., a Delaware corporation with a current principal place of business of 1000 Corporate Drive, Suite 600, Fort Lauderdale, Florida 33334 ("Assignee");

Assignor does hereby assign unto Assignee all right, title and interest in and to the Mark (including without limitation all common law rights in the Mark, as well as Canadian trademark registration no. TMA627802 for the Mark and United States federal registration no. 2493454 for the Mark) and the goodwill appurtenant thereto;

Thus, Assignee is the owner in fact of this Mark and said registrations, and the parties desire to reflect these facts on the records of the United States Patent and Trademark Office and the Canadian Intellectual Property Office;

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TO: PERKINS COIE LLP (JASON S. HOWELL) COMPANY: 1201 THIRD AVENUE

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Acceptance of Assignment

eDiets.com, Inc., the Assignee above, has hereby accepted the assignment of the trademarks referenced herein.

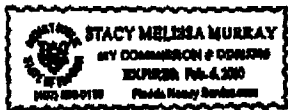
Effective October 19, 2001.

eDiets.com, Inc.
Robert T. Hamilton
ROBERT T. HAMILTON
Chief Financial Officer

STATE OF FL)
COUNTY OF Broward) ss.

On the 22 day of February 2007, before me personally appeared Robert T. Hamilton, the person who signed the foregoing instrument, who being by me duly sworn, acknowledged that he is the Chief Financial Officer of eDiets.com, Inc., the corporation described in and which executed the foregoing instrument, that he has signed said instrument as a free act on behalf of said corporation, and that he has the authority to act on behalf of, and bind, said corporation.

SUBSCRIBED AND SWORN to before me on the date stated above.



Stacy Melissa Murray
NOTARY PUBLIC in and for the State of
Florida, residing at Yale University Dr FL 33067
My Appointment Expires: 2-6-2011

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09/30/2005

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TRADEMARK
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TRADEMARK
REEL: 003651 FRAME: 0185

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