

RE 3/24/09
RECORD AS OF 3/6/09

TRADEMARK ASSIGNMENT

03-27-2009

Electronic Version v1.1

Stylesheet Version v1.1



103554242

SUBMISSION TYPE:

CORRECTIVE ASSIGNMENT

NATURE OF CONVEYANCE:

Corrective Assignment to correct the NATURE OF CONVEYANCE selection from SECURITY INTEREST to ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL previously recorded on Reel 003945 Frame 0144. Assignor(s) hereby confirms the Trademark Assignment.

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Depth Body LLC		02/25/2009	LIMITED LIABILITY COMPANY: CALIFORNIA

RECEIVING PARTY DATA

Name:	Mineral Fusion Natural Brands LLC
Street Address:	600 West Bayaud Avenue
City:	Denver
State/Country:	COLORADO
Postal Code:	80223
Entity Type:	LIMITED LIABILITY COMPANY: DELAWARE

PROPERTY NUMBERS Total: 2

Property Type	Number	Word Mark
Serial Number:	77382122	DEPTH
Serial Number:	77446022	LIVE BENEATH THE SURFACE

CORRESPONDENCE DATA

Fax Number: (212)735-8708
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
 Phone: (212) 735-8851
 Email: jzelnick@morrisoncohen.com
 Correspondent Name: Jeanne Zelnick
 Address Line 1: 909 Third Avenue, 27th Floor
 Address Line 2: c/o Morrison Cohen LLP
 Address Line 4: New York, NEW YORK 10022

ATTORNEY DOCKET NUMBER:

019233-0005(JZELNICK)

CH \$65.00 77382122

NAME OF SUBMITTER:	Jeanne Zelnick
Signature:	/jzelnick/
Date:	03/06/2009
Total Attachments: 8 source=Depth USPTO Notice Assignmen#page1.tif source=Depth USPTO Notice Assignmen#page2.tif source=Depth USPTO Notice Assignmen#page3.tif source=Depth USPTO Notice Assignmen#page4.tif source=Depth USPTO Notice Assignmen#page5.tif source=Depth USPTO Notice Assignmen#page6.tif source=Depth USPTO Notice Assignmen#page7.tif source=Depth USPTO Notice Assignmen#page8.tif	

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

~~09/03/2009~~
~~900128386~~

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	SECURITY INTEREST		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
DEPTH BODY LLC		02/25/2009	LIMITED LIABILITY COMPANY: CALIFORNIA
RECEIVING PARTY DATA			
Name:	MINERAL FUSION NATURAL BRANDS LLC		
Street Address:	600 West Bayaud Avenue		
City:	DENVER		
State/Country:	COLORADO		
Postal Code:	80223		
Entity Type:	LIMITED LIABILITY COMPANY: DELAWARE		
PROPERTY NUMBERS Total: 2			
Property Type	Number	Word Mark	
Serial Number:	77382122	DEPTH	
Serial Number:	77446022	LIVE BENEATH THE SURFACE	
CORRESPONDENCE DATA			
Fax Number:	(212)735-8708		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	(212) 735-8851		
Email:	jzelnick@morrisoncohen.com		
Correspondent Name:	Jeanne Zelnick		
Address Line 1:	909 Third Avenue		
Address Line 2:	c/o Morrison Cohen LLP		
Address Line 4:	New York, NEW YORK 10022		
ATTORNEY DOCKET NUMBER:	019233-0005(JZELNICK)		
NAME OF SUBMITTER:	Jeanne Zelnick		
Signature:	/jzelnick/		

CH \$65.00 77382122

Date:

03/03/2009

Total Attachments: 4

source=Depth Body Assignment#page1.tif

source=Depth Body Assignment#page2.tif

source=Depth Body Assignment#page3.tif

source=Depth Body Assignment#page4.tif

TRADEMARK

REEL: 003962 FRAME: 0945

TRADEMARK ASSIGNMENT

THIS TRADEMARK ASSIGNMENT (this "Assignment"), dated as of February 25, 2009, is made by DEPTH BODY LLC a California limited liability company ("Assignor") in favor of MINERAL FUSION NATURAL BRANDS LLC, a Delaware limited liability company (the "Assignee").

WHEREAS, Assignor is the sole and exclusive owner of all right, title and interest in and to those trademarks as set forth on the attached Schedule A and all goodwill associated therewith (collectively, the "Marks"). Assignor wishes to assign its right, title and interest in and to the Marks to Assignee, and Assignee wishes to assume such rights, title and interest.

NOW, THEREFORE, for good and valuable consideration paid by Assignee, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby irrevocably assigns to Assignee, its successors and assigns, all of its right, title and interest in and to the Marks together with the goodwill of the business in connection with which the Marks are used, and all registrations and trademark applications therefore, in the United States, its territories and possessions and throughout the world as well as renewals and extensions of the registrations that are or may be secured under the laws of the United States, its territories and possessions and throughout the world.

Assignor hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States of America, or with respect to any foreign trademarks or service marks or applications or registrations for such marks the foreign equivalent as the case may be, to record Assignee as owner of the Marks and to issue any and all registrations, including renewals thereof, to Assignee, its successors, assigns, nominees or other legal representatives. Assignor hereby represents and covenants that it has the full right to convey the entire interest herein assigned, and that it has not executed and will not execute any agreement in conflict with this Assignment.

[Signature page follows]

IN WITNESS WHEREOF, Assignor and Assignee have caused this Trademark Assignment to be duly executed as of the date first above written.

ASSIGNOR

DEPTH BODY LLC

By: 

Name: Timothy N. Schaeffer
Title: OWNER

ASSIGNEE

MINERAL FUSION NATURAL BRANDS LLC

By: _____

Name:
Title:

[Signatures page to Depth Body LLC Trademark Assignment]

IN WITNESS WHEREOF, Assignor and Assignee have caused this Trademark Assignment to be duly executed as of the date first above written.

ASSIGNOR

DEPTH BODY LLC

By: _____
Name:
Title:

ASSIGNEE

MINERAL FUSION NATURAL BRANDS LLC

By: _____
Name: Jon Canocick
Title: Vice President

[Signature page to Depth Body LLC Trademark Assignment]

Schedule A

Trademarks

A. Registered Trademarks: None

<u>Owner</u>	<u>Registration Date</u>	<u>Registration Number</u>	<u>Mark</u>

B. Pending Trademark Applications:

<u>Owner</u>	<u>Filing Date</u>	<u>Application Serial Number</u>	<u>Mark</u>
Depth Body LLC	January 28, 2008	77382122	DEPTH
Depth Body LLC	April 11, 2008	77446022	LIVE BENEATH THE SURFACE