

12-17-1999



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Correction of PTO Error  
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#### Conveyance Type

Assignment  Security Agreement

License  Change of Name

Merger  Other

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Month Day Year

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Mail documents to be recorded with required cover sheet(s) information to:  
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PATENT  
REEL: 010436 FRAME: 0170

**Correspondent Name and Address** Area Code and Telephone Number **(619) 236-1551**

Name **Bernard L. Kleinke, Esquire**

Address (line 1) **c/o Higgs, Fletcher & Mack LLP**

Address (line 2) **401 West A Street, Suite 2600**

Address (line 3) **San Diego, CA 92101**

Address (line 4) **United States of America**

**Pages** Enter the total number of pages of the attached conveyance document including any attachments. # **6**

**Application Number(s) or Patent Number(s)**  Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)			Patent Number(s)		
<b>09/428,693</b>					

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor. Month Day Year

**Patent Cooperation Treaty (PCT)**

Enter PCT application number only if a U.S. Application Number has not been assigned.

PCT  PCT  PCT

PCT  PCT  PCT

**Number of Properties** Enter the total number of properties involved. # **1**

**Fee Amount** Fee Amount for Properties Listed (37 CFR 3.41): \$ **40.00**

Method of Payment: Enclosed  Deposit Account


Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: # **11-1240**

Authorization to charge additional fees: Yes  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 indicated herein.*

**Bernard L. Kleinke, Esquire**  **Dec. 6, 1999**

Name of Person Signing Signature Date

# RECORDATION FORM COVER SHEET CONTINUATION PATENTS ONLY

## Conveying Party(ies)

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Execution Date  
Month Day Year

Name (line 2)

Execution Date  
Month Day Year

Name (line 1)

Name (line 2)

Execution Date  
Month Day Year

Name (line 1)

Name (line 2)

## Receiving Party(ies)

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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 is attached. (Designation must be a separate document from Assignment.)

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Address (line 2)

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Patent Application Number(s)

Patent Number(s)

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RECORDATION FORM COVER SHEET  
CONTINUATION  
PATENTS ONLY

Conveying Party(ies)

Mark if additional names of conveying parties attached

Enter additional Conveying Parties

Execution Date  
Month Day Year

Name (line 1) Matthew Ryan Slakoff

10-27-99

Name (line 2)

Execution Date  
Month Day Year

Name (line 1) Michelle Griffith

10-27-99

Name (line 2)

Execution Date  
Month Day Year

Name (line 1) Cathy-Ann Halkovich Garvey

10-27-99

Name (line 2)

Receiving Party(ies)

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Enter additional Receiving Party(ies)

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Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)



**ASSIGNMENT**

FOR VALUE RECEIVED, the receipt of which is hereby acknowledged, the following inventors (hereinafter called "ASSIGNORS") hereby assign, transfer and set over to: JENNY CRAIG, INC., a Delaware corporation, having a place of business at San Diego, California, (hereinafter called "ASSIGNEE"), the entire worldwide right, title and interest in and to the invention known as: **METHOD AND APPARATUS FOR DETERMINING DESIRED QUANTITIES OF COMESTIBLES FOR CONSUMPTION**, for which a United States Patent Application was filed on OCTOBER 22, 1999 Serial No. 09/428693 and all rights and privileges under any Letters Patent which may be granted thereon.

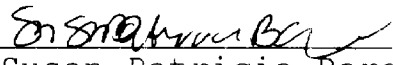
1. The ASSIGNORS agree without charge to said ASSIGNEE but at its expense (a) to execute (i) all necessary papers to be used in connection with this application and any additional continuing, or divisional applications, as the ASSIGNEE may deem necessary or expedient, (ii) all papers in connection with any interference or other legal or quasi-legal proceedings relating to this application or any additional, continuing, or divisional application thereof, (iii) all papers and documents which may be necessary in connection with the preparation and filing of any foreign applications or with making claims to priority rights granted under the provisions of the International Convention for Protection of Industrial Property or similar agreements; (b) to cooperate with ASSIGNEE in every way possible in obtaining evidence and going forward in any such proceedings; and (c) to perform all other affirmative acts which may be necessary or desirable to obtain a grant of a valid patent for said invention in any country throughout the world.


2. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks of the United States, and the appropriate officials in any other country, to issue any and all Letters Patent that may be granted upon said patent application or any additional, continuing or divisional applications thereof to the ASSIGNEE, its successors and assigns.


3. ASSIGNORS hereby covenant and warrant that they have full right to convey the entire right, title and interest by this instrument, free of any encumbrances and that no other agreement has been or will be executed in conflict herewith.


4. ASSIGNORS hereby grant to the law firm of HIGGS, FLETCHER & MACK LLP, of San Diego, California, authority and power to insert on this instrument any further identification which may be necessary or desirable for purposes of recordation in the United States Patent and Trademark Office or a Patent Office of any foreign country.

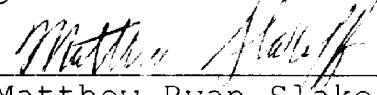
Date: 10/27/99 Signature of Inventor   
Nicky Ray Archuleta


Date: 10/27/99 Signature of Inventor   
Susan Patricia Baranowski

Date: 10/27/99 Signature of Inventor   
Maryann Denise Tomovich

Date: 10/27/99 Signature of Inventor   
Lisa Marie Talamini

Date: 10/27/99 Signature of Inventor   
Lisa Ellen Dunn

Date: 10/27/99 Signature of Inventor   
Matthew Ryan Slakoff

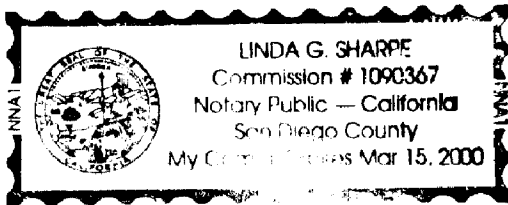
Date: 10/27/99 Signature of Inventor   
Michelle Griffith

Date: 10/27/99 Signature of Inventor   
Cathy-Ann Halkovich Garvey

State of California  
County of San Diego

On October 27, 1999 before me, Linda G. Sharpe, Notary Public, personally appeared Nicky Ray Archuleta, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



*Linda G. Sharpe*  
Signature of Notary Public

State of California  
County of San Diego

On October 27, 1999 before me, Linda G. Sharpe, Notary Public, personally appeared Susan Patricia Baranowski, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

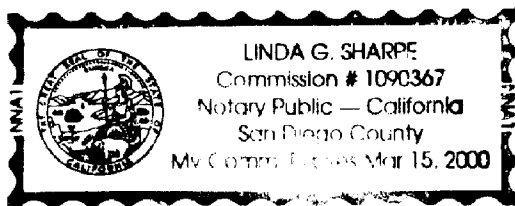


*Linda G. Sharpe*  
Signature of Notary Public

State of California  
County of San Diego

On October 27, 1999 before me, Linda G. Sharpe, Notary Public, personally appeared Maryann Denise Tomovich, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that her executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

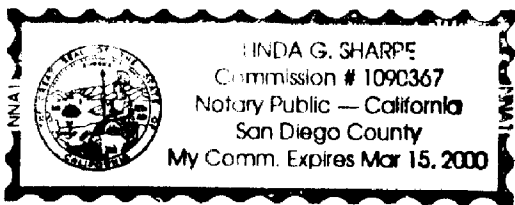


*Linda G. Sharpe*  
Signature of Notary Public

State of California  
County of San Diego

On October 27, 1999 before me, Linda G. Sharpe, Notary Public, personally appeared Lisa Marie Talamini, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



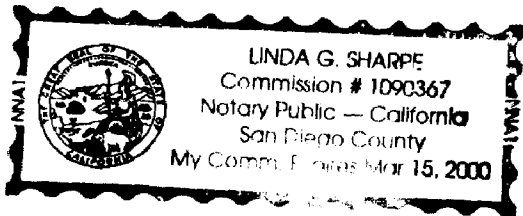
*Linda G. Sharpe*  
Signature of Notary Public



State of California  
County of San Diego

On October 27, 1999 before me, Linda G. Sharpe, Notary Public, personally appeared Lisa Ellen Dunn, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

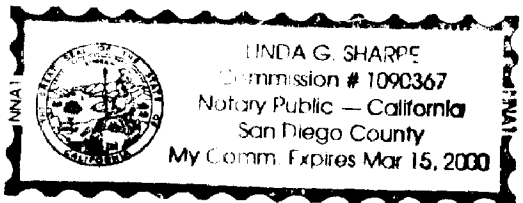


*Linda G. Sharpe*  
Signature of Notary Public

State of California  
County of San Diego

On October 27, 1999 before me, Linda G. Sharpe, Notary Public, personally appeared Matthew Ryan Slakoff, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

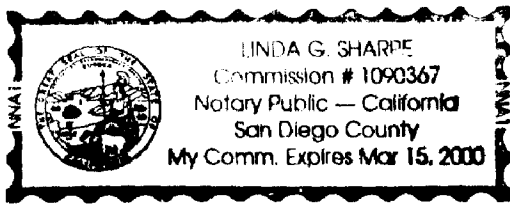


*Linda G. Sharpe*  
Signature of Notary Public

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County of San Diego

On October 27, 1999 before me, Linda G. Sharpe, Notary Public, personally appeared Michelle Griffith, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

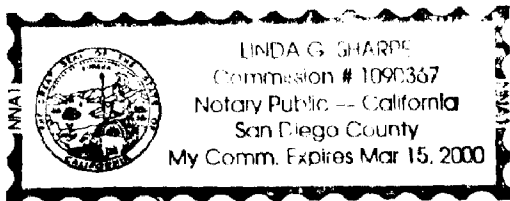


*Linda G. Sharpe*  
\_\_\_\_\_  
Signature of Notary Public

State of California  
County of San Diego

On October 27, 1999 before me, Linda G. Sharpe, Notary Public, personally appeared Cathy-Ann Halkovich Garvey, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



*Linda G. Sharpe*  
\_\_\_\_\_  
Signature of Notary Public