

Form PTO-1595 (Rev. 06/04)
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U.S. DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

RECORDATION FORM COVER SHEET PATENTS 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)/Execution Date(s):

Vitality Beverages, Inc.

Execution Date(s) February 25, 2004

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other _____

2. Name and address of receiving party(ies)

Name: Vitality Foodservice, Inc.

Internal Address: _____

Street Address: 400 North Tampa Street, Ste. 1

City: Tampa

State: Florida

Country: USA Zip: 33602

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application or patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No.(s)
6,634,783 B2

B. Patent No.(s)
6,637,929 B2

Additional numbers attached? ☐ Yes ☒ No

5. Name and address to whom correspondence concerning document should be mailed:

Name: C. Douglas McDonald

Internal Address: _____

Street Address: P.O. Box 3239

City: Tampa

State: Florida Zip: 33601-3239

Phone Number: 813-229-4234

Fax Number: 813-229-4133

Email Address: trademarks@carltonfields.com

6. Total number of applications and patents involved:

2

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 80.

- ☐ Authorized to be charged by credit card
☒ Authorized to be charged to deposit account
☐ Enclosed
☐ None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 03-0683

Authorized User Name Peg Thomas

9. Signature:

C. Douglas McDonald
Signature

8/16/04
Date

C. Douglas McDonald

Name of Person Signing

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

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, V.A. 22313-1450

CH \$80.00 030683 6634783

ASSIGNMENT

WHEREAS, VITALITY BEVERAGES, INC., a Florida corporation having its principal place of business at 400 N. Tampa Street, Suite 1700, Tampa, FL 33602, ("Assignor"), is the owner of the following patent applications:

1. United States Patent Application Serial No. 09/925,998 (now U.S. Patent No. 6,634,783 B2) filed August 9, 2001, entitled "Apparatus for Agitating a Fluid Suspension",
2. United States Patent Application Serial No. 10/256,433 (now U.S. Patent No. 6,637,929 B2) filed September 27, 2002, entitled "Method for Agitating a Fluid Suspension", and
3. PCT Application No. PCT/US02/11902, filed June 11, 2002, entitled "Apparatus and Method for Agitating a Fluid Suspension".

WHEREAS, VITALITY FOODSERVICE, INC., a Florida corporation having its principal place of business at 400 N. Tampa Street, Suite 1700, Tampa, FL 33602, ("Assignee," is desirous of acquiring the entire right, title and interest in the said inventions and applications and in any Letters Patents which may be granted on the same;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has sold, assigned and transferred, and by these presents does sell, assign and transfer unto the said Assignee, and Assignee's successors and assigns, all right, title and interest in and to the said inventions, said applications for United States Letters Patent, and any Letters Patent which may hereafter be granted on the same in the United States and all countries throughout the world including any divisions, renewals, continuations in whole or in part, substitutions, conversions, reissues, prolongations or extensions thereof, said interest to be held and enjoyed by said Assignee as fully and exclusively as it would have been held and enjoyed by said Assignor had this assignment and transfer not been made, to the full end and term of any such Letters Patent, and I hereby authorize and request the Commissioner of Patents and Trademarks to issue said United States Patent to said Assignee.

Assignor further agrees that Assignor will, without charge to said Assignee, but at Assignee's expense, cooperate with Assignee in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as Assignee lawfully may request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said Assignee, or Assignee's successors and assigns. The assignment and transfer is made without any representation or warranty, on an AS IS and WHERE IS basis and all representations and warranties, implied or express, are hereby disclaimed.

IN TESTIMONY WHEREOF, Assignor has hereunto signed its name and delivered this Assignment to Assignee this 25th day of February, 2004.

VITALITY BEVERAGES, INC.

By: 

Rhiannon Kubicka, Secretary

STATE OF New York
COUNTY OF New York

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 14th day of February, 2004, by Phonon Kubricka. He/She ☒ is personally known to me, or has produced ☐ his/her driver's license, or ☐ his/her as identification.

(AFFIX NOTARIAL SEAL)

If Any) PATRICIA M. LANCASTER
Notary Public, State of New York
No. 01LA6064032
Qualified in New York County
Commission Expires September 17, 2005

Patricia M. Lancaster
(Signature)
Patricia M. Lancaster
(Printed Name)
NOTARY PUBLIC, STATE OF New York
9/17/05
(Commission Expiration Date)
02 LA 6064032 (Serial Number,