

700239891

Form PTO-1595 (Rev. 07/05)
OMB No. 0651-0027 (exp. 6/30/2008)U.S. DEPARTMENT OF COMMERCE
United States Patent and Trademark OfficeRECORDATION 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)

Onesta Nutrition, Inc.

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

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

Execution Date(s) December 27, 2005

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

2. Name and address of receiving party(ies)

Name: CNS, Inc.

Internal Address: _____

Street Address: 7615 Smetana LaneCity: MinneapolisState: MinnesotaCountry: USA Zip: 55439-0802Additional 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)

10/922,547
 10/922,646
 11/046,436

B. Patent No.(s)

6,455,068
 6,982,093

Additional numbers attached? ☐ Yes ☒ No

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

Name: John F. Klos, Esq.

Internal Address: _____

Street Address: 2100 IDS Center
80 South Eighth Street

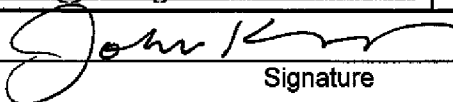
City: MinneapolisState: MN Zip: 55402-2112Phone Number: 612-321-2806Fax Number: 612-321-9600Email Address: jklos@fulbright.com6. Total number of applications and patents involved: 57. Total fee (37 CFR 1.21(h) & 3.41) \$ 200.00

- ☐ 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 50-1212 (10208934)Authorized User Name Fulbright & Jaworski L.L.P.

9. Signature:



Signature

January 23, 2006

Date

John F. Klos, Esq.
 Name of Person Signing

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

3

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 Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, V.A. 22313-1450

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PATENT
 REEL: 017297 FRAME: 0029

01/27/2006
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Form PTO-1084 (Rev. 07/05)
OMB No. 0591-0027 (Rev. 05/20/2004)

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

RECORDATION FORM COVER SHEET PATENTS ONLY

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1. Name of conveying party(ies):

Onseta Nutrition, Inc.

2. Name and address of receiving party(ies)

Name: CNS, Inc.

Internal Address: _____

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

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

Execution Date(s) December 27, 2005

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Joint Research Agreement

☐ Government Interest Assignment

☐ Executive Order 9494, Confirmatory License

☐ Other _____

Street Address: 7615 Seward Lane

City: Minneapolis

State: Minnesota

Country: USA

Zip: 55439-0802

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

4. Application or patent number(s):

A. Patent Application No.(s)

10/922,547

10/922,848

11/046,436

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

B. Patent No.(s)

6,465,068

6,982,095

Additional numbers attached? ☐ Yes ☒ No

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

Name: John F. Klos, Esq.

Internal Address: _____

Street Address: 2100 IDS Center

80 South Eighth Street

City: Minneapolis

State: MN

Zip: 55409-2112

Phone Number: 612-321-2806

Fax Number: 612-321-9800

Email Address: jklos@fulbright.com

6. Total number of applications and patents involved: 5

7. Total fee (37 CFR 1.21(h) & 3.41) \$200.00

☐ 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

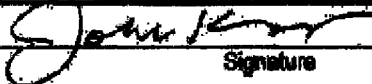
a. Credit Card Last 4 Numbers _____

Expiration Date _____

b. Deposit Account Number 50-1212-1020892-5

Authorized User Name Fulbright & Jenson LLP

9. Signature:



Signature

January 23, 2006

Date

John F. Klos, Esq.

Name of Person Signing

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

Documents to be recorded (including cover sheet) should be filed to (PTO) 873-0946, or mailed to: Mail Stop Assignment Recordation Service, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22304-1450

PATENT

REEL: 017297 FRAME: 0030

ASSIGNMENT

WHEREAS, Onesta Nutrition, Inc., a corporation organized and existing under and by virtue of the laws of the state of Minnesota, having a principal place of business located at 505 Narcissus Lane, Plymouth, Minnesota, 55447 (hereinafter, "Onesta") owns the following patents and patent applications (the "Patents"):

1. U.S. Patent Number 6,455,068, issued on September 24, 2002;
2. U.S. Patent Number 6,982,093, issued on January 3, 2006;
3. U.S. Patent Application Number 10/922,547, filed on August 19, 2004;
4. U.S. Patent Application Number 10/922,646, filed on August 19, 2004;
5. U.S. Patent Application Number 11/046,436, filed on January 28, 2005;
6. Australian Patent No. 730126;
7. New Zealand Patent No. 326093;
8. Japanese Patent No. 3618355;
9. European Patent Application Number 96 944 880.2;
10. Canadian Patent Application Number 2240980; and
11. Mexican Patent Application Number 985056;

And,

WHEREAS, CNS, Inc., a corporation organized and existing under and by virtue of the laws of Delaware and having a principal place of business located at 7615 Smetana Lane, Minneapolis, Minnesota, 55439-0802 (hereafter "CNS"), is desirous of acquiring the entire right, title, and interest of Onesta in and to the Patents, and all renewals, reexaminations, reissues, extensions, substitutions, continuations, continuations-in-part, or divisionals thereof, and all foreign patents claiming the benefit of priority therefrom or relating thereto;

NOW THEREFORE, Be It Known, that for good and valuable consideration, the receipt of which is hereby acknowledged by the undersigned, the entire right, title, and interest of Onesta in and to the Patents, all renewals, reexaminations, reissues, extensions, substitutions, continuations, continuations-in-part, or divisionals thereof, and all foreign patents claiming the benefit of priority therefrom or relating thereto, is hereby sold, assigned and transferred unto CNS effective as of 12:01 a.m. on January 4, 2006, without representation or warranty except as expressly set forth in that certain Intellectual Property Asset Purchase Agreement, dated as of January 4, 2006, by and among CNS, Onesta, Jerome Licari and John Licari.

This Assignment and all the terms hereof shall inure to the benefit of and be binding upon the parties hereto and their respective successors, permitted assigns and legal representatives.

The Commissioner of Patents is hereby authorized and requested to issue said Letters Patent in accordance with this Assignment.

Dated: December 27, 2005

ONESTA NUTRITION, INC.

By: Jerome J. Licari
Jerome J. Licari, President

STATE OF Minnesota)
)ss
COUNTY OF Hennepin)

On this 27th day of December 2005 personally appeared Jerome J. Licari, to me known and known to be the President of Onesta Nutrition, Inc., and acknowledged that he executed the foregoing Assignment on behalf of said corporation pursuant to authority duly received.

Maria Ness
Notary Public



[Signature Page to Patent Assignment]