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ROYALTY RATE REPORT
FOR
TRADEMARKS & COPYRIGHTS
SIXTH Edition

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ChampionLyte - 3% to 6% on sales

Sara Lee Global Finance, LLC sued Championlyte Products, Inc. during 2001 claiming that the "ChampionLyte" trademark infringed upon the "Champion" sportswear trademark owned by Sara Lee. On April 1, 2003 a settlement was reached granting Championlyte an exclusive license to use the "ChampionLyte" trademark in connection with sugar-free drinks in the United States, Mexico, and Canada. The initial term of the licensing agreement is five-years with the option to renew for two additional five-year terms. In exchange, for the right to use the trademark, Championlyte agrees to pay a 3% royalty until sales surpass \$10,000,000 dollars when it will become a 5% royalty payment and finally when sales reach \$15,000,000 it will become 6% royalty payment.

<u>Contract Year</u>	<u>Minimum Royalty Payment</u>
2003	\$500,000
2004	\$750,000
2005	\$1,000,000
2006	\$1,250,000
2007	\$1,500,000
2008 ^a	\$2,000,000
2009	\$2,500,000
2010	\$3,000,000
2011	\$3,500,000
2012	\$4,000,000
2013 ^b	\$5,000,000
2014	\$6,000,000
2015	\$7,000,000
2016	\$8,000,000
2017	\$9,000,000

- a) Contract will be renewed for a second 5-year term if sales in 2005-2007 average at least \$1,500,000.
- b) Contract will be renewed for a third time if sales in 2010-2012 average at least \$5,000,000.

Sara Lee Global Finance, LLC is a subsidiary of the Sara Lee Corporation. Sara Lee is a global manufacturer and marketer of consumer products with operations in 55 countries and markets in approximately 200 nations. Products manufactured and marketed by Sara Lee include baked goods, processed meat, beverage systems, coffee and tea, and various kinds of active wear, intimate clothing, and other apparel, and personal products, household products, and shoe products.

Championlyte Products, Inc. is a public company based out of Florida. Championlyte is the first to release a completely sugar-free sports drink. Championlyte's subsidiary Old Fashioned Syrup Company manufactures, markets, and distributes three flavors of sugar-free syrups.

Cheese – 5% of sales

Galaxy Nutritional Foods, Inc. is principally engaged in developing, manufacturing and marketing a variety of healthy cheese and dairy related products, as well as other cheese alternatives, and is a leading producer of dairy alternative products made with soy. These healthy

cheese and dairy related products include low or no fat, no saturated fat, no trans-fat, low or no cholesterol and lactose-free varieties. These products are sold throughout the United States and internationally to customers in the retail and food service markets.

GNF is the market leader within its alternative cheese category niche, but in being so, the category increases or decreases partly as a result of its marketing efforts. GNF believes that the greatest source of future growth in the cheese alternative category will come through customers shifting to cheese alternatives from natural cheese. Rather than focusing primarily on consumers with a preference or medical condition predisposing them to non-dairy cheese and comparing GNF products to other cheese alternative brands, the company intends to focus on educating cheese consumers on the healthy attributes of cheese alternatives versus traditional cheese.

Pursuant to an oral contract manufacturing and distribution arrangement among GNF, Del Sunshine LLC, a Delaware limited liability company, and Non-Dairy Specialty Foods, LLC, a Nevada limited liability company and affiliate of Del, GNF began manufacturing certain private label products for Del and delivering them directly to Del's customers, including Del's major customer, WalMart, Inc. in April 2004. These private label products were produced using label and packaging trademarks owned by Del. Sales to Del accounted for 12% of GNF sales during fiscal 2005, which attributed to 65% of the increase in sales over fiscal 2004. The business with Del resulted in an account receivable owed to GNF of approximately \$1,550,000 as of April 11, 2005. In the fourth quarter of fiscal 2005, GNF reserved nearly \$1,550,000 in accounts receivable and wrote off \$210,000 in inventory related to Del based upon our determination in April 2005 that collection from Del was questionable as of March 31, 2005. On

April 11, 2005, GNF executed with Del a Trademark License Agreement and an Assignment of Accounts Receivable Agreement. Pursuant to the Trademark License Agreement, Del licensed to GNF the rights in certain Del trademarks, which allowed GNF to sell products directly to Del's customers, including WalMart, Inc. and other food retailers, using such trademarks. In consideration for the license, GNF agreed to pay to Del a 5% royalty on the net sales of such products. In accordance with the Trademark License Agreement, GNF can offset any royalties that are owed to Del under the agreement against GNF's account receivable and other amounts owed to us by Del. Source: Galaxy Nutritional Foods, Inc. 2005 10K/A.

Comic Book Milk - 2.5% to 11% of sales

Bravo Foods International Corp. is involved in the development and marketing of its own Slammers® trademarked brand, the obtaining of license rights from third party holders of intellectual property rights to other trademarked brands, logos and characters and the granting of production and marketing rights to processor dairies to produce branded flavored milk utilizing our intellectual property. In the United States, Bravo generates revenue from the unit sales of branded flavored milks to retail consumer outlets. Currently, Bravo uses a single third-party processor in the United States to produce all of its single serve milk-based beverages. Bravo recognizes revenue in the United States at the gross amount of invoices for the sale of finished product to wholesale buyers. Bravo takes title to its branded flavored milks when they are shipped by third party processors and recognize as revenue the gross wholesale price charged to wholesale customers.

Internationally, Bravo generates revenue primarily through the sale of "kits" to these processors. "Kits" sold to processors consist of flavor ingredients that are developed and refined by Bravo and the grant of production rights to processors to produce the flavored milks. The consideration paid to Bravo under these production contracts consists of fees charged for Bravo's grant of production rights for the branded flavored milks plus a charge for flavor ingredients. The fees charged by Bravo for the production rights are set to match royalty fees for its intellectual property licenses.