

12-28-1999

FORM PTO-1594

(Rev. 3-93)

OMB No. 0651-0011 (exp. 4/94)

MD 12-11-99



101232816

ER SHEET  
VLYU.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Tab settings = = = ▼

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Irwin Naturals/4Health, Inc.

- ☐ Individual(s) ☐ Association  
☐ General Partnership ☐ Limited Partnership  
☒ Corporation-State Utah  
☐ Other \_\_\_\_\_

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

## 3. Nature of conveyance:

- ☐ Assignment ☐ Merger  
☐ Security Agreement ☒ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: August 17, 1999

## 2. Name and address of receiving party(ies)

Name: Omni Nutraceuticals, Inc.

Internal Address: \_\_\_\_\_

Street Address: 5310 Beethoven Street

City: Los Angeles State: CA ZIP: 90066

- ☐ Individual(s) citizenship \_\_\_\_\_  
☐ Association \_\_\_\_\_  
☐ General Partnership \_\_\_\_\_  
☐ Limited Partnership \_\_\_\_\_  
☒ Corporation-State Utah  
☐ Other \_\_\_\_\_

If assignee is not domiciled in the United States, a domestic representative designat  
is attached: ☐ Yes ☐ No

(Designations must be a separate document from assignment)

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

## 4. Application number(s) or patent number(s):

A. Trademark Application No.(s)

75/689,593

B. Trademark Registration No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name: Scott S. Havlick

Internal Address: \_\_\_\_\_

12/27/1999 JSHABAZZ 00000093 75/689593

01 FC:481

40.00 OP

Street Address: Holland &amp; Hart, LLP

1050 Walnut Street, Ste. 500

City: Boulder State: CO ZIP: 80302

## 6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

☒ Enclosed☒ Authorized to be charged to deposit account

## 8. Deposit account number:

08-2623

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. 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.

Scott S. Havlick

Name of Person Signing

Signature

12-10-99

Date

Total number of pages including cover sheet, attachments, and document: 5

Mail documents to be recorded with required cover sheet information to:  
 Commissioner of Patents & Trademarks, Box Assignments  
 Washington, D.C. 20231

TRADEMARK  
 REEL: 002003 FRAME: 0948

C017929

**EXPEDITE**

State of Utah  
Department of Commerce  
Division of Corporations and Commercial Code

I hereby certify that the foregoing has been filed  
approved on the 11 day of August 1999  
At Office of this Division and hereby issue  
this Certificate thereof.

Examiner: PS Date: 8/20/99

LORENA A. RAY  
DIVISION DIRECTOR

**ARTICLES OF AMENDMENT****OF****ARTICLES OF INCORPORATION  
OF****IRWIN NATURALS/4HEALTH, INC.****RECEIVED****AUG 19 1999**

UTAH DIV. OF CORP. AND COMM. CODE

08-19-99 P02:30 IN

IRWIN NATURALS/4HEALTH, INC., a corporation duly organized and existing  
under the Business Corporation Act of the State of Utah (the "Corporation"), does hereby certify  
that:

- FIRST:** The name of the Corporation is Irwin Naturals/4Health, Inc.
- SECOND:** Article I of the Corporation's Articles of Incorporation is amended  
to read in its entirety as follows:
- "Article I.  
Name**
- The name of the Corporation shall be: Omni Nutraceuticals, Inc."
- THIRD:** The aforementioned amendment was adopted by the written  
consent dated as of July 11, 1999 of the holders of a majority of  
the shares of the capital stock of the Corporation outstanding on  
July 7, 1999, the official record date for determining stockholders  
eligible to execute such consent.
- FOURTH:** As of July 7, 1999, there were outstanding 28,164,555 shares of  
common stock, par value \$0.01 per share (the "Common Stock"),  
of the Corporation, entitled to one (1) vote per share. The  
Common Stock is the only issued and outstanding class of capital  
stock of the Corporation.
- FIFTH:** Recordholders of 20,977,401 shares of Common Stock,  
representing approximately 74.4% of the Common Stock  
outstanding on July 7, 1999, sufficient for approval of the  
aforementioned amendment by the holders of the Common Stock,  
pursuant to Section 1003(3) of the Utah Business Corporations

**TRADEMARK****REEL: 002003 FRAME: 0949**

Act, have executed the written consent dated as of July 11, 1999 adopting the aforementioned amendment.

IN WITNESS WHEREOF, the Corporation has caused these Articles of Amendment to be executed by Louis Mancini, its authorized officer, on this 17 day of August, 1999.



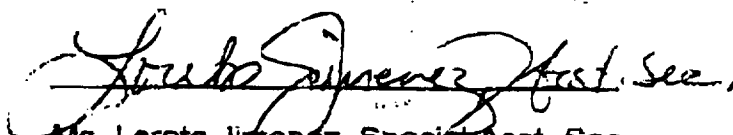
Louis Mancini  
President

350077\_1

August <sup>19</sup>20, 1999

## Letter of Release

CT Corporation System releases ***Omni Neutraceuticals, Inc.***  
as a name reservation for the purpose of filing a name change  
amendment.



Ms. Loreto Jimenez, Special Asst. Sec.  
For CT Corporation System

BOX ASSIGNMENT FEE  
Express Mail No. EL415726648US  
ATTORNEY DOCKET NO. 37155.8423

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Name Change

Conveying Party: Irwin Naturals/4Health, Inc.  
a Utah corporation

Receiving Party: Omni Nutraceuticals, Inc.  
a Utah corporation

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

Application Numbers: 75-689,593

Registration Numbers: None

CERTIFICATE OF MAILING BY EXPRESS MAIL

U.S. Patent and Trademark Office  
Office of Public Records  
Crystal Gateway 4, Room 335  
Washington, D.C. 20231

Sir:

The undersigned hereby certifies that the attached Trademark Recordation Form Cover Sheet, Articles of Amendment; check in the amount of \$40.00, and return card, relating to the above applications/registrations was deposited as "Express Mail," Mailing Label No. EL415726648US with the United States Postal Service, addressed to U.S. Patent and Trademark Office, Office of Public Records, Crystal Gateway 4, Room 335, Washington, D.C. 20231, on December 10, 1999.

Dec. 10, 1999  
Date

Suzette Gulton  
Mailer

Dec. 10, 1999  
Date

Scott S. Havlick  
Scott S. Havlick  
HOLLAND & HART  
555 Seventeenth Street, Suite 3200  
Denver, Colorado 80202  
(303) 473-2710