

03-06-2000



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OPR/FINANCE

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)
Document ID #
- Correction of PTO Error
Reel # Frame #
- Corrective Document
Reel # Frame #

Conveyance Type

- Assignment License
- Security Agreement Nunc Pro Tunc Assignment
Effective Date
Month Day Year
- Merger
- Change of Name
- Other

Conveying Party

Mark if additional names of conveying parties attached

Name Execution Date
Month Day Year

Formerly

- Individual General Partnership Limited Partnership Corporation Association
- Other
- Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City State/Country Zip Code

- Individual General Partnership Limited Partnership 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 should be attached. (Designation must be a separate document from Assignment.)
- Corporation Association
- Other
- Citizenship/State of Incorporation/Organization

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FOR OFFICE USE ONLY

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Pages

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

Trademark Application Number(s) or Registration Number(s)

Mark if additional numbers attached

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

Trademark Application Number(s)			Registration Number(s)		
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="2083017"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Number of Properties

Enter the total number of properties involved. #

Fee Amount

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

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: #

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.

Olga Gonzalez

Jan. 24, 2000

Name of Person Signing

Signature

Date Signed

ASSIGNMENT

WHEREAS, Nutrition Warehouse, Inc., a New York corporation having its principal place of business at 106 East Jericho Turnpike, Mineola, NY 11501, (hereinafter "ASSIGNOR"), is the owner of all right, title and interest in and to the mark RADICAL RAIDERS which is the subject of United States Trademark Registration No. 2083017 for dietary food supplement, namely, multiple vitamins and mineral tablets, capsules and liquids (hereinafter "The Mark"); and

WHEREAS, NBTY, INC., a Delaware corporation having its principal place of business at 90 Orville Drive, Bohemia, New York 11716, (hereinafter "ASSIGNEE"), is desirous of acquiring the entire right, title and interest in, to and under The Mark, and the goodwill associated therewith;

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and adequacy of which are hereby mutually acknowledged, ASSIGNOR hereby irrevocably sells, assigns, transfers and conveys unto ASSIGNEE, its successors and assigns, ASSIGNOR'S entire right, title and interest in and to: (a) The Mark; (b) all registrations of The Mark, whether state, federal or foreign; (c) any and all applications to register The Mark, whether state, federal or foreign; (d) all common law rights in, to and under The Mark; (e) all other rights in, to and under The Mark, together with the goodwill of the business symbolized by The Mark; (f) any and all rights to royalties, profits, compensations, license fees or other payments or remuneration of any kind relating to The Mark and/or the goodwill under The Mark; and (g) all claims or causes of action

ASSIGNOR has or may have in connection with The Mark, including but not limited to, the right to sue and recover damages for any and all past infringements of The Mark.

AND, FURTHER, ASSIGNOR hereby covenants that it has full right to convey the entire right herein assigned, and that it has not executed, and will not execute, any agreements inconsistent herewith.

IN WITNESS WHEREOF, Nutrition Warehouse, Inc., by an authorized officer of same, has caused this Assignment to be executed on this 18th day of January, 2000.

Nutrition Warehouse, Inc.

BY: Michael C. Duban
Michael C. Duban
Vice President Legal

State of New York)
County of Westchester)

On the 18th day of January, 2000, before me personally came Michael C. Duban, to me known, who, being by me duly sworn, did depose and say that he resides at 81 Main Street, Suite 205, White Plains, New York 10601, that he is the Vice-President legal of Nutrition Warehouse, Inc., the corporation described in and which executed the above instrument; and that he/she signed his/her name thereto by authority of the Board of Directors of said corporation.

By: Paula Thomas (Seal)
Notary Public

PAULA THOMAS
Notary Public, State of New York
No. 4842350
Qualified in Westchester County
Commission Expires 10/31/2001