

05-22-2001

BLE COMMISSIONER OF PATENTS AND TRADEMARKS

cord the attached original document or copy thereof.



101724872

1. Name and Address of Party(ies) receiving an interest:
Alpine Health Products, LLC.

2. Name and Address of Party(ies) receiving an interest:

- Entity: Individual(s)
- General Partnership
- Corporation-State of
- Association
- Merger
- Other: LLC of Delaware

Metabolife International, Inc.
6138 Nancy Ridge Drive
San Diego, CA 92121

- Entity: Individual(s)
- General Partnership
- Corporation-State of California
- Association
- Merger
- Other:

3. Interest Conveyed:
- Assignment
 - Change of Name
 - Security Agreement
 - Merger
 - Other:

If not domiciled in U.S., a domestic representative designation is attached:

- Yes
- No

5-15-01

4. Application No. or Registration No. Additional sheet attached? Yes No

A. Trademark Application No.(s):

B. Trademark Registration No.(s):

75/521,885

5. Name and Address of Party to Whom Correspondence concerning document should be mailed:

Donald C. Casey, Esq.
311 North Washington Street,
Suite 100
Alexandria, VA 22314

6. Number of applications and registrations involved:

7. Amount of Fee Enclosed or Authorized to be Charged:

\$40.00

8. The Commissioner is hereby authorized to charge any deficiency in payment of the required fee(s) or credit any overpayment to Deposit Account No. 03-1045.

DO NOT USE THIS SPACE

9. Date of Execution of attached Document: May 2, 2001

10. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

May 7, 2001

Date

Donald C Casey
Donald C. Casey

AG

NUNC PRO TUNC ASSIGNMENT OF TRADEMARK
(U.S. Trademark Application)

WHEREAS, **Alpine Health Products, LLC**, a Delaware Limited Liability corporation, with its principal place of business at 1525 W Business Park Drive, Orem, Utah, (hereinafter "Assignor"), is using and is the owner of all right title and interest in and to the trademark "VARISOOTH" (hereinafter the "Mark"), including U.S. Trademark Application Serial No. 75/521,885, all common law rights relating thereto and the goodwill of the business symbolized by such Mark.

WHEREAS **Metabolife International, Inc.**, a corporation duly organized under the laws of the State of California and having its principal business address at 6138 Nancy Ridge Drive, San Diego, California 92121 (hereinafter "Assignee"), on September 28, 2000, acquired all right, title and interest in and to such Mark, U.S. Trademark Application Serial No. 75/521,885, all common law rights relating thereto and the goodwill of the business symbolized by such Mark.

NOW, THEREFORE, in consideration of the sum of \$1.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Assignor, as of the date above written, did and hereby does sell, assign, transfer, and set over unto said Assignee, its successors, legal representatives, and assigns, all Assignor's right, title, and interest in and to such Mark, together with the goodwill of the business symbolized by the Mark, all common law trademark rights relating thereto, U.S. Trademark Application Serial No. 75/521,885 and the goodwill of the business symbolized by such Mark.

IN WITNESS WHEREFORE, ASSIGNOR has caused this Nunc Pro Tunc Assignment of Trademark to be executed by its duly authorized officer on May 2, 2001.

ASSIGNOR

ALPINE HEALTH PRODUCTS, LLC

By: 

DAVID W. BROWN, President
METABOLIFE INTERNATIONAL, INC.
Sole Member of Alpine Health Products, LLC

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