

FORM-PTO-1618A  
Expires 06/30/99  
OMB 0651-0027



06-21-2001

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
TRADEMARK



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6.15.01

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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  
 Merger  
 Change of Name  
 Other \_\_\_\_\_  
Execution Date and Effective Date  
February 21, 2001

**Conveying Party**

Mark if additional names of conveying parties attached

Name SKW Nature Products, Inc.

Individual  General Partnership  Limited Partnership  Corporation  
 Association  Other \_\_\_\_\_

Citizenship/State of Incorporation/Organization Delaware

**Receiving Party**

Mark if additional names of receiving parties attached

Name Degussa Health & Nutrition Americas, Inc.

DBA/AKA/TA \_\_\_\_\_

Composed of \_\_\_\_\_

Address (line 1) 23700 Chagrin Boulevard

Address (line 2) Beachwood, Ohio 44122-5554

Address (line 3)

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  
 Corporation  Association  
 Other

Citizenship/State of Incorporation/Organization Delaware

FOR OFFICE USE ONLY

06/20/2001 DBYRNE 00000214 254764

01 FC:481  
02 FC:482

40.00 DP  
825.00 DP

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 200231

**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 (202) 467-7886

Name Morgan, Lewis & Bockius LLP

Address (line 1) Attn: TMSU

Address (line 2) 1800 M Street, N.W.

Address (line 3) Washington, D.C. 20036-5869

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

# 3

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

Trademark Application Number(s)

Registration Number(s)

See attached Schedule A

**Number of Properties** Enter the total number of properties involved.

# 34

**Fee Amount** Fee Amount for Properties Listed (37 CFR 3.41):

\$ 865.00

Method of Payment: Enclosed

Deposit Account \_\_\_\_\_

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: 13-4520

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.*

Lisa D. Herbst  
Name of Person Signing

Lisa Herbst  
Signature

6/15/01  
Date Signed

**Schedule A**  
Registered Trademarks

<u>Reg. No.</u>	<u>Mark</u>
254,764	HALLMARK
554,721	VITEX (Stylized)
585,408	SUNBURST
745,204	VITEX
761,022	VITEX
779,573	VITEXTURE
859,399	OLD KEG FOR GOODNESS SAKE Plus Design
864,615	FOR GOODNESS SAKE
1,110,629	CHOCOLATE BREAK
1,111,159	VITEX
1,252,394	PARSON'S
1,254,655	STRAWBERRY 80
1,254,714	NATURAL SODA PARSON'S MILL Plus Design
1,254,975	VITEXZYME K
1,289,223	KEY-LATED Plus Design
1,314,855	FLAVOR LOCK
1,421,623	YIELD PLUS
1,527,252	TWITCHELL
1,541,796	ESQUIRE
1,550,632	DTI DARI-TECH Plus Design
1,697,252	PERFORMANCE PLUS
1,798,973	NUTRI-TECH
1,890,648	POWER UP
1,933,546	CRYSTAL FROST
1,986,366	RIPE NOW
2,018,222	RIVER OF DREAMS
2,042,189	RIPE NOW
2,048,275	RIO DE LOS SUENOS
2,143,439	DRAW
2,143,440	AMBUSH
2,143,442	DR. RAD
2,192,350	A TOUCH OF LIME
2,193,844	RED RIPE GRAPE
2,221,466	VINELAND

Office of the Secretary of State

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I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "SKW NATURE PRODUCTS, INC.", CHANGING ITS NAME FROM "SKW NATURE PRODUCTS, INC." TO "DEGUSSA HEALTH & NUTRITION AMERICAS, INC.", FILED IN THIS OFFICE ON THE TWENTY-FIRST DAY OF FEBRUARY, A.D. 2001, AT 10:05 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

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010084402

AUTHENTICATION: 0984905

DATE: 02-22-01

TRADEMARK

REEL: 002317 FRAME: 0178

**CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF INCORPORATION  
OF  
SKW NATURE PRODUCTS, INC.**

SKW NATURE PRODUCTS, INC., a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware (the "Company"), does hereby certify:

FIRST: That pursuant to a Written Action of the Board of Directors of the Company dated February 20, 2001, and authorized by Section 141(f) of the General Corporation Law of the State of Delaware, resolutions were duly adopted setting forth a proposed amendment of the Certificate of Incorporation of said Company, declaring said amendment to be advisable and calling a meeting of the stockholders of said Company for consideration thereof. The resolution setting forth the proposed amendment is as follows:

RESOLVED, that the Certificate of Incorporation of the Company be amended by changing the Article thereof numbered "1" so that, as amended said Article shall be and read as follows:

"1. The name of the corporation is Degussa Health & Nutrition Americas, Inc."

SECOND: That thereafter, by a Written Action dated February 20, 2001, and authorized by Section 228 of the General Corporation Law of the State of Delaware, the sole stockholder of said Company voted all of the issued and outstanding shares of the Company in favor of the amendment.

THIRD: That said amendment was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.

FOURTH: That the capital of said Company shall not be reduced under or by reason of said amendment.

IN WITNESS WHEREOF, said SKW NATURE PRODUCTS, INC. has caused this certificate to be signed by Peter A. Vinocur its Vice President this 21st day of February, 2001.

SKW NATURE PRODUCTS, INC.

By: *Peter A. Vinocur*  
Peter A. Vinocur  
Vice President