

12-31-2001 101928772

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

1. Name of conveying party(ies):

NBTY, INC.

12.26.01

- Individual(s) Association General Partnership Limited Partnership Corporation-State Delaware 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: Nov. 7, 2001

2. Name and address of receiving party(ies)

Name: Nature's Bounty, Inc.

Internal Address: 90 Orville Drive

Street Address: City: Bohemia State: NY Zip: 11716

- Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State New York Other

If assignee is not domiciled in the United States, a domestic representative designation 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 registration number(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1854438

DEC 26 2001

Additional number(s) attached Yes No

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

Name: OLGA GONZALEZ, P.A.

Internal Address: 3191 Coral Way Suite 609

Street Address:

City: Miami State: FL Zip: 33145

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:

071550

(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.

OLGA GONZALEZ

Signature

Nov. 12, 2001

Date

Name of Person Signing DBYRNE 00000055 1854438

3

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

12/28/2001 DBYRNE

01 FC:481

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

ASSIGNMENT

WHEREAS, NBTY, INC., a Delaware corporation having its principal place of business at 90 Orville Drive, Bohemia, New York 11716, (hereinafter "ASSIGNOR"), is the owner of all right, title and interest in and to the mark ENER-B which is the subject of United States Trademark Registration No. 1,854,438 for vitamins and food supplements (hereinafter "The Mark"); and

WHEREAS, Nature's Bounty, Inc., a New York 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.

This assignment is made effective September 1, 2000.

IN WITNESS WHEREOF, NBTY, INC., by an authorized officer of same, has caused this Assignment to be executed on this 7th day of November, 2001.

NBTY, INC.

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

State of New York)
County of SUFFOLK)

On the 7th day of November, 2001, before me personally came Michael C. Duban, to me known, who, being by me duly sworn, did depose and say that he resides at 90 Orville Drive, Bohemia, New York 11716, that he is the Vice-President, Legal of NBTY, 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: Patricia M. Johnson (Seal)
Notary Public

PATRICIA M. JOHNSON
NOTARY PUBLIC, STATE OF NEW YORK
NO. 0100061513
QUALIFIED IN NASSAU COUNTY
COMMISSION EXPIRES 7/16/03