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U.S. Department of Commerce Patent and Trademark Office TRADEMARK

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## RECORDATION FORM COVER SHEET TRADEMARKS ONLY TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(les). **Submission Type** Conveyance Type License yΙ y Assignment New Resubmission (Non-Recordation) Security Agreement **Nunc Pro Tunc Assignment** Document ID# Effective Date Month Day Year Merger Correction of PTO Error Reel # Frame # Change of Name **Corrective Document** Reel# Frame # Other Conveying Party Mark if additional names of conveying parties attached **Execution Date** Month Day Year Name Kraft Foods Holdings, Inc. 12/21/2001 Formerly Individual General Partnership Limited Partnership X Corporation Association Other Citizenship/State of Incorporation/Organization Delaware Receiving Party Mark if additional names of receiving parties attached Name NBTY, Inc. DBA/AKA/TA Composed of Address (line 1) 90 Orville Drive Address (line 2) Address (line 3) 11716 Pohemia Zip Code If document to be recorded is an General Partnership Limited Partnership Individual assignment and the receiving party is not domiciled in the United States, an x | Corporation **Association** appointment of a domestic representative should be attached. (Designation must be a separate Other document from Assignment.) Citizenship/State of Incorporation/Organization Delaware

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0851-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

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Mail documents to be recorded with required cover sheet(s) information to Commissioner of Patents and Trademarks, Box Assignments, Washington DEMARK

**REEL: 002475 FRAME: 0877** 

FORM PTO-1618B Expires 06/30/99 OMB 0651-0027	Pag	e 2	U.S. Department of Commerce Patent and Trademark Office TRADEMARK		
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Correspondent N	ame and Address Area Code and	d Telephone Number (631	) 218-7327		
Name <u>Mit</u>	chell S. Drucker, Esq.				
Address (line 1) NBT	Y, Inc.				
Address (line 2) 90	Orville Drive				
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Mitchell S. Name of Pe	Drucker Mu erson Signing	M The Signature	//3/0-2 Date Signed		

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## ASSIGNMENT OF U.S. TRADEMARKS

THIS ASSIGNMENT OF U.S. TRADEMARKS (this "Assignment") is made as of the 26th day of December 2001, by Kraft Foods Holdings, Inc., a Delaware corporation, whose principal address is Three Lakes Drive Northfield, Illinois 60093 (hereinafter, "Assignor").

## WITNESSETH:

WHEREAS, Assignor desires to assign to NBTY, Inc., a Delaware corporation, whose principal address is 90 Orville Drive, Bohemia, New York 11716 (hereinafter, "Assignce"), all of Assignor's right, title and interest in and to the trademarks identified on Schedule A, including any and all registrations and/or pending applications therefor (hereinafter, collectively referred to as the "Marks"); and

WHEREAS, Assignee desires to acquire Assignor's right, title and interest in and to the Marks.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and pursuant to the Asset Purchase Agreement dated as of December 13, 2001, among Kraft Foods Holdings, Inc, Assignor and Assignee, Assignor does hereby sell, assign, transfer and convey to Assignee all of Assignor's right, title and interest in and to the Marks, together with the goodwill of the business associated with and which is symbolized by the Marks.

Assignor hereby authorizes and requests the Commissioner of Trademarks to record Assignee as the owner of the entire right, title and interest in and to the Marks, for the sole use and enjoyment of Assignee, its successors, assigns or other legal representatives.

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IN WITNESS WHEREOF, Assignor has caused this Assignment of Trademarks to be executed as of the day and year first above written.

KRAFT FOODS HOLDINGS, INC.

Name: Jacqueline A. Leimer Title: Assistant Secretary

STATE OF <u>ILLINOIS</u>) ss.:

COUNTY OF <u>Cook</u>)

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared <u>Jacqueline A. Leimer</u>, the <u>Assistant Sec</u>'y of Kraft Foods Holdings, Inc., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of such Corporation, and that he executed the same for and as the act of such Corporation for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 21st day of December 2001.

Suron Laurie Schrodox Notary Public

OFFICIAL SEAL
SUSAN LOUISE SCHROEDER
HOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES:07/23/05

## Schedule A

TRADEMARK	APPLICATION NUMBER	REGISTRATION NUMBER	CLASS
KNOX	73/047719	1027747	5
KNOX	71/069232	0093868	29
KNOX NUTRAJOINT	75/174546	2157624	5
NUTRAJOINT		2157623	5
NUTRAJOINT PLUS	75/930162	2515804	5

**RECORDED: 04/02/2002**