

05-06-2002



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5-6-02

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

*Resubmission*

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

Submission Type

- New *2.11.02*
- 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

Execution Date  
Month Day Year

Name

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

- Corporation  Association

Other

Citizenship/State of Incorporation/Organization

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.)

FOR OFFICE USE ONLY

02/26/2002 DBYRNE 00000102 75671529

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40.00 OP

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 (0651-0027), 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.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK  
REEL: 002498 FRAME: 0201

**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)

<u>75671529</u>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

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<input type="text"/>	<input type="text"/>	<input type="text"/>
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**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.

Mitchell S. Drucker

Name of Person Signing

Signature

1/2/02

Date Signed

**Attachment to  
Recordation Form Cover Sheet  
VITAMINS.COM  
U.S. Serial No. 75/671529**

<b>Additional Conveying Parties</b>	<b>State of Incorporation/Organization</b>	<b>Execution Date</b>
Healthcentral.com	Delaware corporation	12/19/2001
Vitamins.com, Inc.	Delaware corporation	12/19/2001
L&H Vitamins, Inc.	New York corporation	12/19/2001
J&M Direction Corporation	New York corporation	12/19/2001
HealthCentralRx.com, Inc.	Delaware corporation	12/19/2001
WebRx.com	Delaware corporation	12/19/2001
HCEN Acquisition Corp.	Delaware corporation	12/19/2001
HealthCentral Enterprise Web Services, Inc.	Delaware corporation	12/19/2001
HealthCentral.ca	Canada corporation	12/19/2001

## ASSIGNMENT OF TRADEMARK

**WHEREAS**, Healthcentral.com, Vitamins.com, Inc., Vitamins.com, LLC, L&H Vitamins, Inc., J&M Direction Corporation, HealthCentralRx.com, Inc., WebRx.com, HCEN Acquisition Corp., HealthCentral Enterprise Web Services, Inc., and HealthCentral.ca (collectively, "Assignors"), having their principal offices at 6001 Shellmound Street, Suite 800, Emeryville, California 94608, have adopted, used, are using and are the owners of the trademark filed for registration in the United States Patent and Trademark Office, known as VITAMINS.COM and design, Serial No. 75/671529 (the "Mark").

**WHEREAS**, NBTY, Inc., a Delaware corporation ("Assignee"), having its principal offices at 90 Orville Drive, Bohemia, New York 11716, is desirous of acquiring the Mark.

**NOW, THEREFORE**, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Assignors hereby assigns to Assignee all right, title and interest in the United States in and to the Mark together with the goodwill of the business symbolized by the Mark and registrations thereof, together with all claims for damages by reason of past infringement of the Mark and registration, with the

*[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]*

right to sue for and collect the same.

Signed in Walnut Creek, California, this 19th day of December, 2001.

HEALTHCENTRAL.COM  
VITAMINS.COM, INC.  
VITAMINS.COM, LLC  
L&H VITAMINS, INC.  
J&M DIRECTION CORPORATION  
HEALTHCENTRALRX.COM, INC.,  
WEBRX.COM  
HCEN ACQUISITION CORP.  
HEALTHCENTRAL ENTERPRISE WEB SERVICES, INC.  
HEALTHCENTRAL.CA

By: [Signature]  
Name: John Barnard  
Title: President & CEO

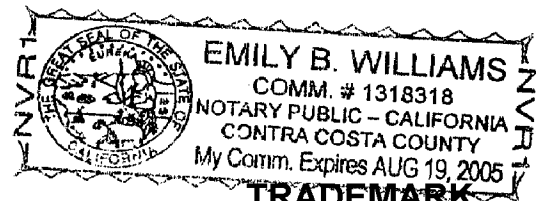
ATTEST:

[Signature]  
Secretary MELANIE HILARIO

STATE OF California )  
 ) ss.:  
COUNTY OF Contra Costa )

On the 19th day of December in the year 2001, before me, the undersigned, a Notary Public in and for said state, personally appeared John Barnard, ~~personally known to me or~~ proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that ~~she~~ he executed the same in ~~her~~ his capacity and that by ~~her~~ his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

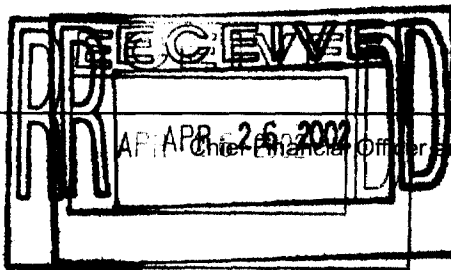
Emily B. Williams  
Notary Public



APRIL 19, 2002

NBTY, INC.  
MITCHELL S. DRUCKER, ESQ.  
90 ORVILLE DRIVE  
BOHEMIA, NY 11716

PTAS



\*101994349A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF NON-RECORDATION OF DOCUMENT

DOCUMENT ID NO.: 101994349

THE ENCLOSED DOCUMENT HAS BEEN EXAMINED AND FOUND NON-RECORDABLE BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. THE REASON(S) FOR NON-RECORDATION ARE STATED BELOW. DOCUMENTS BEING RESUBMITTED FOR RECORDATION MUST BE ACCOMPANIED BY A NEW COVER SHEET REFLECTING THE CORRECT INFORMATION TO BE RECORDED AND THE DOCUMENT ID NUMBER REFERENCED ABOVE.

THE ORIGINAL DATE OF FILING OF THIS ASSIGNMENT DOCUMENT WILL BE MAINTAINED IF RESUBMITTED WITH THE APPROPRIATE CORRECTION(S) WITHIN 30 DAYS FROM THE DATE OF THIS NOTICE AS OUTLINED UNDER 37 CFR 3.51. THE RESUBMITTED DOCUMENT MUST INCLUDE A STAMP WITH THE OFFICIAL DATE OF RECEIPT UNDER 37 CFR 3. APPLICANTS MAY USE THE CERTIFIED PROCEDURES UNDER 37 CFR 1.8 OR 1.10 FOR RESUBMISSION OF THE RETURNED PAPERS, IF THEY DESIRE TO HAVE THE BENEFIT OF THE DATE OF DEPOSIT IN THE UNITED STATES POSTAL SERVICE.

SEND DOCUMENTS TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

1. THIS IS DEEMED NON-RECORDABLE YOU HAVE TO LIST ALL OF THE CONVEYING PARTY'S NAMES AND EXECUTION DATE INDIVIDUALLY.

LAZENA MARTIN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS