

TRADEMARK ASSIGNMENT

Electronic Version v1.1
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SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
MERCK KGaA		05/03/2005	COMPANY: GERMANY
RECEIVING PARTY DATA			
Name:	MERCK CONSUMER HEALTHCARE LIMITED		
Street Address:	Hedon Road, Marfleet		
City:	Hull, HU9 5NJ		
State/Country:	UNITED KINGDOM		
Entity Type:	private limited company: UNITED KINGDOM		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Serial Number:	75288452	LAMBERTS	
CORRESPONDENCE DATA			
Fax Number:	(212)292-5391		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	212-2925390		
Email:	mail@ipcounselors.com		
Correspondent Name:	Epstein Drangel Bazerman & James, LLP		
Address Line 1:	60 East 42nd Street, Suite 820		
Address Line 4:	New York, NEW YORK 10165		
ATTORNEY DOCKET NUMBER:	2191-002		
DOMESTIC REPRESENTATIVE			
Name:	William C. Wright		
Address Line 1:	60 East 42nd Street, Suite 820,		
Address Line 4:	New York, NEW YORK 10165		
NAME OF SUBMITTER:	William C. Wright		

OP \$40.00 75288452

Signature:	/william c. wright/
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Date:	01/04/2006
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THIS ASSIGNMENT is made on

3rd MAY

2005

BETWEEN

- (1) **MERCK KGaA** (a German corporation with its principal place of business at Frankfurter Strasse 250, 64293 Darmstadt, Federal Republic of Germany ("the Assignor"))
- (2) **MERCK CONSUMER HEALTHCARE LIMITED** (company number 1445808) of Hedon Road, Marfleet, Hull HU9 5NJ ("the Assignee")

BACKGROUND

- (A) The Assignor is the proprietor of the trade marks registered or the subject of applications for registration in the countries listed in the attached Schedule ("**Trade Marks**")
- (B) The Assignor has agreed to assign all its rights, in and to the Trade Marks to the Assignee on the terms set out below.

AGREED TERMS

1. Assignment

The Assignor hereby assigns with full title guarantee to the Assignee absolutely the Trade Marks and all and any rights in and to the Trade Marks including the benefit of the applications for registration with the intention that when the applications are granted the registrations shall vest in the Assignee and any common law rights and all the goodwill attaching to the Trade Marks.

2. Proceedings

This Assignment shall include the right for the Assignee to bring proceedings against any third party in respect of the Trade Marks (including proceedings against any third party for infringement of the Trade Marks or for passing off or for otherwise infringing the rights of the Assignor in the Trade Marks). The Assignor agrees and undertakes to provide to the Assignee (at its request) all such assistance with any proceedings which may be brought by or against the Assignee against or by any third party in relation to the Trade Marks and the Assignee shall indemnify the Assignor in respect of all costs and expenses (including reasonable legal costs) actually incurred by it in providing the Assignee with such assistance.

3. Further assurance

The Assignor covenants that at the cost and request of the Assignee at any time and from time to time it shall execute such deeds or documents and do such acts or things as may be necessary or desirable to give effect to this Assignment

4. Governing law and jurisdiction

This Assignment shall be governed by and construed in accordance with the laws of England and the parties hereto submit to the non-exclusive jurisdiction of the English courts.

IN WITNESS whereof the parties have executed this Assignment as a deed the day and year first above written.

EXECUTED as a deed by MERCK KGaA:

Signature of director:

[Handwritten signature of Dr. Martin André]

Name of director:

Dr. Martin André

Signature of director/secretary:

[Handwritten signature of Jonas Koelle]

Name of director/secretary:

Jonas Koelle

EXECUTED as a deed by MERCK CONSUMER HEALTHCARE LIMITED:

Signature of director:

[Handwritten signature of Gavin Manson]

Name of director:

GAVIN MANSION

Signature of director/secretary:

[Handwritten signature of Nicholas Guy Fraser]

Name of director/secretary:

NICHOLAS GUY FRASER

THE SCHEDULE

SCHEDULE
Applications and Trade Marks

The Applications

Country	Number	Trade Mark	Class	Renewal Due	Specification of Goods/Services
Qatar*	10964	LAMBERTS [WORD WITH ARABIC EQUIVALENT]	5	27 Jun 1993 Pending	Pharmaceutical, veterinary and sanitary preparations, dietetic and other food substances adapted for nutritional use such as vitamins, minerals, amino acids, herbal preparations, and other nutritional preparations including evening primrose oils, fish oils and other marine products, ginseng, royal jelly and other bee products, and digestive aids such as fibre and enzyme products; including combinations of these
United States	75/28845 2	LAMBERTS [WORD]	5	08 May 1997 Pending	Dietetic and nutritional preparations adapted for medical use; vitamins, minerals, amino acids, herbal preparations, evening primrose oils, fish oils, ginseng, royal jelly, bee propolis, bee pollen, all being food substances adapted for medical use; fibre and enzyme products, all being digestive aids; combinations of the aforesaid goods.

The Trade Marks

Country	Number	Trade Mark	Class	Renewal Due	Specification of Goods/Services
Benelux	532322	LAMBERTS [WORD]	3 5	11 May 2003	<p>Class 3 soaps, perfumery, essential oils, cosmetics manufactured with or without vitamin and herbal preparations, hair and skin lotions and other personal health and beauty requisites not included in other classes.</p> <p>Class 5 pharmaceutical, veterinary and sanitary products and preparations, medicinal and dietetic food stuffs and food supplements; vitamin preparations; medicinal herbs and acids, laxatives and digestives; food preparations and substances adapted for nutritional use such as minerals, flower oils, fish oils and marine products, ginseng, royal jelly and other bee products, fibre and enzyme products, as well as combinations of all the aforementioned products.</p>
Denmark	1578/199 4	LAMBERTS HEALTHCARE LTD [WORDS WITH APPLE DEVICE]	3 5	11 March 2004	All goods in Classes 3 and 5
European Union	828772	LAMBERTS [WORD]	3 5	19 May 2008	Class 3 cosmetics in particular those including vitamin and herbal preparations, hair and skin lotions, soaps for personal use and other personal health and beauty requisites.

Country	Number	Trade Mark	Class	Renewal Due	Specification of Goods/Services
					Class 5 food and dietary supplements; nutritional preparations and substances; vitamins, minerals, amino acids, herbal and marine substances, enzymes, plant and fish oils, cultured bacteria preparations and substances, bee products, fibre; preparations consisting of combinations of the aforesaid; tonic preparations and substances.
France	93468881	LAMBERTS [WORD]	3 5	18 May 2003	<p>Class 3 perfumery, essential oils, cosmetics in particular those including vitamin and herbal preparations, hair and skin lotions, soap for personal use and other personal health and beauty requisites.</p> <p>Class 5 pharmaceutical, veterinary and sanitary preparations, dietetic and other food substances adapted for nutritional use such as vitamins, minerals, amino acids, herbal preparations, and other nutritional preparations including evening primrose oils, fish oils and other marine products, ginseng, and digestive aids such as fibre and enzyme products; including combinations of these.</p>

Country	Number	Trade Mark	Class	Renewal Due	Specification of Goods/Services
Germany	2082003	LAMBERTS [WORD]	3 5	17 May 2003	<p>Class 3 perfumery, essential oils, cosmetics in particular those including vitamin and herbal preparations, hair and skin lotions, soap for personal use and other personal health and beauty requisites.</p> <p>Class 5 pharmaceutical, veterinary and sanitary preparations, dietetic and other food substances adapted for nutritional use such as vitamins, minerals, amino acids, herbal preparations, and other nutritional preparations for medical purposes including evening primrose oils, fish oils and other marine products for medical purposes, ginseng, royal jelly and other bee products for medical purposes, and digestive aids for medical purposes such as fibre and enzyme products; combinations of the aforementioned products for medical purposes.</p>
Israel	87415	LAMBERTS [WORD]	3	14 May 2014	Skin care products containing vitamin and herbal preparations; all included in Class 3.

Country	Number	Trade Mark	Class	Renewal Due	Specification of Goods/Services
Israel	87416	LAMBERTS [WORD]	5	14 May 2014	Dietetic and other food substances adapted for medical use such as vitamins, minerals, amino acids, herbal preparations, and other nutritional preparations including evening primrose oils, fish oils and other marine products, ginseng, royal jelly and other bee products, and digestive aids such as fibre and enzyme products including combinations of these; all included in Class 5.
Italy	660613	LAMBERTS [WORD]	3 5	26 May 2003	<p>Class 3 perfumery, essential oils, cosmetics in particular those including vitamin and herbal preparations, hair and skin lotions, soap for personal use and other personal health and beauty requisites.</p> <p>Class 5 pharmaceutical, veterinary and sanitary preparations, dietetic and other food substances adapted for nutritional use such as vitamins, minerals, amino acids, herbal preparations, and other nutritional preparations including evening primrose oils, fish oils and other marine products, ginseng, royal jelly and other bee products, and digestive aids such as fibre and enzyme products; including combinations of these.</p>

Country	Number	Trade Mark	Class	Renewal Due	Specification of Goods/Services
Norway	163472	LAMBERTS HEALTHCARE LTD [WORDS WITH APPLE DEVICE]	3 5	30 June 2004	All goods in Classes 3 and 5.
Portugal	292569	LAMBERTS [WORD]	3	06 Oct 2004	Perfumery, essential oils, cosmetics in particular those including vitamin and herbal preparations, hair and skin lotions, soaps for personal use and other personal health and beauty requisites.
Portugal	292570	LAMBERTS [WORD]	5	06 Oct 2004	Pharmaceutical, veterinary and sanitary preparations, dietetic and other food substances adapted for nutritional use.
Qatar*	10963	LAMBERTS [WORD WITH ARABIC EQUIVALENT]	3	20 June 2003	Perfumery, essential oils, cosmetics in particular those including vitamin and herbal preparations, hair and skin lotions, soap for personal use and other personal health and beauty requisites in Class 3.
Saudi Arabia*	309/71	LAMBERTS [WORD]	3	09 Mar 2003	Perfumery, essential oils, cosmetics in particular those including vitamin and herbal preparations, hair and skin lotions, soap for personal use and other personal health and beauty requisites.

Country	Number	Trade Mark	Class	Renewal Due	Specification of Goods/Services
Saudi Arabia*	321/91	LAMBERTS [WORD]	5	09 Mar 2003	Pharmaceutical, veterinary and sanitary preparations, dietetic and other food substances adapted for nutritional use such as vitamins, minerals, amino acids, herbal preparations, and other nutritional preparations including evening primrose oils, fish oils and other marine products, ginseng, royal jelly and other bee products, and digestive aids such as fibre and enzyme products; including combinations of these.
South Africa	B92/1111 2	LAMBERTS [WORD]	5	18 Dec 2002	Pharmaceutical preparations and substances; tonic preparations and substances; food supplements, vitamins, minerals; herbal preparations and substances; digestive aids including acidophilus enzyme and fibre products, nutritional accessories including herbal oils, fish oils and other marine products, evening primrose oil, royal jelly; infant's and invalids' foods.
Sweden	254860	LAMBERTS HEALTHCARE LTD [WORDS WITH APPLE DEVICE]	3 5	28 Jan 2004	All goods in Classes 3 and 5.

Country	Number	Trade Mark	Class	Renewal Due	Specification of Goods/Services
Switzerland	412449	LAMBERTS [WORD]	3 5	13 May 2003	<p>Class 3 Perfumery, essential oils, cosmetics in particular those including vitamin and herbal preparations, hair and skin lotions, soap for personal use and other personal health and beauty requisites.</p> <p>Class 5 pharmaceutical, veterinary and sanitary preparations, dietetic and other food substances adapted for nutritional use such as vitamins, minerals, amino acids, herbal preparations, and other nutritional preparations including evening primrose oils, fish oils and other marine products, ginseng, royal jelly and other bee products, and digestive aids such as fibre and enzyme products; including combinations of these.</p>
United Kingdom	2005953	APPLE [DEVICE] 93009	3 5	19 Dec 2004	<p>Class 3 skin cream and skin lotion; scalp shampoo.</p> <p>Class 5 homopathic preparations and substances, herbal products, food and dietary supplements, vitamins, minerals, amino acids and other nutritional preparations, evening primrose oils, fish oils and other marine products, digestive aids, fibre and enzyme products; tonic preparations and substances</p>
United Kingdom	2266408	AQUATONE [WORD]	5	Registered 05 April 2001	TBC

Country	Number	Trade Mark	Class	Renewal Due	Specification of Goods/Services
United Kingdom	2148839	COLLADEEN [WORD]	5	22 Oct 2007	Class 5 food and dietary supplements; nutritional preparations and substances; vitamins, minerals, amino acids, herbal substances, preparations consisting of combinations of the aforesaid; tonic preparations and substances.
United Kingdom	1589237	DIGESTIZYME [WORD]	5	26 Oct 2001 Renewed	Pharmaceutical preparations and substances; homeopathic preparations and substances; herbal products; food and dietary supplements; vitamins, minerals, amino acids; combinations of the aforesaid goods; fibre and enzyme preparations all being digestive aids; tonic preparations and substances; all included in Class 5.
United Kingdom	2118243	ELIMINEASE [WORD SERIES OF 2]	5	11 Dec 2006	Class 5 food and dietary supplements; nutritional preparations and substances; vitamins, minerals, amino acids, herbal substances; preparations consisting of combinations of the aforesaid; tonic preparations and substances.

Country	Number	Trade Mark	Class	Renewal Due	Specification of Goods/Services
United Kingdom	2021475	ELIMINEX [word]	5	24 May 2005	Class 5 pharmaceutical preparations and substances consisting principally of fibre and enzymes; digestive aids: fibre and enzyme products; combinations of the aforesaid goods; all the aforesaid goods for use in the maintenance of normal digestive function.
United Kingdom	1589254	HEALTH INSURANCE PLUS [WORDS]	5	26 Oct 2001 Renewed	Preparations containing vitamins, amino acids and minerals; multi vitamins and mineral food supplements; all included in Class 5.
United Kingdom	2056641	IMUNO- STRENGTH [WORD]	5	13 Feb 2006	Class 5 food and dietary supplements, nutritional preparations and substances; vitamins, minerals, amino acids, herbal substances; preparations consisting of combinations of the aforesaid; tonic preparations and substances.
United Kingdom	1535872	LAMBERTS [WORD]	5	30 Apr 2010	Dietetic and nutritional preparations adapted for medical use; vitamins, minerals, amino acids, herbal preparations, evening primrose oils, fish oils, ginseng, royal jelly, bee propolis, bee pollen, all being food substances adapted for medical use; fibre and enzyme products, all being digestive aids; combinations of the aforesaid goods; all included in Class 5.
United Kingdom	1535871	LAMBERTS [WORD]	3	30 Apr 2010	Skin care products containing vitamin and herbal preparations: all included in Class 3.

Country	Number	Trade Mark	Class	Renewal Due	Specification of Goods/Services
United Kingdom	2156835	MAGASORB [STYLISTED WORD]	5	22 Jan 2008	Pharmaceutical preparations; food and dietary supplements; nutritional preparations and substances; vitamins, minerals, amino acids, herbal and marine substances, enzymes, plant and fish oils, cultured bacteria preparations and substances, fibre; preparations consisting of combinations of the aforesaid; tonic preparations and substances.
United Kingdom	1589249	MAXI HAIR [WORDS]	5	26 Oct 2001 Renewed	Vitamins, minerals and amino acids, preparations containing combinations of the aforesaid goods; all included in Class 5.
United Kingdom	1589255	MEGAVIT [WORD]	5	26 Oct 2001 Renewed	Pharmaceutical preparations and substances; homeopathic preparations and substances; herbal products; food and dietary supplements; vitamins, minerals, amino acids and other nutritional preparations; combinations of the aforesaid preparations; fibre and enzyme products all for use as digestive aids; tonic preparations and substances; all included in Class 5.

Country	Number	Trade Mark	Class	Renewal Due	Specification of Goods/Services
United Kingdom	1589246	MULTI GUARD [WORDS]	5	26 Oct 2001 Renewed	Food and dietary supplements; vitamins, minerals, amino acids; combinations of the aforesaid goods; fibre and enzyme products, all being digestive aids; tonic preparations and substances, all included in Class 5
United Kingdom	1589258	MULTI-MAX [WORD]	5	26 Oct 2001 Renewed	Pharmaceutical preparations and substances, homeopathic preparations and substances; herbal products, food and dietary supplements; vitamins, minerals, amino acids and other nutritional preparations; including combinations of these; digestive aids such as fibre and enzyme products; tonic preparations and substances but not including any such goods for use on the person and not including goods flavoured with or containing coffee.

Country	Number	Trade Mark	Class	Renewal Due	Specification of Goods/Services
United Kingdom	2005958	NATURE'S BEST [WORDS]	3 5	19 Dec 2004	<p>Class 3 essential oils, cosmetics including vitamin and herbal preparations, hair and skin lotions, soaps for personal use, health and beauty requisites.</p> <p>Class 5 food supplements, being pharmaceutical preparations and substances, herbal products, food and dietary supplements, vitamins, minerals, amino acids; nutritional preparations including evening primrose oils, fish oils, marine products, digestive aids, fibre and enzyme products and combinations of the aforesaid goods; tonic preparations and substances.</p>
United Kingdom	2003517	OAKWOOD HEALTH [LOGO] [SERIES OF 2]	5	25 Nov 2004	<p>Pharmaceutical preparations and substances; homeopathic preparations and substances; herbal products all being for internal ingestion; food and dietary supplements; vitamins, minerals, amino acids and other nutritional preparations; including combinations of these; digestive aids such as fibre and enzyme products; tonic preparations and substances</p>

Country	Number	Trade Mark	Class	Renewal Due	Specification of Goods/Services
United Kingdom	2050843	OSTEOBALANCE [WORD]	5	11 Jan 2006	Class 5 pharmaceutical preparations and substances; homeopathic preparations and substances; herbal products; food and dietary supplements; vitamins, minerals, amino acids, and combinations of the aforesaid, nutritional preparations; digestive aids; tonic preparations and substances.
United Kingdom	1589245	OSTEOGUARD [WORD]	5	26 Oct 2001 Renewed	Pharmaceutical preparations and substances; homeopathic preparations and substances; herbal products; food and dietary supplements; vitamins, minerals, amino acids; combinations of the aforesaid goods, all relating to the maintenance of bone health and the prevent and treatment of bone deficiencies and bone diseases; all included in Class 5.
United Kingdom	2259129	PREMTIS [WORD]	5	Registered 25 Jan 2001	TBC
United Kingdom	1577086	PROSTEX [WORD]	5	04 Jul 2001 Renewed	Pharmaceutical preparations and substances; homeopathic preparations and substances; herbal products; food supplements; vitamins, minerals, amino acids; nutritional preparations; preparations consisting of combinations of the aforesaid; tonic preparations and substances; all included in Class 5.

Country	Number	Trade Mark	Class	Renewal Due	Specification of Goods/Services
United Kingdom	2266407	REFRESHAL [WORD]	5	Registered 05 Apr 2001	TBC
United Kingdom	2280028	STRONGSTAR TMVM [WORDS SERIES OF 4]	5	Registered 06 Sep 2001	TBC
United Kingdom	2259127	SUPERSEC [WORD]	5	Registered 25 Jan 2001	TBC
United Kingdom	1589233	ZINCATEST [WORD]	5	26 Oct 2001 Renewed	Pharmaceutical preparations; food and dietary supplements; vitamins, minerals, amino acids and combinations of these goods; tonic preparations and substances; all containing zinc; all included in Class 5.

* = Not currently in use.

The Trade Marks

Country	Number	Trade Mark	Class	Renewal Due	Specification of Goods/ Services
	2118237	COLLADENE	5		
	2296449	SUNSCENE	3		
	2274210	VEINTAIN	5		
	858589	BIO-FLORA	5		
	1156213	DERMATABS	5		
	1308377	EPAFORTE	5		
	1589240	FIBRECLENSE	5		
	1432639	VITACHIEVE	5		

The Applications

Country	Number	Trade Mark	Class	Renewal Due	Specification of Goods/ Services
	2319826	EYE-WISE (series of 3)	5		
	2275150	IBISENE	5		
	2319827	TAKE 5 (series of 6)	5		
	2318855	TOETAL	5		

SCHEDULE
Registered Trade Mark

Mark	No.	Class	Goods
Leaf Device (Series of 2)	1243873	5	Preparations included in Class 5 consisting of minerals and/or vitamins and/or proteins. for use as food supplements