### TRADEMARK ASSIGNMENT

Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	MERGER
EFFECTIVE DATE:	11/09/2007

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Nature's Best, Inc.		11/09/2007	CORPORATION: NEW YORK
Nature's Dynamics of Arizona, Inc.		11/09/2007	CORPORATION: ARIZONA
Dynamic Nutrition of Florida, Inc.		11/09/2007	CORPORATION: FLORIDA
Dynamic Nutrition of Georgia, Inc.		11/09/2007	CORPORATION: GEORGIA
Dynamic Nutrition o fHouston, Inc.		11/09/2007	CORPORATION: TEXAS
Dynamic Nutrition of Illinois, Inc.		11/09/2007	CORPORATION: ILLINOIS
Dynamic Nutrition of Maryland, Inc.		11/09/2007	CORPORATION: MARYLAND
Dynamic Nutrition of New England, Inc.		11/09/2007	CORPORATION: MASSACHUSETTS
Dynamic Nutrition of San Francisco, Inc.		11/09/2007	CORPORATION: CALIFORNIA
Dynamic Nutrition of Texas, Inc.		11/09/2007	CORPORATION: TEXAS
Dynamic Nutrition of New York, LLC		11/09/2007	LIMITED LIABILITY COMPANY: NEW YORK
Van Horn Technologies, Inc.		11/09/2007	CORPORATION: FLORIDA

#### **RECEIVING PARTY DATA**

Name:	Windswept Equity Partners, Inc.
Street Address:	1780 Route 106
City:	Muttontown
State/Country:	NEW YORK
Postal Code:	11791
Entity Type:	CORPORATION: NEW YORK

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PROPERTY NUMBERS Total: 30

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**TRADEMARK** 

**REEL: 003665 FRAME: 0582** 

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Property Type	Number	Word Mark
Registration Number:	1414701	CARBO POWER
Registration Number:	1877121	DECADE
Registration Number:	2886209	GRENADE
Registration Number:	3058850	HARDCORE PAK
Registration Number:	2304802	ISOPURE
Registration Number:	3170101	ISOPURE MASS
Registration Number:	3138538	NATURE'S BEST
Registration Number:	1932502	NATURE'S BEST
Registration Number:	2792815	NATURE'S BEST LEMON AIDE
Registration Number:	1945414	PERFECT
Registration Number:	2146379	PERFECT CREATINE STS
Registration Number:	2225537	PERFECT JOINT SUPPORT
Registration Number:	2016417	PERFECT RX
Registration Number:	2500920	PERFECT SOLID PROTEIN
Registration Number:	2146377	PERFECT WHEY
Registration Number:	2910458	PRO SMOOTHIE
Registration Number:	2598932	PROTEIN INNOVATION
Registration Number:	3042835	QUATRO PLEX
Registration Number:	2685015	REAL PROTEIN
Registration Number:	2893638	SUPER RIPPED
Registration Number:	2616045	BODY REVIVE
Registration Number:	2616043	LAUNCH
Registration Number:	3045624	NITRIC RUSH
Registration Number:	2841832	RED RUSH
Registration Number:	2616046	SHED
Registration Number:	2616044	SOAR
Registration Number:	2341494	TOTALLY RIPPED
Registration Number:	2306138	TOTALLY RIPPED
Registration Number:	2290814	VHT
Serial Number:	78813574	MICELLAR MILK

#### CORRESPONDENCE DATA

Fax Number: (212)575-0671

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

TRADEMARK
REEL: 003665 FRAME: 0583

Phone: 212-790-9200 trademark@cll.com

Correspondent Name: Albert Robin

Address Line 1: 1133 Avenue of the Americas

Address Line 4: New York, NEW YORK 10036-6799

ATTORNEY DOCKET NUMBER:	25853
NAME OF SUBMITTER:	Albert Robin
Signature:	/Albert Robin/
Date:	11/21/2007

Total Attachments: 6

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> TRADEMARK REEL: 003665 FRAME: 0584

# STATE OF NEW YORK DEPARTMENT OF STATE

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.



WITNESS my hand and official seal of the Department of State, at the City of Albany, on November 14, 2007.

and sol and

Paul LaPointe Special Deputy Secretary of State

Rev. 06/07

#### CERTIFICATE OF MERGER

**OF** 

NATURE'S BEST, INC., NATURE'S DYNAMICS OF ARIZONA, INC., DYNAMIC NUTRITION, DYNAMIC NUTRITION OF FLORIDA, INC., DYNAMIC NUTRITION OF GEORGIA, INC., DYNAMIC NUTRITION OF HOUSTON, INC., DYNAMIC NUTRITION OF ILLINOIS, INC., DYNAMIC NUTRITION OF MARYLAND, INC., DYNAMIC NUTRITION OF SAN FRANCISCO, INC., DYNAMIC NUTRITION OF TEXAS, INC., DYNAMIC NUTRITION OF NEW YORK, LLC, AND VAN HORN TECHNOLOGIES, INC.

#### INTO

## WINDSWEPT EQUITY PARTNERS, INC. (Under Section 904-a Business Corporation Law)

The undersigned, Hal Katz, being the President of Windswept Equity Partners, Inc. a corporation organized and existing under and by virtue of the laws of the State of New York, does hereby certify:

#### 1. The name of each Constituent Entity is as follows:

Nature's Best, Inc., which was formed under the name Haka, Inc.

Nature's Dynamics of Arizona, Inc.

**Dynamic Nutrition** 

Dynamic Nutrition of Florida, Inc.

Dynamic Nutrition of Georgia, Inc.

Dynamic Nutrition of Houston, Inc.

Dynamic Nutrition of Illinois, Inc.

Dynamic Nutrition of Maryland, Inc.

Dynamic Nutrition of New England, Inc.

Dynamic Nutrition of San Francisco, Inc.

Dynamic Nutrition of Texas, Inc.

Dynamic Nutrition of New York, LLC

Van Horn Technologies, Inc.

Windswept Equity Partners, Inc.

TRADEMARK REEL: 003665 FRAME: 0586 2. The date when the certificate of incorporation or articles of organization of each domestic constituent entity was filed by the Department of State is as follows:

Constituent Entity	Filing Date
Nature's Best, Inc.	8/9/1984
Dynamic Nutrition of New York, LLC	1/12/2006
Windswept Equity Partners, Inc.	10/15/2007

3. The following constituent entities are foreign corporations and the jurisdiction and date of filing of their respective certificates of incorporation are:

Constituent Entity	<u>Jurisdiction</u>	Filing Date
Nature's Dynamic of Arizona, Inc.	Arizona	8/13/2001
Dynamic Nutrition	California	2/14/1990
Dynamic Nutrition of Florida, Inc.	Florida	10/30/1992
Dynamic Nutrition of Georgia, Inc.	Georgia	6/14/1994
Dynamic Nutrition of Houston, Inc.	Texas	3/17/1999
Dynamic Nutrition of Illinois, Inc.	Illinois	3/16/1993
Dynamic Nutrition of Maryland, Inc.	Maryland	. 11/17/1995
Dynamic Nutrition of New England, Inc.	Massachusetts	6/14/1999
Dynamic Nutrition of San Francisco, Inc.	California	21/12/2000
Dynamic Nutrition of Texas, Inc.	Texas	3/17/1994
Van Horn Technologies, Inc.	Florida	4/22/1998

Van Horn Technologies, Inc. was qualified to do business in the State of New York on November 17, 1998.

No application for authority or use of a fictitious name has been filed with the Department of State by any of the foreign constituent entities named in this paragraph and no foreign constituent entity will be the surviving entity.

- 4. An Agreement and Plan of Merger dated November 9, 2007 has been approved and executed by each Constituent Entity.
  - 5. The surviving corporation is Windswept Equity Partners, Inc., a domestic corporation.
- 6. There will be no changes in the certificate of incorporation of the surviving corporation by reason of the merger.

- 7. The effective date of the merger shall be the date of filing of the certificate of merger by the Department of State.
- 8. With respect to each constituent entity which is a foreign corporation, the merger is permitted by its jurisdiction of incorporation and is in compliance therewith.
- 9. The Agreement and Plan of Merger is on file at the place of business of Windswept Equity Partners, Inc. located at 1780 Route 106, Muttontown, N.Y. 11791.

IN WITNESS WHEREOF, this Certificate of Merger has been subscribed this 9<sup>th</sup> day of November, 2007 by the undersigned who certifies that the statements made herein are true under the penalties of perjury and that he is duly authorized to execute this Certificate of Merger.

Nature's Best, Inc.	Nature's Dynamics of Arizona, Inc
By: Hal Katz, President	By: Hal Katz, President
Dynamic Nutrition	Dynamic Nutrition of Florida, Inc
By: Hal Karz, President	By: Hal Katz, President
Dynamic Nutrition of Georgia, Inc	Dynamic Nutrition of Houston, Inc.
By: Halle	By: Ally
Hal Katz, President	Hal Ketz, President

Dynamic Nutrition of Ilinois, Inc.  By: Hal Katz, President	By: Hal Katz, President
Dynamic Nutrition of Maryland, Inc.	Dynamic Nutrition of San Francisco, Inc.
By: Hal Katz, President	By: Hal Katz, President
Dynamic Nutrition of Texas, Inc.	Dynamic Nutrition of New York, LLC,
By: Hal Katz, Presigon	By: Hal Katz, Managing Member
Van Hom Technologies, Inc.	Windswept Equity Partners, Inc.
By: Hal Katz, Managing Member	By: Hal Katz, President

#### CERTIFICATE OF MERGER

OF

NATURE'S BEST INC., NATURE'S DYNAMICS OF ARIZONA, INC., DYNAMIC NUTRITION, DYNAMIC NUTRITION OF FLORIDA, INC., DYNAMIC NUTRITION OF GEORGIA, INC., DYNAMIC NUTRITION OF HOUSTON, INC., DYNAMIC NUTRITION OF ILLINOIS, INC., DYNAMIC NUTRITION OF MARYLAND, INC., DYNAMIC NUTRITION OF SAN FRANCISCO, INC., DYNAMIC NUTRITION OF TEXAS, INC., DYNAMIC NUTRITION OF NEW YORK, LLC, AND VAN HORN TECHNOLOGIES, INC.

#### INTO

WINDSWEPT EQUITY PARTNERS, INC. (Under Section 904-a Business Corporation Law)

Filed By:

**RECORDED: 11/21/2007** 

Platzer, Swergold, Karlin, Levine, Goldberg & Jaslow, LLP.

1065 Avenue of the Americas

New York, NY 10018 (212) 593-3000

CUST Ref 7077262 CAS

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED NOV 1 4 2007
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