

11/05/2012



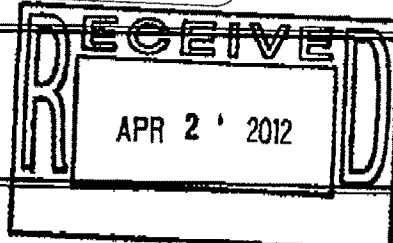
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TRADEMARK ASSIGNMENT

RE

Electronic Version v1.1  
Stylesheet Version v1.1



SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	SECURITY INTEREST

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
CYVEX NUTRITION, INC.		03/21/2012	CORPORATION.

RECEIVING PARTY DATA

Name:	WELLS FARGO BANK, NA, as Administrative Agent
Street Address:	2500 Citywest Blvd., Suite 1100
Internal Address:	Attn. John L. Kallina
City:	Houston
State/Country:	TEXAS
Postal Code:	77042
Entity Type:	: UNITED STATES : National Banking Association

PROPERTY NUMBERS Total: 21

Property Type	Number	Word Mark
Serial Number:	78706592	BIOCOSANOL
Serial Number:	78421135	AVOVIDA
Serial Number:	77249417	QVIDA QUEBRACHO EXTRACT
Serial Number:	76660311	APPLEZIN
Serial Number:	76660312	KRIAXANTHIN
Serial Number:	76660309	BROCCOPHANE
Serial Number:	76218668	ARTHROCOLL
Serial Number:	75656130	GABATEIN
Serial Number:	75630427	NUTRIPRINT
Serial Number:	75540490	BIOVINCA
Serial Number:	75404303	CYVEX
Serial Number:	75213835	BIOVIN
Serial Number:	77901751	VERDIFLEX

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Serial Number:	77747797	ERGOVITAN
Serial Number:	85269520	SOLATHIN
Serial Number:	85239359	CHIROSITOL
Serial Number:	85239442	MEGAACTIV
Serial Number:	85239460	OMEGA ACTIVE
Serial Number:	85527004	OMEGAACTIV
Serial Number:	85532117	OMEGA HUMAN NUTRITION
Serial Number:	85575626	COGNISSETIN

**CORRESPONDENCE DATA**

Fax Number: (713)650-2400

Email: koakes@winstead.com

*Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.*

Correspondent Name: Kathryn Oakes

Address Line 1: WINSTEAD PC

Address Line 2: 600 Travis, Suite 1100

Address Line 4: Houston, TEXAS 77002

ATTORNEY DOCKET NUMBER:	4839-572
NAME OF SUBMITTER:	Kathryn Oakes
Signature:	/Kathryn Oakes/
Date:	03/28/2012

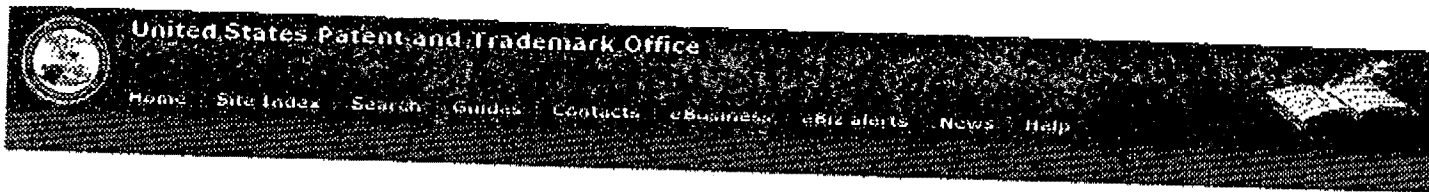
**Total Attachments: 4**

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Electronic Trademark Assignment System

# Confirmation Receipt

Your assignment has been received by the USPTO.  
The coversheet of the assignment is displayed below:

## TRADEMARK ASSIGNMENT

Electronic Version v1.1  
Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	SECURITY INTEREST

### CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
CYVEX NUTRITION, INC		03/21/2012	CORPORATION

### RECEIVING PARTY DATA

<b>Name:</b>	WELLS FARGO BANK, NA, as Administrative Agent
<b>Street Address:</b>	2500 Citywest Blvd., Suite 1100
<b>Internal Address:</b>	Attn: John L. Kallina
<b>City:</b>	Houston
<b>State/Country:</b>	TEXAS
<b>Postal Code:</b>	77042
<b>Entity Type:</b>	UNITED STATES

### PROPERTY NUMBERS Total: 21

Property Type	Number	Word Mark
Serial Number:	78706592	BIOCOSANOL
Serial Number:	78421135	AVOVIDA
Serial Number:	77249417	QVIDA QUEBRACHO EXTRACT

[http://etas.uspto.gov/com/receipt.jsp?iname=1N4KEPV8TYGV-6486\[3/28/2012 3:39:29 PM\]](http://etas.uspto.gov/com/receipt.jsp?iname=1N4KEPV8TYGV-6486[3/28/2012 3:39:29 PM])

PAGE 10/12 \* RCVD AT 11/5/2012 2:45:51 PM [Eastern Standard Time] \* SVR:W-PTOFAX-001/27 \* DNIS:2709200 \* CSID:+7136502534 \* DURATION (mm-ss):04-24

**TRADEMARK**  
**REEL: 004906 FRAME: 0718**

Serial Number:	76660311	APPLEZIN
Serial Number:	76660312	KRIAXANTHIN
Serial Number:	76660309	BROCCOPHANE
Serial Number:	76218668	ARTHROCOLL
Serial Number:	75656130	GABATEIN
Serial Number:	75630427	NUTRIPRINT
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Serial Number:	75404303	CYVEX
Serial Number:	75213835	BIOVIN
Serial Number:	77901751	VERDIFLEX
Serial Number:	77747797	ERGOVITAN
Serial Number:	85269520	SOLATHIN
Serial Number:	85239359	CHIROSITOL
Serial Number:	85239442	MEGAACTIV
Serial Number:	85239460	OMEGA ACTIVE
Serial Number:	85527004	OMEGAACTIV
Serial Number:	85532117	OMEGA HUMAN NUTRITION
Serial Number:	85575626	COGNISETIN

## CORRESPONDENCE DATA

Fax Number: (713)650-2400

Email: koakes@winstead.com

*Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.*

Correspondent Name: Kathryn Oakes

Address Line 1: WINSTEAD PC

Address Line 2: 600 Travis, Suite 1100

Address Line 4: Houston, TEXAS 77002

ATTORNEY DOCKET NUMBER: 4839-572

NAME OF SUBMITTER: Kathryn Oakes

Signature: /Kathryn Oakes/

Date: 03/28/2012

## Total Attachments: 4

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## RECEIPT INFORMATION

ETAS ID: TM230736

Receipt Date: 03/28/2012

**NOTICE**  
**OF**  
**ASSIGNMENT OF AND GRANT OF SECURITY INTEREST**  
**IN**  
**TRADEMARKS**  
**(Cyvex)**

United States Patent and Trademark Office

Ladies and Gentlemen:

Please be advised that pursuant to that certain Master Assignment Agreement, dated as of March 21, 2012 (the "Assignment"), between Wells Fargo Bank, National Association, a national banking association ("Assignor") and Wells Fargo Bank, National Association, a national banking association, as Administrative Agent ("Assignee"), Assignor has granted, bargained, sold, transferred, assigned and conveyed unto Assignee all of its rights, title and interests in and to that certain Security and Pledge Agreement dated as of October 21, 2009 (as the same may be amended, modified, extended or restated from time to time, the "Existing Agreement") by and among the parties thereto in favor of Assignor. Pursuant to the Existing Agreement, the undersigned Obligor granted a continuing security interest in and continuing lien upon the trademarks (collectively, the "Assigned Trademarks") and trademarks pending (collectively, the "Assigned Trademarks Pending") shown below to Assignor, which, pursuant to the Assignment, have been assigned to Assignee.

Assignor's security interest in the Assigned Trademarks and Assigned Trademarks Pending are recorded with the United States Patent and Trademark Office under Reel/Frame: 004554/0693. The undersigned Obligor and Assignee hereby acknowledge the assignment evidenced by the Assignment and Assignee's security interest in the Assigned Trademarks and Assigned Trademarks Pending.

**ASSIGNED TRADEMARKS**

<u>Registration No.</u>	<u>Word Mark No.</u>	<u>Trademark ®</u>	<u>Country</u>
1. 78706592	3157453	BIOCOSANOL	U.S.
2. 78421135	3027156	AVOVIDA	U.S.
3. 77249417	3551082	QVIDA QUEBRACHO EXTRACT	U.S.
4. 76660311	3614213	APPLEZIN	U.S.
5. 76660312	3284187	KRIAXANTHIN	U.S.
6. 76660309	3292625	BROCCOPHANE	U.S.
7. 76218668	2697129	ARTHROCOLL	U.S.

8.	75656130	2443277	GABATEIN	U.S.
9.	75630427	2448225	NUTRIPRINT	U.S.
10.	75540490	2441359	BIOVINCA	U.S.
11.	75404303	2230447	CYVEX	U.S.
12.	75213835	2147369	BIOVIN	U.S.
13.	77901751	4026700	VERDIFLEX	U.S.
14.		1034710	BIOVIN	Japan

ASSIGNED TRADEMARKS PENDING

<u>Registration No.</u>	<u>Word Mark No.</u>	<u>Trademark Application</u>	<u>Country</u>
1. 77747797	Pending	ERGOVITAN	U.S.

The Existing Agreement has been amended and restated in its entirety by that certain Amended and Restated Security and Pledge Agreement, dated as of March 21, 2012 (as the same may be amended, modified, extended or restated from time to time, the "Agreement"), by and among the parties thereto in favor of Assignee for the benefit of the Secured Parties referenced therein. Pursuant to the Agreement, the undersigned Obligor has granted to Assignee for the benefit of the Secured Parties referenced therein a continuing security interest in and continuing lien upon the trademarks (collectively, the "Granted Trademarks") and trademarks applications shown below (collectively, the "Granted Trademarks Pending") and the Assigned Trademarks and Assigned Trademarks Pending:

GRANTED TRADEMARKS

<u>Registration No.</u>	<u>Word Mark No.</u>	<u>Trademark ®</u>	<u>Country</u>
1. 85269520	4059311	SOLATHIN	U.S.
2. 85239359	4062567	CHIROSITOL	U.S.
3. 85239442	4031409	ΩMEGAACTIV	U.S.
4.	1048878	KRIAXANTHIN	Japan
5.	40-0437467	BIOVIN	Korea
6.	000704601	BIOVIN	European Union

GRANTED TRADEMARKS PENDING

<u>Registration No.</u>	<u>Word Mark No.</u>	<u>Trademark Application</u>	<u>Country</u>
1. 85239460	Pending	OMEGA ACTIVE	U.S.
2. 1097158	Pending	CHIROSITOL	European Union, Japan Canada
3. 1550655	Pending	CHIROSITOL	European Union, Japan, Australia
4. 1091970	Pending	SOLATHIN	US
5. 85527004	Pending	OMEGA ACTIV(Logo)	US
85532117	Pending	OMEGA HUMAN NUTRITION	US
85575626	Pending	COGNISSETIN	US


The undersigned Obligor and Assignee hereby acknowledge and agree that the security interest in the foregoing Assigned Trademarks, Assigned Trademarks Pending, Granted Trademarks, and Granted Trademarks Pending (i) may only be terminated in accordance with the terms of the Agreement, and (ii) is not to be construed as an assignment of any Assigned Trademark, Assigned Trademark Pending, Granted Trademark or Granted Trademark Pending.

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Very truly yours,

**OBLIGOR:**

**CYVEX NUTRITION, INC.**

By:   
Andrew Johannesen  
Vice President

**Acknowledged and Accepted:**


**ASSIGNOR:**

**WELLS FARGO BANK, NATIONAL ASSOCIATION**

By:   
John L. Kallina, Senior Vice President

**ASSIGNEE:**

**WELLS FARGO BANK, NATIONAL ASSOCIATION,**  
as Administrative Agent

By:   
Geri E. Landa, Senior Vice President

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4839-572 03/21/2012

Signature Page to Assignment of and  
Grant of Security Interest in Trademarks