

05-16-2001

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U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

FD-36 (Rev. 1-27-90)



05-08-2001

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attached original documents or copy thereof.

U.S. Patent & TMOs/TM Mail Rpt Dt. #72

NICEND PTY. LTD

2. Name and address of receiving party(ies):

Name: Vigorol, Inc

Internal Address: \_\_\_\_\_

Street Address: 374 Uniondale Avenue

City: Uniondale State: NY ZIP: 11553

- Individual(s)
- General Partnership
- Corporation-State
- Other Corporation - Australia
- Association
- Limited Partnership

Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:

5-8-01

- Assignment
- Security Agreement
- Other \_\_\_\_\_
- Merger
- Change of Name

Execution Date: 6/3/88

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation-State: New York
- Other \_\_\_\_\_

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No

(Designations must be a separate document from Assignment)

Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)

B. Trademark registration No.(s)

1,157,815

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: JEROLD W. DORFMAN

Internal Address: \_\_\_\_\_

Street Address: 81 Main Street, Suite D2

City: White Plains State: NY ZIP: 10601

6. Total number of applications and registrations involved: \_\_\_\_\_

1

7. Total fee (37 CFR 3.41):..... \$ \_\_\_\_\_

Enclosed

Authorized to be charged to deposit account

8. Deposit account number: \_\_\_\_\_

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

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9. 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.

JEROLD W. DORFMAN  
Name of Person Signing

Jerold Dorfman  
Signature

5/4/01  
Date

Total number of pages comprising cover sheet: 1

APPOINTMENT OF DOMESTIC REPRESENTATIVE

NICEND PTY. LTD. (in voluntary liquidation) herewith appoints Charles Y. Lackey having an address at 470 Hanes Mill Road, Winston, Salem, North Carolina, 27105, United States of America its domestic representative on whom may be served notice or process in proceedings effecting the trademark application, or any registration issuing thereon, and the mark covered by such application or registration, pursuant to Rule 2.24 of the Trademark Rules of Practice of the Patent Office.

Dated the 3<sup>rd</sup> day of June 1988.

THE COMMON SEAL of )  
NICEND PTY. LTD. )  
(IN VOLUNTARY LIQUIDATION) )  
was hereunto affixed by )  
order of Peter James Joyce )  
Liquidator )



*Peter James Joyce*  
Date: 3/6/88

*Peter*

ASSIGNMENT

WHEREAS, NICEND PTY. LTD. (IN VOLUNTARY LIQUIDATION) formerly Nicholas Pty. Ltd.) a corporation organised and existing under and by virtue of the laws of Victoria, Australia, having a place of business at 699 Warrigal Road, Chadstone, Victoria, Australia hereinbelow called "Assignor", owns and has used in its business certain trademarks which are registered or for which registrations are applied for as follows:

VIGOROL - USA No. 264092  
VIGOROL - USA No. 1,157,815; and

WHEREAS, VIGOROL INC., a corporation organised and existing under and by virtue of the laws of New York, and having a place of business at 374 Uniondale Avenue, New York, hereinbelow called "Assignee", is desirous of acquiring the entire right, title and interest in and to the said trademarks, applications, and registrations and in and to any renewals and extensions that may be granted thereon, together with the goodwill of the business connected therewith;

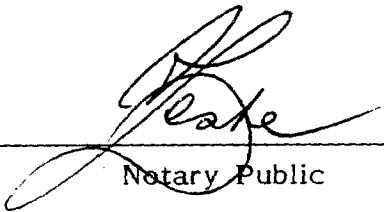
THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, said Assignor has sold, assigned, transferred and by these presents does hereby sell, assign, and transfer unto the said Assignee, its successors or assigns, the entire right, title and interest in and to the said trademarks, applications, and registrations, and in and to any renewals and extensions that may be granted thereon, together with the goodwill of the business connected therewith and any right to recover for past infringement thereof.

THE COMMON SEAL of )  
NICEND PTY. LTD. )  
(IN VOLUNTARY LIQUIDATION)) )  
was hereunto affixed by )  
order of Peter James Joyce )  
Liquidator )



*Peter James Joyce*  
Date: 3/6/88

On this 3rd day of June 1988, before me personally came Peter James Joyce to me known and known to me to be the person who executed the foregoing instrument, and who being by me duly sworn, did depose and say that he is the Liquidator of NICEND PTY. LTD. (In Voluntary Liquidation), the company described in and on whose behalf was executed the foregoing instrument; that he knows the corporate seal of the said company; that the seal affixed to said instrument is such corporate seal and has ben properly affixed in accordance with the charter, bylaws and regulations of said company; and that he signed his name thereto on behalf of and with the authorisation of said company as the free deed and act of said company.

  
 \_\_\_\_\_  
 Notary Public

