

11-27-2002



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Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) Tab settings

U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Nature's Apothecary, Inc. [X] Corporation-State (Colorado) Additional name(s) of conveying party(ies) attached? [X] No

2. Name and address of receiving party(ies): Name: The Fruitful Yield, Inc. Street Address: 395 S. Glen Ellyn Rd. Bloomington State: IL Zip: 60108 [X] Corporation-State Illinois

3. Nature of conveyance: [X] Assignment [] Merger [] Security Agreement [] Change of Name [] Other Execution Date: 09/23/02

4. Application number(s) or registration number(s): A. Trademark Application No.(s) B. Trademark Registration No.(s) 1,707,034 (NATURE'S APOTHECARY FRESH HERBAL EXTRACTS and Design); 2,249,189 (Design Mark)

Additional number(s) attached [X] No

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Beverly A. Reid, Esq. Internal Address: The Fruitful Yield, Inc. Street Address: 395 S. Glen Ellyn Rd. Bloomington City: State: IL Zip: 60108

6. Total number of applications and registrations involved: 2 7. Total fee (37 CFR 3.41): \$ 65.00 [X] Enclosed [] Authorized to be charged to deposit account 8. Deposit account number:

DO NOT USE THIS SPACE

9. Signature: Beverly A. Reid Name of Person Signing Signature Date 11/15/02

Total number of pages including cover sheet, attachments, and document: 4

Mail documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

11/27/2002 LNUELLER 00000027 1707034 01 FC:8521 40.00 OP 02 FC:8522 25.00 OP

TRADEMARK REEL: 002623 FRAME: 0681

ASSIGNMENT OF REGISTERED U.S. TRADEMARKS

WHEREAS, Nature's Apothecary, Inc., a Colorado corporation, having a principal place of business at 1558 Cherry Street, Louisville, Colorado 80027 ("Assignor"), has adopted, used and is using and is the sole and exclusive owner of the word and design mark NATURE'S APOTHECARY FRESH HERBAL EXTRACTS (Reg. No. 1,707,034), and the design mark consisting of a green leaf and a blue drop of water (Reg. No. 2,249,189); and


WHEREAS, The Fruitful Yield, Inc., an Illinois corporation, having a principal place of business at 395 S. Glen Ellyn Road, Bloomingdale, Illinois 60108 ("Assignee"), is acquiring the business of Assignor to which the marks pertain, and desires to acquire the entire right, title and interest in and to said trademarks and the registrations thereof.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby sell, assign and transfer to Assignee all of its right, title and interest in and to said marks and registrations, together with the goodwill of the business symbolized by the marks, and all rights and privileges granted and secured thereby, including the right to sue and recover for any past infringement, said rights to be held and enjoyed by Assignee, for its own use and benefit and for the use and benefit of its successors, assigns or other legal representatives as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment and sale had not been made.

AND, Assignor hereby covenants that it has full right to convey the entire interest herein assigned.


IN WITNESS WHEREOF, Assignor has executed this Assignment by its proper officers thereunto duly authorized on this 23 day of September, 2002.

NATURE'S APOTHECARY, INC.

By: 
Lee Weldon
President

STATE OF COLORADO)
) SS
COUNTY OF BOULDER)

Subscribed and sworn to before me this 23 day of September, 2002.


Notary Public
My Commission Expires: 11/8/2004

CERTIFICATE OF MAILING UNDER 37 CFR §1.8(a)

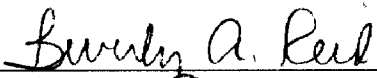
Mark: NATURE'S APOTHECARY FRESH HERBAL EXTRACTS (and Design)
Reg. No.: 1,707,034

-and-

Mark: (Design Mark consisting of a green leaf and a blue drop of water)
Reg. No.: 2,249,189

I hereby certify that the attached **RECORDATION FORM COVER SHEET, ASSIGNMENT OF REGISTERED U.S. TRADEMARKS, and CREDIT CARD PAYMENT FORM**, in connection with the above-referenced matter, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Director of the United States Patent and Trademark Office, BOX ASSIGNMENTS FEE, Washington, D.C. 20231 on this 15th day of November, 2002.

THE FRUITFUL YIELD, INC.



Beverly A. Reed, Esq.
Attorney for Assignee

11/15/02

Date of Signature