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

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

1. Name of conveying party(ies): Naturally Vitamin Supplements, Inc. FINANCE SECTION 9.29.03

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

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

3. Nature of conveyance: Assignment, Merger, Security Agreement, Change of Name, Other Nunc Pro Tunc Assignment

Execution Date: July 22, 2003

2. Name and address of receiving party(ies) Name: Marlyn Nutraceuticals, Inc. Internal Address: Street Address: 4401 East Elwood Street City: Phoenix State: AZ 85040

- Individual(s) citizenship, Association, General Partnership, Limited Partnership, Corporation-State Arizona, 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) 1,777,626

Additional number(s) attached Yes No

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Kam W. Li, Esq. Internal Address: Procopio, Cory, Hargreaves & Savitch LLP Street Address: 530 B Street, Suite 2100 City: San Diego State: CA Zip: 92101-4469

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00 Enclosed Authorized to be charged to deposit account

8. Deposit account number: (Attach duplicate copy of this page if paying by deposit account)

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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.

Kam W. Li Name of Person Signing

Signature

9/25/03 Date

Total number of pages including cover sheet, attachments, and document: 8

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

American LegalNet, Inc. www.USCourtForms.com

TRADEMARK REEL: 002835 FRAME: 0791

NUNC PRO TUNC ASSIGNMENT

WHEREAS, NATURALLY VITAMIN SUPPLEMENTS, INC., an Arizona Corporation, Assignor, having a place of business at 4401 East Elwood Street, Phoenix, Arizona 85040, is the owner of the trademark DEFEND YOUR HEALTHY NATURALLY and trademark registration No. 1,777,626, which trademark is now registered in the United States Patent and Trademark Office, and

WHEREAS, Marlyn Nutraceuticals, Inc., an Arizona Corporation, Assignee, having a place of business at 4401 East Elwood Street, Phoenix, Arizona 85040, is desirable to acquire all right, title and interest to said trademark and trademark registration.

NOW, THEREFORE, in consideration of the foregoing recitals and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby sells, assigns and transfers to Assignee, the entire right, title and interest in and to the aforementioned trademark and trademark registration, effective as of January 1, 2001, together with that part of the goodwill of the business connected with the use of and symbolized by said mark.

Further, Assignor agrees that, upon request and without further compensation, but at no expense to Assignor, it and its legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing or enforcing said registrations in the United States and throughout the world for said trademark, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to said trademark, and any registration issued for said trademark in the United States and throughout the world.

Assignor represents and warrants that it has not granted and will not grant to others any rights inconsistent with the rights granted herein.

The Commissioner of Patents and Trademarks is requested to issue the certificates of registration for the aforementioned marks to Assignee.

IN WITNESS WHEREOF, Assignor has executed this Assignment on this 22 day of July, 2003.

Assignor

Naturally Vitamin Supplements, Inc.

By: Meli Jelinic
Meli Jelinic, Vice President

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On this 22nd day of July, in the year of 2003, before me personally appeared Meli Jelinic, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as Vice President of Naturally Vitamin Supplements, Inc., and acknowledged to me that the corporation executed it pursuant to its bylaws or a resolution of its board of directors.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Carolyn P. Haase
Notary Public in and for Said
County and State