

07-16-1998



1 SHEET

TO THE ASSISTANT COMMISSION

100733183

and original documents or copy thereof.

1. Name of conveying party(ies): (If multiple assignors, list numerically)

1. Mark F. McCarty

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

7.6.98

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

Name: NUTRITION 21

Internal Address:

Street Address: 1010 Turquoise Street, Suite 335

City: San Diego State: CA ZIP: 92109

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

3. Nature of conveyance:

- (X) Assignment
() Merger
() Security Agreement
() Change of Name
() Other:

Execution Date: (If multiple assignors, list execution dates in numerical order corresponding to numbers indicated in 1 above)

1. 06/30/98

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

(X) Application(s) filed herewith
Execution Date(s): June 30, 1998() Patent Application No.:
Filing Date:() Patent No.:
Issue Date:

Additional numbers attached? () Yes (X) No

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

Name: Neil S. Bartfeld, Ph.D.

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

Internal Address: Sixteenth Floor

Street Address: 620 Newport Center Drive

City: Newport Beach State: CA ZIP: 92660

Attorney's Docket No.: NUTRI018CP1

7. Total fee (37 CFR 3.41): \$40.00

- (X) Enclosed
(X) Authorized to be charged to deposit account if any additional fees are required, or to credit any overpayment

8. Deposit account number: 11-1410

Please charge this account for any additional fees which may be required, or credit any overpayment to this account.

6. Total number of applications and patents involved: 1

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.

Neil S. Bartfeld, Ph.D.

Name of Person Signing

Signature

7/6/98

Date

39,901

Registration No.

Total number of pages including cover sheet, attachments and document: 2

Mail documents to be recorded with required cover sheet information to:

07/15/1998 INQUIRY 00000299 09110511

01 FC:581

40.00 CP

Assistant Commissioner for Patents
Box Assignments
Washington, D.C. 20231

Application No.: Unknown
Filing Date: Herewith

PATENT
Client Code: NUTRI.018CP1
Page 1

ASSIGNMENT

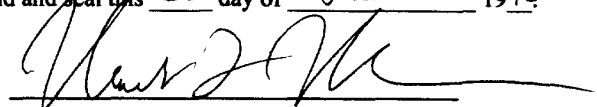
WHEREAS, I, Mark F. McCarty, a United States citizen, residing at 811B Nahant Court, San Diego, CA 92109, have invented certain new and useful improvements in a CHROMIUM/BIOTIN TREATMENT OF TYPE II DIABETES for which I have executed an application for Letters Patent in the United States, on even date herewith;

AND WHEREAS, NUTRITION 21 (hereinafter "ASSIGNEE"), a California Limited Partnership, with its principal place of business at 1010 Turquoise Street, Suite 335, San Diego, CA 92109, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said inventor, do hereby acknowledge that I have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 30th day of June 1998


Mark F. McCarty

STATE OF California }
COUNTY OF San Diego } ss.

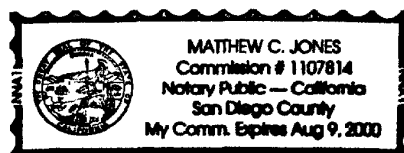
On June 30, 1998, before me, Matthew C. Jones, personally appeared Mark F. McCarty personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]


Signature

S:\DOCS\NSB\NSB-1709.DOC
062398



PATENT

RECORDED: 07/06/1998

REEL: 9304 FRAME: 0983