

REC'D

07-14-1999

HEET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark OfficeTab settings ☐ ☐ ☐ ▼

101090763

To the Honorable Commissioner of Patents and Trademarks, please return the attached original documents or copy thereof.

1. Name of conveying party(ies):

HAUSER, INC.

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

3. Nature of conveyance:

☐ Assignment☐ Merger☒ Security Agreement☐ Change of Name☐ Other _____

Execution Date: JUNE 11, 1999

2. Name and address of receiving party(ies)

Name: WELLS FARGO BANK, NATIONAL ASSOCIATION

Internal Address: LAW DEPARTMENT

Street Address: 633 FOLSOM STREET

SEVENTH FLOOR

City: SAN FRANCISCO State: CA ZIP: 94107

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

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

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

SEE ATTACHED
(U.S. AND WIPO)

B. Patent No.(s)

SEE ATTACHED
(U.S. AND WIPO)Additional numbers attached? ☒ Yes ☐ No

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

Name: FEDERAL RESEARCH CORPORATION

Internal Address: ATTN: PENELOPE AGODOA

Street Address: 400 SEVENTH STREET, N.W.

SUITE 101

City: WASHINGTON, D.C. State: _____ ZIP: 20004

6. Total number of applications and patents involved: 11

7. Total fee (37 CFR 3.41).....\$ 440.00

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

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

07/13/1999 INQUIRY 00000107 5678806

01 FC:581

440.00 DP

DO NOT USE THIS SPACE

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.

DAVID YEE

Name of Person Signing

Signature

6/30/99

Date

Total number of pages including cover sheet, attachments, and document: 11

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231PATENT
REEL: 010078 FRAME: 0380

1 of 3

CONTINUATION OF ITEM 4

Issued Patents

PROCESS FOR THE ISOLATION AND PURIFICATION OF ISOFLAVONES

<u>Country</u>	<u>Number</u>	<u>Issue Date</u>
US	5,679,806	10/21/1997

1

HIGH PURITY CARNOSIC ACID FROM ROSEMARY AND SAGE EXTRACTS BY PH-CONTROLLED PRECIPITATION

<u>Country</u>	<u>Number</u>	<u>Issue Date</u>
US	5,859,293	01/12/1999

2

PENDING PATENTS

FOODS AND BEVERAGES CONTAINING ANTHOCYANINS STABILIZED BY PLANT EXTRACTS

<u>Country</u>	<u>Number</u>	<u>Filing Date</u>
Australia	74592/96	10/21/1996
Canada	2,235,312	10/21/1996
European	96936747.3	10/21/1996
US	08/546,502	12/04/1997
WIPO	PCT/US96/16799	10/21/1996

3

4

HIGH PURITY CARNOSIC ACID FROM ROSEMARY AND SAGE EXTRACTS BY PH-CONTROLLED PRECIPITATION

<u>Country</u>	<u>Number</u>	<u>Filing Date</u>
Australia	57248/96	05/03/1996
Canada	2,220,223	05/03/1996
European	96915486.3	05/03/1996
WIPO	PCT/US96/06250	05/03/1996

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HIGH PURITY BETA-CAROTENE AND PROCESS FOR OBTAINING SAME

<u>Country</u>	<u>Number</u>	<u>Filing Date</u>
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CONTINUATION OF ITEM 4

US 08/864,103 05/28/1997

6

METHOD FOR STABILIZING CITRUS-FLAVORED COMPOSITIONS USING PLANT EXTRACTS

<u>Country</u>	<u>Number</u>	<u>Filing Date</u>
US	09/103,023	06/23/1998
WIPO	PCT/US98/13002	06/23/1998

7

8

COMPOSITION FOR TREATING MOTION SICKNESS

<u>Country</u>	<u>Number</u>	<u>Filing Date</u>
US	09/295,130	04/20/1999

9

METHOD FOR THE ISOLATION OF CAFFEINE-FREE CATECHINS FROM GREEN TEA

<u>Country</u>	<u>Number</u>	<u>Filing Date</u>
US	09/226,477	01/07/1999

10

PROCESS FOR REMOVING IMPURITIES FROM NATURAL PRODUCT EXTRACTS

<u>Country</u>	<u>Number</u>	<u>Filing Date</u>
US	09/176,348	10/21/1998

11

**COLLATERAL ASSIGNMENT OF
TRADEMARKS, TRADEMARK APPLICATIONS,
PATENTS AND PATENT APPLICATIONS**

THIS COLLATERAL ASSIGNMENT OF TRADEMARKS, TRADEMARK APPLICATIONS, PATENTS AND PATENT APPLICATIONS is made as of June 11, 1999, by and among Hauser, Inc., a Colorado corporation, Zuellig Botanical Extracts, Inc., a Delaware corporation, ZetaPharm, Inc., a New York corporation, Wilcox Drug Company, Inc., a Delaware corporation, Shuster Laboratories, Inc., a Massachusetts corporation (each, an "Assignor" and collectively, the "Assignors"), and Wells Fargo Bank, National Association (the "Assignee").

W I T N E S S E T H:

WHEREAS, Assignors are the owners of certain trademarks, trademark applications, patents and patent applications listed in Exhibit A attached to this document; and

WHEREAS, Assignors and Assignee have entered into that certain Credit Agreement dated as of June 11, 1999 (as from time to time amended, modified or supplemented, the "Credit Agreement"), pursuant to which, upon the satisfaction by the Assignors of the terms and conditions contained therein, Assignee will make loans to Assignors; and

WHEREAS, pursuant to the Credit Agreement, Assignors have agreed to grant Assignee a security interest in all of their right, title and interest in and to the trademarks, trademark applications, patents and patent applications described in Exhibit A, and in and to the goodwill symbolized by such trademarks (the "Goodwill"), as collateral security for the Obligations as defined in the Credit Agreement; and

WHEREAS, except as noted on Exhibit A attached to this document, Assignors are the owners of the entire right, title and interest in the trademarks, trademark applications, patents and patent applications being assigned hereby.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, Assignors hereby:

1. Assign, pledge and grant to Assignee, as security for the Obligations, a security interest in and to the trademarks, trademark applications, patents and patent applications listed in Exhibit A attached to this document, and to the Goodwill, and a security interest in and to all trademarks, trademark applications,

Goodwill, patents and patent applications acquired by Assignors after the date hereof.

2. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to note in the record the existence of the security interest granted hereunder with respect to each of the trademarks, trademark applications, patents and patent applications listed in Exhibit A attached to this document, and to the Goodwill, and to all trademarks, trademark applications, Goodwill, patents and patent applications acquired by Assignors after the date hereof.

3. Acknowledge that notices and other communications shall be in writing and given as provided in Section 8.01 of the Credit Agreement. Communications and notices to any Assignor shall be given to it at its address set forth in Exhibit B attached to this document.

4. Agree upon the request of Assignee and at the expense of Assignors to take any reasonable actions and execute any documents necessary to effectuate this assignment and the security interest created in the trademarks, trademark applications, patents and patent applications listed in Exhibit A to this document.

IN WITNESS WHEREOF, Assignors have caused this Assignment to be signed by their respective authorized officers as of the day and year first above written.

ASSIGNEE:

WELLS FARGO BANK, NATIONAL
ASSOCIATION


By: 

Name: *K.E. Peterson*

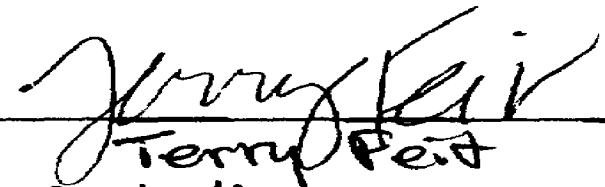
Title: *Senior Vice President*

ASSIGNORS:


HAUSER, INC.

By: 
Name: Martin C. Wehr
Title: Executive Vice President


**ZUELLIG BOTANTICAL EXTRACTS,
INC.**

By: 
Name: Terry Peit
Title: Controller

ZETAPHARM, INC.

By: 
Name: Ralph Heilmann
Title: President

WILCOX DRUG COMPANY, INC.

By: 
Name: Volker Wypyszyk
Title: President

SHUSTER LABORATORIES, INC.


By: 
Name: Martin C. Wehr
Title: Vice President

EXHIBIT A TO COLLATERAL ASSIGNMENT

Issued Patents

PROCESS FOR THE ISOLATION AND PURIFICATION OF ISOFLAVONES

<u>Country</u>	<u>Number</u>	<u>Issue Date</u>
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	<u>Country</u>	<u>Number</u>	<u>Issue Date</u>
DIV	US	5,859,293	01/12/1999

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	European	96915486.3	05/03/1996
	WIPO	PCT/US96/06250	05/03/1996

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	<u>Country</u>	<u>Number</u>	<u>Filing Date</u>
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US

08/864,103

05/28/1997

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<u>Country</u>	<u>Number</u>	<u>Filing Date</u>
US	09/103,023	06/23/1998
WIPO	PCT/US98/13002	06/23/1998

COMPOSITION FOR TREATING MOTION SICKNESS

<u>Country</u>	<u>Number</u>	<u>Filing Date</u>
US	To be assigned	04/20/1999

METHOD FOR THE ISOLATION OF CAFFEINE-FREE CATECHINS FROM GREEN TEA

<u>Country</u>	<u>Number</u>	<u>Filing Date</u>
US	09/226,477	01/07/1999

PROCESS FOR REMOVING IMPURITIES FROM NATURAL PRODUCT EXTRACTS

<u>Country</u>	<u>Number</u>	<u>Filing Date</u>
US	09/176,348	10/21/1998

REGISTERED TRADEMARKS

HAUSER

<u>Country</u>	<u>Number</u>	<u>Registration Date</u>
US	1,025,491	11/18/1975

REGISTERED TRADEMARKS, continued

HAUSER stylized

<u>Country</u>	<u>Number</u>	<u>Registration Date</u>
US	2,002,250	09/24/1996

NATURENHANCE

<u>Country</u>	<u>Number</u>	<u>Registration Date</u>
US	2,200,848	11/03/1998

ROSEOX

<u>Country</u>	<u>Number</u>	<u>Registration Date</u>
US	2,103,416	10/07/1997

ROSEOX 660

<u>Country</u>	<u>Number</u>	<u>Registration Date</u>
US	2,105,411	10/14/1997

SHUSTER

<u>Country</u>	<u>Number</u>	<u>Registration Date</u>
US	1,341,396	06/11/1985

SHUSTER & STYLIZED S

<u>Country</u>	<u>Number</u>	<u>Registration Date</u>
US	1,354,603	08/13/1985

STABILENHANCE

<u>Country</u>	<u>Number</u>	<u>Registration Date</u>
US	2,107,775	10/21/1997

STYLIZED S

<u>Country</u>	<u>Number</u>	<u>Registration Date</u>
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US

1,360,960

09/17/1985

PENDING TRADEMARKS**COLORENHANCE**

<u>Country</u>	<u>Number</u>	<u>Filing Date</u>
US	75/045,859	01/19/1996

CUSTOMER CONNECTED

<u>Country</u>	<u>Number</u>	<u>Filing Date</u>
US	75/588,599	11/10/1998

DELIVERING WHAT NATURE INTENDED

<u>Country</u>	<u>Number</u>	<u>Filing Date</u>
Australia	782607	01/08/1999
Canada	1,001,411	01/07/1999
European	001037589	01/08/1999
Japan	To be assigned	01/11/1999
US	75/517,018	07/10/1998

HAUSER CERTIFIED ASSAY AND DESIGN

<u>Country</u>	<u>Number</u>	<u>Filing Date</u>
Canada	896,552	11/16/1998
US	75/485,921	05/15/1998

TT550

<u>Country</u>	<u>Number</u>	<u>Filing Date</u>
Australia	782606	01/08/1999
Canada	1,001,412	01/07/1999
European	001036656	01/07/1999
Japan	To be assigned	01/11/1999
US	75/516,904	07/10/1998

ADDRESSES FOR NOTICE

<u>Party</u>	<u>Mailing Address</u>
Hauser, Inc.	5555 Airport Boulevard Boulder, CO 80301
Shuster Laboratories, Inc.	5 Hayward Street North Quincy, MA 02171
Wilcox Drug Company, Inc.	755 George Wilson Road Boone, NC 28697
ZetaPharm, Inc.	70 West 36 th Street New York, NY 10018
Zuellig Botanical Extracts, Inc.	2550 El Presidio Street Long Beach, CA 90810