

11/14/02

11-19-2002

Form PTO-1595 (Rev. 03/01) RE  
OMB No. 0651-0027 (exp. 5/31/2002)



U.S. DEPARTMENT OF COMMERCE  
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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

<p>1. Name of conveying party(ies): Interhealth Nutraceuticals</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies)</p> <p>Name: <u>Dry Creek Nutrition, Inc.</u></p> <p>Internal Address: _____</p> <p>Street Address: 600 Yosemite Boulevard P.O. Box 3027</p> <p>City: <u>Modesto</u></p> <p>State: <u>California</u> Zip: <u>95353</u></p> <p>Additional name(s) &amp; address(es) attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of Conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger</p> <p><input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name</p> <p><input type="checkbox"/> Other _____</p> <p>Execution Date: <u>November 4, 2002</u></p>	

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

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

<p>A. Patent Application No.(s): <u>09/838,995</u> <u>filed April 20, 2001</u></p>	<p>B. Patent No.(s): _____</p>
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Additional numbers attached?  Yes  No

<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: <u>Jeffrey S. Sharp</u> <u>MARSHALL, GERSTEIN &amp; BORUN</u></p> <p>Internal Address: <u>Atty. Dkt.: 29787/36538A</u></p> <p>Street Address: <u>233 S. Wacker Drive, Suite 6300</u> <u>Sears Tower</u></p> <p>City: <u>Chicago</u> State: <u>IL</u> Zip: <u>60606-6357</u></p>	<p>6. Total number of applications and patents involved: <u>1</u></p> <p>7. Total fee (37 CFR 3.41) \$ <u>40.00</u></p> <p><input checked="" type="checkbox"/> Enclosed</p> <p><input type="checkbox"/> Authorized to be charged to deposit account</p> <p><input type="checkbox"/> Authorized to be charged to credit card (Form 2038 enclosed)</p> <p>8. Deposit account number: <u>13-2855</u> (Attach duplicate copy of this page if paying by deposit account)</p>
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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.*

Jeffrey S. Sharp - 31,879 November 7, 2002  
Name of Person Signing Signature Date

11/19/2002 LMUELLER 00000056 09838995  
01 FC:8021 40.00 DP

ASSIGNMENT

Serial No: 09/838,995  
Filed: April 20, 2001  
Application: METHODS AND COMPOSITIONS FOR REDUCING CHOLESTEROL LEVELS USING A PROANTHOCYANIDIN AND NIACIN-BOUND CHROMIUM COMPLEX

For good and sufficient consideration, the receipt and sufficiency whereof are hereby acknowledged, INTERHEALTH NUTRACEUTICALS, INC., ("Assignor") hereby assigns to DRY CREEK NUTRITION, INC. ("Assignee"), its successors, legal representatives and assigns, the entire right, title and interest in the invention described in the Application and improvements thereof disclosed in any subsequent patent applications, filed anywhere in the world, and in any and all patents that issue therefrom, including any reissues or extensions thereof.

The Assignor hereby authorizes recordation of this assignment and requests the Commissioner of Patents and Trademarks and its counterparts worldwide to issue said patents in the name of Assignee, its successor, legal representative or assigns.

The Assignor represents and warrants that he is the owner of the interest herein assigned, has the right to make this assignment, and that there are no prior assignments, licenses, liens or other encumbrances in the rights herein assigned.

*other than out-of-pocket expenses incurred by Assignor for executing the foregoing obligations, WAA*

Without additional consideration, Assignor hereby agrees to execute any and all documents regarding divisional, continuation, continuation-in-part and substitute applications assigned herein, any oath or affidavit related therein, any application for the reissue or extension of any patent granted upon said applications, and any and all applications and other documents in foreign countries regarding the same. In the event of any application or patent assigned herein becoming involved in an interference or opposition, to cooperate to the best of its ability with Assignee, its successors, legal representatives and assigns, in the matters of preparing and executing a preliminary statement, giving and producing evidence in support thereof, and in any and all other acts necessary to vest all rights therein hereby conveyed in Assignee, its successors, legal representatives and assigns, such that said patents will be held and enjoyed by Assignee, its successors, legal representatives and assigns, to the full end of the term for which said patents may be granted.

WITNESS my hand this

4th day of November, 2002

State of California  
County of Solano

WAA  
INTERHEALTH NUTRACEUTICALS

On this 4th day of November, 2002, before me, a Notary Public in and for the County and State aforesaid, appeared, to me personally known to be the same persons whose names are subscribed to the foregoing instrument, and acknowledged that they executed said instrument as their free and voluntary act and for the uses and purposes therein expressed.

WITNESS my hand and seal the same day and year last above given.

My Commission Expires: 4/28/2003



Stefany Russell  
Notary Public

MARSHALL, GERSTEIN & BORUN, 233 S. Wacker Drive, Suite 6300, Sears Tower, Chicago, Illinois 60606-6357