

PATENT ASSIGNMENT

Electronic Version v1.1  
Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	LICENSE
CONVEYING PARTY DATA	
Name	Execution Date
Ganeden Biotech, Inc.	06/01/2011
RECEIVING PARTY DATA	
Name:	Schiff Nutrition Group, Inc.
Street Address:	5070 West
City:	Salt Lake City
State/Country:	UTAH
Postal Code:	84104
PROPERTY NUMBERS Total: 39	
Property Type	Number
Patent Number:	7232571
PCT Number:	US9907360
Patent Number:	6811786
Application Number:	11807660
Patent Number:	7374753
PCT Number:	US9811347
Application Number:	12148200
PCT Number:	US9917671
Patent Number:	7708988
Patent Number:	6461607
PCT Number:	US9917862
Application Number:	12897590
Application Number:	12897604
Application Number:	11706642
PCT Number:	US0030737

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PATENT  
REEL: 026616 FRAME: 0128

CH \$1560.00 7232571

Patent Number:	6849256
Application Number:	12756658
Patent Number:	7767203
Patent Number:	7700093
PCT Number:	US0440513
Application Number:	11985617
Application Number:	12365798
Application Number:	12365808
Application Number:	12846906
Patent Number:	7854927
Application Number:	12951859
PCT Number:	US0516469
Application Number:	12253048
Application Number:	13087803
PCT Number:	US0811812
Application Number:	12770047
PCT Number:	US1032993
Application Number:	12229862
PCT Number:	WO0810143
Application Number:	12580622
PCT Number:	US0960983
Application Number:	10264745
Application Number:	11005897
Application Number:	09369016

#### CORRESPONDENCE DATA

Fax Number: (650)493-6811

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Correspondent Name: Sabrina Poulos

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Address Line 4: Palo Alto, CALIFORNIA 94304-1050

ATTORNEY DOCKET NUMBER:	32771-010
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NAME OF SUBMITTER:	Linda Anders
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Total Attachments: 23

**PATENT**  
**REEL: 026616 FRAME: 0129**

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**EXHIBIT 12.6(b)-1****EXCLUSIVE PATENT LICENSE AGREEMENT**

THIS EXCLUSIVE PATENT LICENSE AGREEMENT, is dated as of June 1, 2011 ("Effective Date"), by and between Ganeden Biotech, Inc., a Delaware corporation, having its principal place of business at 5915 Landerbrook Dr, Suite #304, Mayfield Heights, OH 44124 ("Licensor") and Schiff Nutrition Group, Inc., a Utah corporation, having its principal place of business at 2002 South 5070 West, Salt Lake City, Utah 84104 ("Licensee"). Licensor is the sole and exclusive owner, by assignment, of certain intellectual property rights as further set forth below, including the Licensed Patents listed on Schedule 1; and

WHEREAS, Licensee is desirous of acquiring an exclusive license to the Licensed Patents with respect to the Licensed Field of Use (as defined below) in connection with its acquisition of certain assets of Licensor with respect to the Licensed Field of Use pursuant to that certain Asset Purchase Agreement by and between Licensor and Licensee entered into concurrently herewith.

NOW, THEREFORE, for good and sufficient consideration, the receipt of which is hereby acknowledged, Licensor grants, and does hereby grant to Licensee, and Licensee hereby accepts, an exclusive, worldwide license under the Licensed Patents and associated know-how and other intellectual property rights with respect to the Licensed Field of Use. The licenses granted by Licensor to Licensee herein are made pursuant to that certain Intellectual Property License Agreement by and between Licensor and Licensee dated June 1, 2011 and entered into concurrently herewith (the "Intellectual Property License Agreement") and subject to certain terms and conditions as set forth therein, including without limitation an obligation of Licensor to assign the Licensed Patents to Licensee upon the occurrence of certain events as set forth therein and an obligation of Licensee to assign the Licensed Patents back to Licensor upon the occurrence of certain events as set forth therein. Each capitalized term used herein not otherwise defined shall have the meaning set forth in Appendix A below.

Licensor hereby covenants that it has full right to grant the licenses herein granted, and that it has not executed, and will not execute, any agreements inconsistent herewith, and hereby authorizes and requests the relevant patent authority to acknowledge by recordal of this Exclusive Patent License Agreement that any and all Letters Patent or Patents issued on such inventions or resulting from such applications (and any continuations, divisionals and reissues thereof) within the Licensed Patents are subject to this Exclusive Patent License Agreement.

This Exclusive Patent License Agreement is not intended to grant any further rights to Licensee than those rights granted to Licensee in the Intellectual Property License Agreement. In the event of a conflict between this Exclusive Patent License Agreement and the Intellectual Property License Agreement, including without limitation with respect to the definitions set forth herein and in Appendix A hereto, the Intellectual Property License Agreement shall control.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

**LICENSOR:**

GANEDEN BIOTECH, INC.

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

**LICENSEE:**

SCHIFF NUTRITION GROUP, INC.

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Witness 1: \_\_\_\_\_

Name: \_\_\_\_\_

Witness 2: \_\_\_\_\_

Name: ELIZABETH A. DELLINGER

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

**LICENSOR:**

GANEDEN BIOTECH, INC.

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

**LICENSEE:**

SCHIFF NUTRITION GROUP, INC.

By: Tarang P. Amin

Print Name: Tarang P. Amin

Title: President & CEO

Witness 1: \_\_\_\_\_

Name: \_\_\_\_\_

Witness 2: James F. Cobb, Jr.

Name: James F. Cobb, Jr.

**APPENDIX A**

**“Licensed Field of Use”** means for use as a dietary supplement (as defined in the U.S. Dietary Supplement Health and Education Act of 1994) for human consumption or human use over-the-counter without a prescription or otherwise in the vitamins, minerals and supplements market (including foods or beverages marketed as supplements). This term Licensed Field of Use shall have the same meaning as provided in the Intellectual Property License Agreement.

**“Licensed Patent”** means any and all Patents owned or controlled by Licensor or its affiliates as of the Effective Date used by or on behalf of Licensor in connection with the conduct of the research, development, manufacture, distribution, marketing, sale, promotion, and commercialization of Products for the Licensed Field of Use or the exploitation of assets related thereto or otherwise relating thereto, including all Patents that claim or otherwise cover, in whole or in part, any Probiotic or Product, or the research, development, manufacture, use or commercialization thereof. Licensed Patents includes the patent and patent applications listed in Schedule 1 attached hereto, and any reissues, reexaminations, extensions, renewals, patents of importation, utility models, divisional applications, continuation applications and continuation-in-part applications thereof. In addition, this definition of Licensed Patents includes all Ganeden After-Arising Intellectual Property made by Licensor after the Effective Date (as further defined in the Intellectual Property License Agreement) that are Patents.

**“Patent”** means United States and non-U.S. patents (utility or design or plant or industrial property, as applicable), provisional patent applications, non-provisional patent applications (including, utility patent applications, design patent applications, and plant patent applications), continuation applications, continuation-in-part applications, divisional applications, PCT applications, any such patents resulting from reissue, reexamination, revision, renewal or extension (including any supplementary protection certificate) of any patent, patent disclosures, substitute applications, and any confirmation patent or registration patent or patent of addition based on any such patent, and all foreign counterparts of any of the foregoing; and including all rights (i) to file for and prosecute applications for the same and (ii) with respect to causes of action and enforcement thereof including rights to pursue damages, injunctive relief of other remedies with respect thereto.

**“Probiotic”** means any and all strains of bacteria or bacterial spores, including, without limitation, *Bacillus coagulans*, the delivery (through any means or modality) of a living or dormant population of which is intended to confer a health benefit to, or otherwise used or administered in connection with the prophylaxis, cure, reduction, mitigation, prevention, slowing or halting the progress of, or management of a disease or health condition which Licensor or any of its affiliates has or has had, whether direct, indirect or beneficial, at any time in the past, present or future, any physical or other possession or control over or has any intellectual property right or other right with respect to (whether by ownership, license or other authorization), including any right to access, use or otherwise exploit the same, whether for commercial or other purposes.

***“Product”*** means any and all bulk and finished preparations (including any and all formulations, forms and dosage strengths) of a Probiotic or a product containing a Probiotic as one of or its main active ingredient.



**SCHEDULE 1**

## LICENSED PATENTS

<b>Mintz Family No.</b>	<b>Country</b>	<b>Patent No. / Publication No.</b>	<b>Application Serial No. / Filing No.</b>	<b>Title</b>
19374-502	U.S.	7,232,571	10/978,726	Methods for reducing cholesterol using Bacillus coagulans spores, systems and compositions
19374-502	AT	99915251.5	1067945	Methods For Reducing Cholesterol Using Bacillus Coagulans Spores, Systems And Compositions
19374-502	AU	33808/99	33808/99	Methods For Reducing Cholesterol Using Bacillus Coagulans Spores, Systems And Compositions
19374-502	AU	2003236417	2003236417	Methods For Reducing Cholesterol Using Bacillus Coagulans Spores, Systems And Compositions
19374-502	BE	99915251.5	1067945	Methods For Reducing Cholesterol Using Bacillus Coagulans Spores, Systems And Compositions

<b>Mintz Family No.</b>	<b>Country</b>	<b>Patent No. / Publication No.</b>	<b>Application Serial No. / Filing No.</b>	<b>Title</b>
19374-502	CA	2326874	2326874	Methods For Reducing Cholesterol Using Bacillus Coagulans Spores, Systems And Compositions
19374-502	CH	99915251.5	1067945	Methods For Reducing Cholesterol Using Bacillus Coagulans Spores, Systems And Compositions
19374-502	DE	69929321.9-08	1067945	Methods For Reducing Cholesterol Using Bacillus Coagulans Spores, Systems And Compositions
19374-502	EP	99915251.5	1067945	Methods For Reducing Cholesterol Using Bacillus Coagulans Spores, Systems And Compositions
19374-502	ES	99915251.5	1067945	Methods For Reducing Cholesterol Using Bacillus Coagulans Spores, Systems And Compositions
19374-502	FR	99915251.5	1067945	Methods For Reducing Cholesterol Using Bacillus Coagulans Spores, Systems And Compositions
19374-502	GB	99915251.5	1067945	Methods For Reducing Cholesterol Using Bacillus Coagulans Spores, Systems And Compositions

Mintz Family No.	Country	Patent No. / Publication No.	Application Serial No. / Filing No.	Title
19374-502	IE	99915251.5	1067945	Methods For Reducing Cholesterol Using Bacillus Coagulans Spores, Systems And Compositions
19374-502	JP		2000-540840	Methods For Reducing Cholesterol Using Bacillus Coagulans Spores, Systems And Compositions
19375-502	JP		2010-11398	Methods For Reducing Cholesterol Using Bacillus Coagulans Spores, Systems And Compositions
19374-502	LU	99915251.5	1067945	Methods For Reducing Cholesterol Using Bacillus Coagulans Spores, Systems And Compositions
19374-502	MC	99915251.5	1067945	Methods For Reducing Cholesterol Using Bacillus Coagulans Spores, Systems And Compositions
19374-502	WO	WO 1999/049877	PCT/US1999/007360	Methods For Reducing Cholesterol Using Bacillus Coagulans Spores, Systems And Compositions
19374-502	U.S.	6,811,786	09/647,695	Methods for reducing cholesterol using Bacillus coagulans spores, systems and compositions

Mintz Family No.	Country	Patent No. / Publication No.	Application Serial No. / Filing No.	Title
19374-502	US		11/807,660	Methods for Reducing Cholesterol Usinf Bacillus Coagulans Spores, Systems and Compositions
19374-503	U.S.	7,374,753	09/424,527	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	AT	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	BE	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	CH	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	CY	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	DE	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS

<b>Mintz Family No.</b>	<b>Country</b>	<b>Patent No. / Publication No.</b>	<b>Application Serial No. / Filing No.</b>	<b>Title</b>
19374-503	DK	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	ES	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	FI	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	FR	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	GB	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	GR	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	IE	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS

Mintz Family No.	Country	Patent No. / Publication No.	Application Serial No. / Filing No.	Title
19374-503	IT	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	JP		11-502783	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	LU	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	MC	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	NL	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	PT	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	SE	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS

Mintz Family No.	Country	Patent No. / Publication No.	Application Serial No. / Filing No.	Title
19374-503	AU	77196/98	750136	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	CA	2292536	2292536	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	EP	98925189.7	0986314	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	WO	WO 1998/054982	PCT/US1998/011347	Use of Bacillus Coagulans to Control Bacterial Infections Associated with Sudden Infant Death Syndrome (SIDS)
19374-503	JP		2009-186168	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-503	US	20080193429	12/148,200	Probiotic lactic acid bacterium to treat bacterial infections associated with SIDS
19374-504	WO	WO 2000/007606	PCT/US1999/17671	Methods for Increasing the Solubility of Nutritional Materials Using Probiotic Lactic-Acid Producing Bacteria

Mintz Family No.	Country	Patent No. / Publication No.	Application Serial No. / Filing No.	Title
19374-504	AU	770099	57719/99	Methods for Increasing the Solubility of Nutritional Materials Using Probiotic Lactic
19374-507	U.S.	7,708,988	11/305,507	Probiotic, lactic acid-producing bacteria and uses thereof
19374-507	U.S.	6,461,607	09/370,793	Probiotic, lactic acid-producing bacteria and uses thereof
19374-507	AT	99939056.0	1107772	Probiotic, Lactic, Acid-Producing Bacteria And Uses Thereof
19374-507	AU	53415/99	772332	Probiotic, Lactic, Acid-Producing Bacteria And Uses Thereof
19374-507	BE	99939056.0	1107772	Probiotic, Lactic, Acid-Producing Bacteria And Uses Thereof
19374-507	CA	2341503	2341503	Probiotic, Lactic, Acid-Producing Bacteria And Uses Thereof



Mintz Family No.	Country	Patent No. / Publication No.	Application Serial No. / Filing No.	Title
19374-507	CH	99939056.0	1107772	Probiotic, Lactic, Acid-Producing Bacteria And Uses Thereof
19374-507	DE	99939056.0	69930994.1	Probiotic, Lactic, Acid-Producing Bacteria And Uses Thereof
19374-507	EP	99939056.0	1107772	Probiotic, Lactic, Acid-Producing Bacteria And Uses Thereof
19374-507	FR	99939056.0	1107772	Probiotic, Lactic, Acid-Producing Bacteria And Uses Thereof
19374-507	GB	99939056.0	1107772	Probiotic, Lactic, Acid-Producing Bacteria And Uses Thereof
19374-507	JP		2000-565902	Probiotic, Lactic, Acid-Producing Bacteria And Uses Thereof
19374-507	JP - DIV		2010-153465	Probiotic, Lactic, Acid-Producing Bacteria And Uses Thereof

Mintz Family No.	Country	Patent No. / Publication No.	Application Serial No. / Filing No.	Title
19374-507	WO	WO 2000/010582	PCT/US1999/017862	Probiotic, Lactic, Acid-Producing Bacteria And Uses Thereof
19374-507	US	20110020305	12/897,590	Probiotic, Lactic Acid-Producing Bacteria and Uses Thereof
19374-507	US	20110020306	12/897,604	Probiotic, Lactic Acid-Producing Bacteria and Uses Thereof
19374-509	U.S.	7,713,726	11/706,642	Inhibition of pathogens by probiotic bacteria
19374-509	AU	15900/01	785159	Isolation And Characterization Of Probiotic Strains Of Bacillus Coagulans
19374-509	CA	2389982	2389982	Isolation And Characterization Of Probiotic Strains Of Bacillus Coagulans
19374-509	EP		00978435.6	Isolation And Characterization Of Probiotic Strains Of Bacillus Coagulans

Mintz Family No.	Country	Patent No. / Publication No.	Application Serial No. / Filing No.	Title
19374-509	JP		2001-536165	Isolation And Characterization Of Probiotic Strains Of Bacillus Coagulans
19374-509	WO	WO 2001/034168	PCT/US00/30737	Isolation And Characterization Of Probiotic Strains Of Bacillus Coagulans
19374-509	U.S.	6,849,256	09/708,870	Inhibition of pathogens by probiotic bacteria
19374-509	US	---	12/756,658	Inhibition of Pathogens by Probiotic Bacteria
19374-515	U.S.	7,767,203	10/915,030	Methods for the dietary management of irritable bowel syndrome and carbohydrate malabsorption
19374-515	U.S.	7,700,093	10/581,781	Methods for increasing lactose digestion
19374-515	AU	2004296815	2004296815	Methods For The Dietary Management Of Irritable Bowel Syndrome And Carbohydrate Malabsorption

Mintz Family No.	Country	Patent No. / Publication No.	Application Serial No. / Filing No.	Title
19374-515	CA	2548149	2548149	Methods For The Dietary Management Of Irritable Bowel Syndrome And Carbohydrate Malabsorption
19374-515	EP		04812935.7	Methods For The Dietary Management Of Irritable Bowel Syndrome And Carbohydrate Malabsorption
19374-515	WO	WO 2005/055934	PCT/US04/40513	Methods For The Dietary Management Of Irritable Bowel Syndrome And Carbohydrate Malabsorption
19374-515	U.S.	20080112942	11/985,617	Methods for the dietary management of irritable bowel syndrome and carbohydrate malabsorption
19374-515	U.S.	20090181000	12/365,798	Methods for the Dietary Management of Irritable Bowel Syndrome and Carbohydrate Malabsorption
19374-515	U.S.	20090142315	12/365,808	Methods for the Dietary Management of Irritable Bowel Syndrome and Carbohydrate Malabsorption
19374-515	U.S.		12/846,906	Methods for the Dietary Management of Irritable Bowel Syndrome and Carbohydrate Malabsorption

Mintz Family No.	Country	Patent No. / Publication No.	Application Serial No. / Filing No.	Title
19374-518	US	7,854,927	11/127,063	Methods and Compositions for the Dietary Management of Autoimmune Disorders
19374-518	AU	2005244083	2005244083	Methods and Compositions for the Dietary Management of Autoimmune Disorders
19374-518	CA	2566514	2566415	Methods and Compositions for the Dietary Management of Autoimmune Disorders
19374-518	EP		05754163.3	Methods and Compositions for the Dietary Management of Autoimmune Disorders
19374-518	JP		2007-513310	Methods and Compositions for the Dietary Management of Autoimmune Disorders
19374-518	US	20110064708	12/951,859	Methods And Compositions For The Dietary Management Of Autoimmune Disorders
19374-518	WO	WO 2005/110445	PCT/US2005/16469	Methods and Compositions for the Dietary Management of Autoimmune Disorders

Mintz Family No.	Country	Patent No. / Publication No.	Application Serial No. / Filing No.	Title
19374-519	US	20090232941	12/253,048	Beverage Compositions
19374-519	US		13/087,803	Beverage Compositions
19374-519	AU	2008311932	2008311932	Beverage Compositions
19374-519	CA	2702668	2702668	Beverage Compositions
19374-519	EP		08840240.9	Beverage Compositions
19374-519	JP		2010-529946	Beverage Compositions
19374-519	WO	WO 2009/051753	PCT/US2008/11812	Beverage Compositions

Mintz Family No.	Country	Patent No. / Publication No.	Application Serial No. / Filing No.	Title
19374-524	US	20100297092	12/770,457	Inactivated Bacterial Cell Formulation
19374-524	WO	WO 2010/127132	PCT/US2010/32993	Inactivated Bacterial Cell Formulation
19374-526	US	20090186126	12/229,862	Baked Goods
19374-526	AU	2008293896	2008293896	Baked Goods
19374-526	CA	2698190	2698190	Baked Goods
19374-526	EP		08795624.9	Baked Goods
19374-526	JP		2010-522931	Baked Goods

Mintz Family No.	Country	Patent No. / Publication No.	Application Serial No. / Filing No.	Title
19374-526	WO	WO 2009/029267	PCT/US2008/10143	Baked Goods
19374-530	US	20100210000	12/580,622	Probiotic, Grain-Based Compositions
19374-530	WO	WO 2010/045541	PCT/US2009/60983	Probiotic, Grain-Based Compositions
19374-530	AU		AU 20009305668	Probiotic, Grain-Based Compositions
19374-530	BR		Application claiming priority to PCT/US2009/60983	Probiotic, Grain-Based Compositions
19374-530	CA		Application claiming priority to PCT/US2009/60983	Probiotic, Grain-Based Compositions
19374-530	CL		854-2011	Probiotic, Grain-Based Compositions



Mintz Family No.	Country	Patent No. / Publication No.	Application Serial No. / Filing No.	Title
19374-530	EC		SP-11-11056	Probiotic, Grain-Based Compositions
19374-530	EP		09740240.8	Probiotic, Grain-Based Compositions
19374-530	JP		Application claiming priority to PCT/US2009/60983	Probiotic, Grain-Based Compositions
19374-507	US		10/264,745	Probiotic, Lactic, Acid-Producing Bacteria And Uses Thereof
19374-509	US		11/005,897	Isolation And Characterization Of Probiotic Strains Of Bacillus Coagulans
19374-504	U.S.		09/369,016	Methods for Increasing the Solubility of Nutritional Materials Using Probiotic Lactic
19374-504	EP		06075064.3	Methods for Increasing the Solubility of Nutritional Materials Using Probiotic Lactic

Mintz Family No.	Country	Patent No. / Publication No.	Application Serial No. / Filing No.	Title
19374-504	CA		2339643	Methods for Increasing the Solubility of Nutritional Materials Using Probiotic Lactic
19374-504	EP		99945016.6	Methods for Increasing the Solubility of Nutritional Materials Using Probiotic Lactic
19374-504	JP		2000-563291	Methods for Increasing the Solubility of Nutritional Materials Using Probiotic Lactic