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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92048097
Party	Defendant BSP PHARMA, INC.
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Submission	Motion for Summary Judgment
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

NBTY, INC., Petitioner, **v.** BSP PHARMA, INC., Registrant,	)	Cancellation No. 92048097

REGISTRANT'S MOTION FOR SUMMARY JUDGMENT

Registrant, BSP PHARMA, INC. ("Registrant"), by and through its attorneys, AMIN HALLIHAN, LLC, hereby moves for summary judgment pursuant to Rule 56, Fed. R. Civ. P., and Trademark Rule 2.127(e), and dismissal of the Petition to Cancel U.S. Trademark Registration No. 3,277,368, which was filed on September 11, 2007 by Petitioner, NBTY, Inc. ("Petitioner").

As set forth in the attached brief, declarations and exhibits, this Motion is made on the grounds that the first *DuPont* factor (dissimilarity of the marks) is dispositive in this case and confusion between the FLEX-A-MIN and FLEX NOW marks is unlikely. Accordingly, Registrant respectfully submits that Petitioner's Petition to Cancel Registration No. 3,277,368 must be dismissed with prejudice pursuant to this Motion, as there are no genuine issues of material fact remaining, and a trial on the matter would entail unnecessary fees and waste of the Board's scarce resources.

Dated: January 19, 2009

AMIN HALLIHAN, LLC

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

NBTY, INC., Petitioner, **v.** BSP PHARMA, INC., Registrant,	)	Cancellation No. 92048097

BRIEF IN SUPPORT OF
REGISTRANT'S MOTION FOR SUMMARY JUDGMENT

Registrant, BSP PHARMA, INC. ("Registrant"), by and through its attorneys, AMIN HALLIHAN, LLC, respectfully submits this Brief in Support of Registrant's Motion for Summary Judgment.

I. INTRODUCTION

The present case is ripe for decision on summary judgment because the first *DuPont* factor, dissimilarity of the marks, is dispositive of likelihood of confusion. Where the only shared element of two marks is a descriptive word, likelihood of confusion analysis requires similarity in the remaining non-descriptive portions of the marks.

In the present case, those remaining non-descriptive portions of the marks share nothing. FLEX-A-MIN and FLEX NOW are entirely distinct in sight, sound and meaning. The only attribute they share is the word "FLEX", which Petitioner admits and the record confirms is descriptive of the relevant goods (*i.e.* joint supplements for improved flexibility). It is well-settled that descriptive terms are weak as trademarks.

Petitioner now contends that its FLEX-A-MIN mark bestows the exclusive rights to use the descriptive term "FLEX" for joint supplements. On that basis, Petitioner complains that Registrant's FLEX NOW registration must be cancelled. While Petitioner attempts to flex its trademark muscles by claiming monopolistic rights over the descriptive term "FLEX" for joint supplements, the FLEX-A-MIN mark (specifically, the term "FLEX") is actually quite weak.

There are no genuine issues of material fact in dispute, and this case avails itself to resolution as a matter of law in Registrant's favor. Thus, pursuant to Rule 56, Fed. R. Civ. P. and Trademark Rule 2.127(e), Registrant seeks summary judgment that there is no likelihood of confusion, and an Order dismissing the Petition to Cancel with prejudice.

II. UNDISPUTED FACTS

For purposes of this Motion, Registrant concedes the truth of the factual allegations of paragraphs 1-6 of the Petition for Cancellation. Registrant does not admit the legal conclusions set forth in paragraphs 7-8.[1] Even on such a record, there is no likelihood of confusion, due to the complete dissimilarity of the marks.

The pertinent paragraphs of the Petition to Cancel recite the following facts, which are admitted for the purposes of this Motion:

> 1. Registrant BSP Pharma, Inc. is a corporation organized and existing under the laws of the State of New Jersey, with a place of business at 500 Scarborough Road, Suite 202, Egg Harbor Township, New Jersey 08234.
>
> 2. Registrant is the owner of Registration No. 3,277,368 for the mark FLEX NOW in Class 5 for "dietary supplements." The registration issued on August 7, 2007, based on alleged first use of the mark in commerce on May 17, 2006.

[1] Paragraph 7 states the legal conclusion that Registrant's mark is likely to deceive and mislead consumers. Paragraph 8 (the final paragraph in the Petition to Cancel) flows from Paragraph 7, and concludes that Petitioner will be damaged by Registrant's registration.

3. Since long prior to September 15, 2005, the filing date of the application for registration sought to be cancelled herein, Petitioner has been engaged in the business of developing and selling a wide variety of vitamin, mineral and nutritional supplements.

4. Since long prior to September 15, 2005, and at least as early as January 1996, Petitioner and its predecessor-in-interest have continuously used the mark FLEX-A-MIN in connection with vitamin and mineral supplements for strengthening and maintaining joint health.

5. Petitioner is the owner of Registration No. 2,055,378 for the FLEX-A-MIN mark, which was issued on the Principal Register on April 22, 1997, for use in connection with "dietary supplements to aid joint health" in International Class 5.

6. Petitioner has spent millions of dollars on an annual basis to advertise and publicize its FLEX-A-MIN mark for products widely sold throughout the United States. As a result of its extensive, multimillion dollars sales, advertising and promotion for products sold under the FLEX-A-MIN mark, Petitioner has developed substantial goodwill and widespread recognition as the source of products sold under the FLEX-A-MIN mark, since long prior to the filing date of the application for registration sought to be cancelled herein.

The FLEX-A-MIN mark, as set forth in Petitioner's registration, consists of the typed drawing of the word "FLEX-A-MIN". Petitioner's earliest priority date in the U.S. is January 1, 1996. The FLEX NOW mark, as set forth in Registrant's registration, is a word mark consisting of the words "FLEX NOW" in standard characters.

III. ARGUMENT

A. Applicable Legal Standard for Summary Judgment

Summary judgment is appropriate where there are no genuine issues of material fact in dispute, thus leaving the case to be resolved as a matter of law. *See*, Fed. R. Civ. P. 56(c). A party moving for summary judgment has the burden of demonstrating the absence of any genuine issue of material fact. *See, Celotex Corp. v. Catrett*, 477 U.S. 317 (1986), and *Sweats Fashions, Inc. v. Pannill Knitting Co., Inc.*, 4 USPQ2d 1793

(Fed. Cir. 1987). When a moving party's motion is supported by evidence sufficient to indicate that there are no genuine issues of material fact, the burden then shifts to the nonmoving party to demonstrate the existence of specific genuinely disputed facts that must be resolved at trial. Fed. R. Civ. P 56. The nonmoving party may not rest on mere denials or conclusory assertions, but rather must proffer countering evidence, by affidavit or as otherwise provided in FED. R. CIV. P. 56 showing that there is a genuine issue of material fact for trial. *See* TBMP § 528.01 (2d Ed. Rev. Mar. 12, 2004).

In the present proceedings, there are no genuine issues of material fact left for trial. For purposes of this Motion, Registrant admits the truth of Petitioner's factual allegations. Registrant has conceded standing and priority, as well as relatedness of the Parties' goods. Thus the only remaining issue, which Registrant contends is controlling, is the dissimilarity of the marks.

B. Confusion Between FLEX-A-MIN and FLEX NOW is Unlikely

(i) *The Present Case Can and Should Be Decided on the First DuPont Factor – The Dissimilarities of the Marks*

Dismissal of this action is proper based solely on the first *DuPont* factor (*i.e.* dissimilarity of the marks). Courts have routinely found the first *DuPont* factor to be dispositive of the likelihood of confusion analysis. *See, e.g.*, *Champagne Louis Roederer S.A. v. Delicato Vineyards*, 148 F.3d 373, 47 USPQ2d 1459 (Fed. Cir. 1998) (dissimilarity of the marks under the first *DuPont* factor held dispositive where goods highly related); *Keebler Co. v. Murray Bakery Products*, 866 F.2d 1386, 9 USPQ2d 1736 (Fed. Cir. 1989) (on identical goods, dissimilarity of the marks dispositive); *Sears Mortgage Corp. v. Northeast Savings F.A.*, 24 USPQ2d 1227 (TTAB 1992) (dissimilarity between the marks dispositive on highly related services); and *Kellogg Co. v. Pack Em*

Enterprises Inc., 14 USPQ2d 1545 (TTAB 1990), aff'd, 951 F.2d 330, 21 USPQ2d 1142 (Fed. Cir. 1991) (dissimilarity of the marks dispositive on highly related goods).

Rigid application of the thirteen factors set forth in *DuPont* is not the norm. Rather, Courts exercise flexibility in analyzing the facts of each case, and often give more (or less) weight to a particular *DuPont* factor. The differences between the marks at issue in the present case are sufficient to compel a finding of no likelihood of confusion based solely on the first *DuPont* factor.

(ii) *FLEX-A-MIN is Entirely Dissimilar From FLEX NOW*

FLEX-A-MIN and FLEX NOW are entirely dissimilar in appearance, sound, meaning and overall commercial impression. The marks share no common elements except for the term "FLEX", which is so highly descriptive of the parties' goods (*i.e.* dietary supplements used to aid flexibility and joint health) that it cannot serve as the dominant portion of Petitioner's mark.[2]

The differences in appearance are clear. FLEX-A-MIN forms a single hyphenated word, whereas FLEX NOW appears as to separate and distinct words. The distinct pair of hyphens in FLEX-A-MIN serves two distinguish the marks. The marks also differ visually in that they contain a different number of characters (ten vs. seven).[3] Taken as a whole, the marks share nothing other than the descriptive term "FLEX".

The marks also sound nothing alike. Petitioner's mark has three syllables, where Registrant's has only two. Moreover, when spoken, FLEX-A-MIN sounds as though it is

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[2] In a likelihood of confusion analysis, similarity of marks cannot be predicated on a common element that is descriptive or suggestive, and thereby weak. *See*, *Keebler Co., v. Murray Bakery Prods.*, 866 F.2d 1386; *Stouffer Corp. v. Health Valley Natural Foods, Inc.*, 1987 TTAB LEXIS 89, 1 USPQ 2d (BNA) 1900 (TTAB 1987).

[3] Including the hyphens, which are claimed as part of Petitioner's mark.

one word with an ending similar to VITAMIN, whereas FLEX NOW is two distinct words and sounds nothing like VITAMIN.

Likewise, there are no similarities in the meaning or connotation of the marks. While there is no readily apparent meaning for the word FLEX-A-MIN, the mark invokes the idea that FLEX-A-MIN is a type of VIT-A-MIN product. In contrast, Registrant's mark conveys, with some degree of imagination, the immediacy of the product's effects.

While it is true that both marks begin with the descriptive term "FLEX", this alone is not controlling as to their respective commercial impressions. Where the only similarity is a descriptive term, courts look to the remaining portions of the marks to determine connotation and commercial impression. *See*, *Keebler Co., v. Murray Bakery Prods.*, 866 F.2d 1386 (based solely on the first *DuPont* factor, PECAN SANDIES and PECAN SHORTIES not confusingly similar where "PECAN" is descriptive); *Stouffer Corp. v. Health Valley Natural Foods, Inc.*, 1987 TTAB LEXIS 89, 1 USPQ 2d (BNA) 1900 (LEAN CUISINE and LEAN LIVING not confusingly similar where "LEAN" is descriptive, even though senior mark was famous). The term "FLEX" as applied to dietary supplements for joint health cannot, as a matter of law, be deemed the dominant portion of Petitioner's mark for the purposes of determining likelihood of confusion. Thus, even when used in connection with similar goods, the marks are so different that confusion is unlikely.

(iii) ***"FLEX" is Descriptive of Joint Supplements and Cannot Serve as the Basis of Similarity in a Likelihood of Confusion Analysis***

Petitioner admits – indeed asserts – that "FLEX" is the dominant portion of its mark. However, "FLEX" is indisputably descriptive of Petitioner's product.

A term is descriptive where it describes "an ingredient, quality, characteristic, function, feature, purpose or use of the specified goods or services." TMEP §1209, *et seq.* (and the cases cited therein). A descriptive term immediately tells the consumer something about the relevant goods. *Id.* Similarly, suggestive terms are those that, when applied to the goods or services at issue, require some degree of imagination, thought or perception to reach a conclusion as to the nature of those goods or services. *Id.*

Where a common element is deemed "weak", likelihood of confusion is reduced. *Nestle's Milk Products, Inc. v. baker Importing Co.*, 182 F.2d 193, 86 USPQ 80 (CCPA 1950) (HYCAFE and NESCAFE not confusingly similar where "CAFE" deemed weak element); *Smith v. Tobacco By-Products & Chemical Corp.*, 243 F. 2d 188 (GREENLEAF and BLACK LEAF not confusingly similar for plant sprays where "LEAF" deemed weak element). A portion of a mark is "weak" in the sense that it is descriptive, highly suggestive, or is in common use by many other sellers in the market. *See Colgate--Palmolive Co. v. Carter-Wallace, Inc.*, 432 F.2d 1400, 167 USPQ 529 (CCPA 1970). The mere presence of a common descriptive or even suggestive element in two marks is not enough support upon which to base a finding that confusion is likely. *See, Tektronix, Inc. v. Daktronics, Inc.*, 534 F. 2d 916, 189 USPQ 693 (CCPA 1976), *aff'g* 187 USPQ 588 (TTAB 1975). Thus, where marks share a common descriptive or suggestive element, Courts look to the remaining portions of the mark to determine whether the marks are confusingly similar.

In the present case, the term "FLEX" is properly classified as descriptive. The relevant goods are "dietary supplements to aid joint health". ***Petitioner's Petition For Cancellation*, at ¶ 5.** Joints, by definition, flex. In fact, one definition of the term

"FLEX" is "to move muscles so as to cause flexion of (a joint)." ***See Kaiser Declaration*, at ¶ 74; *Exhibit 73*, Merriam-Webster's Online Dictionary.** Thus, when used in connection with Petitioner's goods, the word "FLEX" immediately tells the consumer something about the product (*i.e.* that FLEX-A-MIN can be used to increase flexibility).

Indeed, FLEX-A-MIN is marketed to consumers for the purpose of improving flexibility and joint health. Petitioner's advertising admits the descriptiveness of "FLEX" in relation to its product. ***See Kaiser* at ¶ 75; *Exhibit 1*, Petitioner's Web Site, available at www.flexamin.com** (repeatedly urging consumers to "Get *Flex*ible. Get *Flex*-a-min.") (emphasis added). Petitioner's play on words showcases the descriptive meaning "FLEX" has to the relevant consumers (*i.e.* people looking for a supplement to help them "get flexible"). Additionally, advertisements for FLEX-A-MIN show actor James Brolin urging consumers "[i]f sore, stiff joints are slowing you down, do what I do. Take maximum strength *Flex*-a-min . . . now I have the *flexibility* to move easily and freely." ***See Kaiser* at ¶ 76; *Exhibit 2*, *Arthritis Today*, at p. 61 Flex-a-min Advertisement (July-August 2001 Ed.)** (emphasis added). Petitioner takes full advantage of the word "FLEX" to describe the primary function of its product: flexibility.

Petitioner's use of "FLEX" to describe characteristics of joint supplements is hardly unique. Third party registrations are persuasive evidence of descriptiveness by showing the meaning of a mark or word in the same way that dictionaries are used. ***Tektronix*, 189 USPQ at 694-95**. In the United States alone, there are hundreds of "live" use-based registrations for marks containing the word "FLEX" in connection with dietary supplements (most of them joint supplements like Petitioner's).[4] ***See Kaiser* at ¶¶ 2-57;**

[4] Third-Party registrations are "competent evidence that a portion common to the marks involved in a proceeding has a normally understood and well-known meaning; that this have been recognized by the

Exhibit 3 (FLEX); ***Exhibit 4*** (FLEXSOLUTIONS); ***Exhibit 5*** (FLEX-RENEW); ***Exhibit 6*** (FLEX-CID); ***Exhibit 7*** (FLEX ABLE); ***Exhibit 8*** (FLEX 4LIFE); ***Exhibit 9*** (FLEX DEFENSE); ***Exhibit 10*** (FLEX DRIVE); ***Exhibit 11*** (FLEX FORCE); ***Exhibit 12*** (FLEX FREE); ***Exhibit 13*** (FLEX*SURE); ***Exhibit 14*** (FLEXACTIVE); ***Exhibit 15*** (FLEXAJOINT); ***Exhibit 16*** (FLEX-EASE); ***Exhibit 17*** (i-FLEX . . .i can flex freely); ***Exhibit 18*** (TotalFLEX); ***Exhibit 19*** (SYN-FLEX); ***Exhibit 20*** (SUPER FLEX); ***Exhibit 21*** (SO FLEX); ***Exhibit 22*** (PUREFLEX); ***Exhibit 23*** (PHARMAFLEX); ***Exhibit 24*** (NUTRA FLEX 4); ***Exhibit 25*** (NU-FLEX); ***Exhibit 26*** (MICRO-FLEX);***Exhibit 27*** (MEGAFLEX); ***Exhibit 28*** (LUBRIFLEX[3]); ***Exhibit 29*** (GLYCO-FLEX); ***Exhibit 30*** (GLUCO-FLEX FORTE); ***Exhibit 31*** (GINGERFLEX); ***Exhibit 32*** (FAST FLEX); ***Exhibit 33*** (EZ FLEX); ***Exhibit 34*** (CABLEFLEX); ***Exhibit 35*** (BONE FLEX); ***Exhibit 36*** (ARTI-FLEX); ***Exhibit 37*** (i-FLEX); ***Exhibit 38*** (SYN-FLEX – repetitive of Exhibit 19 by clerical error); ***Exhibit 39*** (RAPID FLEX); ***Exhibit 40*** (PERFORMA FLEX); ***Exhibit 41*** (LIQUID FLEX); ***Exhibit 42*** (CANIFLEX); ***Exhibit 43*** (ARTHOFLEX); ***Exhibit 44*** (ARTHOFLEX MAX); ***Exhibit 45*** (TRUFLEX); ***Exhibit 46*** (SPORTFLEX); ***Exhibit 47*** (OxyFLEX); ***Exhibit 48*** (OPTIMA FLEX); ***Exhibit 49*** (OPTAFLEX); ***Exhibit 50*** (COGNI-FLEX); ***Exhibit 51*** (ANIMAL FLEX); ***Exhibit 52*** (AMERI-FLEX).[5]

Patent and Trademark Office by registering marks containing such a common feature for the same or closely related goods where the remaining portions of the marks are sufficient to distinguish the marks as a whole; and that therefore the inclusion of [the common element] in each mark may be an insufficient basis on which to predicate a holding of confusing similarity." *Knight Textile Corp. v. Jones Investment Co., Inc.*, 2005 TTAB LEXIS 250, 75 USPQ 2d (BNA) 1313 (TTAB 2005) (citing *Red Carpet Corp. v. Johnstown American Enterprises, Inc.*, 7 USPQ 2d 1404, 1406 (TTAB 1988). Specimen packages and labels (which are attached for many of the registrations) may be referred to for the purpose of aiding the Board in understanding the relevant goods. *Falk Corp. v. Toro Mfg. Co.*, 493 F.2d 1372.

[5] Nearly every one of the above-cited marks has a unique owner.

Not surprisingly, many of those "FLEX" marks predate Petitioner, confirming that nobody, let alone Petitioner, owns the exclusive rights to use "FLEX" in connection with dietary supplements. ***See Kaiser* at ¶¶ 54-57; Exhibit 53** (FLEX-ALL with priority date of June 1987); **Exhibit 54** (SALFLEX with priority date of October 1987); **Exhibit 55** (HERBAFLEX with priority date of November 1982); **Exhibit 56** (ALOE FLEX with priority date of January 1980).

Numerous third party sellers in the market promote identical products using the term "FLEX". ***See Kaiser* at ¶¶ 58-73; *Exhibit 57*** (FLEXA-JOINT for joint supplement claiming improved "flexibility"); ***Exhibit 58*** (FLEX-FORCE for joint supplement); ***Exhibit 59*** (FLEX-EZE 1000 for joint supplement); ***Exhibit 60*** (FLEX PROTEX for joint supplement claiming to enhance "flexibility"); ***Exhibit 61*** (FLEX DEFENSE for joint supplement); ***Exhibit 62*** (TRIFLEX for joint supplement); ***Exhibit 63*** (FLEXALL 454 for joint supplement); ***Exhibit 64*** (GLYCO-FLEX for joint supplement); ***Exhibit 65*** (OPTAFLEX); ***Exhibit 66*** (OPTIMA FLEX for joint supplement); ***Exhibit 67*** (OxyFLEX for joint supplement); ***Exhibit 68*** (SUPER FLEX for joint supplement); ***Exhibit 69*** (SYN-FLEX for joint supplement); ***Exhibit 70*** (SUPER JOINT FLEX AID for joint supplement); ***Exhibit 71*** (FLEXIBILITY FORMULA for joint supplement); ***Exhibit 72*** (FLEXIBILITY for joint supplement).

It is beyond dispute that the term "FLEX" is immediately descriptive, or at the very least, highly suggestive of dietary supplements for joint health. As the primary benefit of a joint supplement, Petitioner cannot claim the exclusive right to the term "FLEX". Competitors must have the ability to use the word "FLEX" in order to accurately describe the primary benefit of their product(s): Flexibility.

IV. CONCLUSION

"The purpose of summary judgment is judicial economy, that is, to save the time and expense of a needless trial where no genuine issue of material fact remains and more evidence than is already available in connection with the summary judgment motion could not reasonably be expected to change the result." *Kellogg Co. v. Pack Em Enterprises Inc.*, 14 USPQ2d 1545 (citing *Societe Des Produits Marnier Lapostolle v. Distillerie Moccia S.R.L.*, 10 USPQ 2d 1241, 1244 (TTAB 1989)).

For this motion, Registrant has admitted that Petitioner has standing and priority, and that the parties' goods are related. Registrant contends simply that the marks in this case are so dissimilar that the first *DuPont* factor should be determinative of the Board's decision.

Petitioner's only plausible argument to the contrary lacks merit and authority. It is well-settled that similarity of two marks cannot be predicated on a shared term if that term is merely descriptive or suggestive. Thus, because the marks at issue lack any similarities aside from a descriptive term used freely for decades by hundreds if not thousands of other sellers in connection with identical goods, and because there are no genuine issues of material fact left in dispute, Registrant respectfully requests that its Motion for Summary Judgment by GRANTED, and the present proceedings be dismissed with prejudice.

Dated: January 19, 2009

AMIN HALLIHAN, LLC

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PROOF OF SERVICE

I am over the age of 18 and not a party to the within action; my business address is Amin Hallihan, LLC, 444 North Orleans Street, Suite 400, Chicago, IL 60654. On **January 19, 2009**, a copy of the attached **MOTION FOR SUMMARY JUDGMENT AND FOR SUSPENSION OF THE PROCEEDINGS AND BRIEF IN SUPPORT THEROF** was served on all interested parties in this action via email (by agreement) and U.S. Mail, FedEx or the equivalent, postage prepaid, at the addresses as follows:

To: Sandra Edelman
Dorsey & Whitney LLP
250 Park Avenue, 15th Floor
New York, NY 10177

Executed on **January 19, 2009**, at Chicago, Illinois. I declare under penalty of perjury that the above is true and correct. I declare that I am employed in the office of Amin Hallihan, LLC at whose direction service was made.

/s/ Ryan M. Kaiser
Ryan M. Kaiser

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office using the ESTTA system on **January 19, 2009**.

/s/ Ryan M. Kaiser

Ryan M. Kaiser

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

NBTY, INC., Petitioner, v. BSP PHARMA, INC., Registrant,	Cancellation No. 92048097

DECLARATION OF RYAN M. KAISER IN SUPPORT OF REGISTRANT'S MOTION FOR SUMMARY JUDGMENT

I, Ryan M. Kaiser, hereby declare as follows:

1. I am an Associate at Amin Hallihan, LLC, counsel of record in this proceeding for Registrant, BSP Pharma, Inc, and am duly authorized to make this Declaration, which is based on my personal knowledge and information unless otherwise stated.

2. On January 8, 2009, I performed a search of the United States Patent and trademark Office's Trademark Electronic Search System ("TESS") for "live" registrations of marks containing the term "FLEX" and used in connection with dietary supplements. As the results of my search were too numerous to submit to the Board, I compiled a representative sample of registrations contained in those results.

3. Where practicable, I included with the registration a copy of the specimen filed by that third-party registrant with the Patent and Trademark Office as evidence that the product upon which the mark is used in commerce is a joint health or joint support product having an identical functional purpose to that of Petitioner, NBTY, Inc. (*i.e.* "to aid joint health").

4. Attached to Registrant's Motion for Summary Judgment as "Exhibit 3" is a true and correct copy of Trademark Registration No. 3,060,297 for "FLEX" with the specimen of use that was filed therewith.

5. Attached to Registrant's Motion for Summary Judgment as "Exhibit 4" is a true and correct copy of Trademark Registration No. 3,482,740 for "FLEXSOLUTIONS" with the specimen of use that was filed therewith.

6. Attached to Registrant's Motion for Summary Judgment as "Exhibit 5" is a true and correct copy of Trademark Registration No. 2,944,340 for "FLEX-RENEW" with the specimen of use that was filed therewith.

7. Attached to Registrant's Motion for Summary Judgment as "Exhibit 6" is a true and correct copy of Trademark Registration No. 3,264,195 for "FLEX-CID" with the specimen of use that was filed therewith.

8. Attached to Registrant's Motion for Summary Judgment as "Exhibit 7" is a true and correct copy of Trademark Registration No. 2,625,765 for "FLEX ABLE" with the specimen of use that was filed therewith.

9. Attached to Registrant's Motion for Summary Judgment as "Exhibit 8" is a true and correct copy of Trademark Registration No. 2,730,306 for "FLEX 4LIFE".

10. Attached to Registrant's Motion for Summary Judgment as "Exhibit 9" is a true and correct copy of Trademark Registration No. 3,183,907 for "FLEX DEFENSE" with the specimen of use that was filed therewith.

11. Attached to Registrant's Motion for Summary Judgment as "Exhibit 10" is a true and correct copy of Trademark Registration No. 3,238,414 for "FLEX DRIVE".

12. Attached to Registrant's Motion for Summary Judgment as "Exhibit 11" is a true and correct copy of Trademark Registration No. 3,265,045 for "FLEX-FORCE" with the specimen of use that was filed therewith.

13. Attached to Registrant's Motion for Summary Judgment as "Exhibit 12" is a true and correct copy of Trademark Registration No. 3,295,442 for "FLEX FREE".

14. Attached to Registrant's Motion for Summary Judgment as "Exhibit 13" is a true and correct copy of Trademark Registration No. 2,610,766 for "FLEX*SURE".

15. Attached to Registrant's Motion for Summary Judgment as "Exhibit 14" is a true and correct copy of Trademark Registration No. 3,184,706 for "FLEXACTIVE" with the specimen of use that was filed therewith.

16. Attached to Registrant's Motion for Summary Judgment as "Exhibit 15" is a true and correct copy of Trademark Registration No. 3,182,567 for "FLEXAJOINT".

17. Attached to Registrant's Motion for Summary Judgment as "Exhibit 16" is a true and correct copy of Trademark Registration No. 2,393,997 for "FLEX-EASE".

18. Attached to Registrant's Motion for Summary Judgment as "Exhibit 17" is a true and correct copy of Trademark Registration No. 3,445,050 for "i-flex" with the specimen of use that was filed therewith.

19. Attached to Registrant's Motion for Summary Judgment as "Exhibit 18" is a true and correct copy of Trademark Registration No. 2,780,394 for "TotalFLEX" with the specimen of use that was filed therewith.

20. Attached to Registrant's Motion for Summary Judgment as "Exhibit 19" is a true and correct copy of Trademark Registration No. 2,699,705 for "Synflex" with the specimen of use that was filed therewith.

21. Attached to Registrant's Motion for Summary Judgment as "Exhibit 20" is a true and correct copy of Trademark Registration No. 2,203,323 for "SUPER FLEX" with the specimen of use that was filed therewith.

22. Attached to Registrant's Motion for Summary Judgment as "Exhibit 21" is a true and correct copy of Trademark Registration No. 2,659,325 for "SO FLEX" with the specimen of use that was filed therewith.

23. Attached to Registrant's Motion for Summary Judgment as "Exhibit 22" is a true and correct copy of Trademark Registration No. 2,691,428 for "PUREFLEX".

24. Attached to Registrant's Motion for Summary Judgment as "Exhibit 23" is a true and correct copy of Trademark Registration No. 2,744,735 for "PHARMAFLEX".

25. Attached to Registrant's Motion for Summary Judgment as "Exhibit 24" is a true and correct copy of Trademark Registration No. 3,355,958 for "NUTRAFLEX" with the specimen of use that was filed therewith.

26. Attached to Registrant's Motion for Summary Judgment as "Exhibit 25" is a true and correct copy of Trademark Registration No. 2,838,272 for "Nu-Flex" with the specimen of use that was filed therewith.

27. Attached to Registrant's Motion for Summary Judgment as "Exhibit 26" is a true and correct copy of Trademark Registration No. 2,764,728 for "MICRO-FLEX" with the specimen of use that was filed therewith.

28. Attached to Registrant's Motion for Summary Judgment as "Exhibit 27" is a true and correct copy of Trademark Registration No. 3,075,052 for "MEGAFLEX" with the specimen of use that was filed therewith.

29. Attached to Registrant's Motion for Summary Judgment as "Exhibit 28" is a true and correct copy of Trademark Registration No. 3,209,491 for "Lubriflex^{3}" with the specimen of use that was filed therewith.

30. Attached to Registrant's Motion for Summary Judgment as "Exhibit 29" is a true and correct copy of Trademark Registration No. 2,686,316 for "GLYCO-FLEX" with the specimen of use that was filed therewith.

31. Attached to Registrant's Motion for Summary Judgment as "Exhibit 30" is a true and correct copy of Trademark Registration No. 2,818,675 for "GLUCO-FLEX FORTE" with the specimen of use that was filed therewith.

32. Attached to Registrant's Motion for Summary Judgment as "Exhibit 31" is a true and correct copy of Trademark Registration No. 3,441,757 for "GINGERFLEX" with the specimen of use that was filed therewith.

33. Attached to Registrant's Motion for Summary Judgment as "Exhibit 32" is a true and correct copy of Trademark Registration No. 2,952,755 for "FAST FLEX".

34. Attached to Registrant's Motion for Summary Judgment as "Exhibit 33" is a true and correct copy of Trademark Registration No. 3,051,249 for "EZ FLEX" with the specimen of use that was filed therewith.

35. Attached to Registrant's Motion for Summary Judgment as "Exhibit 34" is a true and correct copy of Trademark Registration No. 2,789,459 for "CABLEFLEX" with the specimen of use that was filed therewith.

36. Attached to Registrant's Motion for Summary Judgment as "Exhibit 35" is a true and correct copy of Trademark Registration No. 3,462,778 for "BONE FLEX" with the specimen of use that was filed therewith.

37. Attached to Registrant's Motion for Summary Judgment as "Exhibit 36" is a true and correct copy of Trademark Registration No. 2,695,291 for "ARTI-FLEX" with the specimen of use that was filed therewith.

38. Attached to Registrant's Motion for Summary Judgment as "Exhibit 37" is a true and correct copy of Trademark Registration No. 3,468,122 for "i-flex".

39. Attached to Registrant's Motion for Summary Judgment as "Exhibit 38" is a true and correct copy of Trademark Registration No. 2,699,705 for "Synflex".

40. Attached to Registrant's Motion for Summary Judgment as "Exhibit 39" is a true and correct copy of Trademark Registration No. 3,332,807 for "RAPID FLEX".

41. Attached to Registrant's Motion for Summary Judgment as "Exhibit 40" is a true and correct copy of Trademark Registration No. 3,262,409 for "PERFORMA FLEX".

42. Attached to Registrant's Motion for Summary Judgment as "Exhibit 41" is a true and correct copy of Trademark Registration No. 3,454,352 for "LIQUID-FLEX".

43. Attached to Registrant's Motion for Summary Judgment as "Exhibit 42" is a true and correct copy of Trademark Registration No. 2,951,755 for "CaniFlex".

44. Attached to Registrant's Motion for Summary Judgment as "Exhibit 43" is a true and correct copy of Trademark Registration No. 2,034,518 for "ARTHOFLEX".

45. Attached to Registrant's Motion for Summary Judgment as "Exhibit 44" is a true and correct copy of Trademark Registration No. 2,339,945 for "ARTHOFLEX MAX".

46. Attached to Registrant's Motion for Summary Judgment as "Exhibit 45" is a true and correct copy of Trademark Registration No. 3,343,801 for "TruFlex".

47. Attached to Registrant's Motion for Summary Judgment as "Exhibit 46" is a true and correct copy of Trademark Registration No. 3,040,641 for "SPORTFLEX".

48. Attached to Registrant's Motion for Summary Judgment as "Exhibit 47" is a true and correct copy of Trademark Registration No. 3,122,001 for "OxyFLEX".

49. Attached to Registrant's Motion for Summary Judgment as "Exhibit 48" is a true and correct copy of Trademark Registration No. 3,314,558 for "Optima Flex" with the specimen of use that was filed therewith.

50. Attached to Registrant's Motion for Summary Judgment as "Exhibit 49" is a true and correct copy of Trademark Registration No. 2,931,716 for "OPTAFLEX".

51. Attached to Registrant's Motion for Summary Judgment as "Exhibit 50" is a true and correct copy of Trademark Registration No. 3,171,638 for "COGNI-FLEX".

52. Attached to Registrant's Motion for Summary Judgment as "Exhibit 51" is a true and correct copy of Trademark Registration No. 3,227,943 for "ANIMAL FLEX" with the specimen of use that was filed therewith.

53. Attached to Registrant's Motion for Summary Judgment as "Exhibit 52" is a true and correct copy of Trademark Registration No. 3,299,761 for "AMERI-FLEX".

54. Attached to Registrant's Motion for Summary Judgment as "Exhibit 53" is a true and correct copy of Trademark Registration No. 1,999,979 for "FLEX-ALL".

55. Attached to Registrant's Motion for Summary Judgment as "Exhibit 54" is a true and correct copy of Trademark Registration No. 1,498,283 for "SALFLEX".

56. Attached to Registrant's Motion for Summary Judgment as "Exhibit 55" is a true and correct copy of Trademark Registration No. 1,293,827 for "HERBAFLEX".

57. Attached to Registrant's Motion for Summary Judgment as "Exhibit 56" is a true and correct copy of Trademark Registration No. 1,239,942 for "ALOE FLEX" with the specimen of use that was filed therewith.

58. On January 8, 2009, I performed a search using the Google search engine from my office computer in Chicago, Illinois for ("flex" AND "dietary supplements"). My search returned approximately 81,000 results. I then reviewed the first five to ten pages of

results, noting that Petitioner's FLEX-A-MIN product did not appear until the second full page of results. The individual pages I found are described in more detail below.

58. Attached to Registrant's Motion for Summary Judgment as "Exhibit 57" is a true and correct copy of a webpage located at the site www.shopwiki.com (full URL for the specific page is located at the bottom of the Exhibit). The site shows use of the FLEX-JOINT product name and trademark. The website is available for viewing by consumers and members of the public. The pages of Exhibit 57 were printed on January 8, 2009 from my office in Chicago, IL. I last viewed said website on January 8, 2009 using my office computer. Exhibit 57 is relevant to show use of "FLEX"-containing marks in connection with joint supplements and as evidence that "FLEX" is descriptive when used in connection with joint supplements.

59. Attached to Registrant's Motion for Summary Judgment as "Exhibit 58" is a true and correct copy of a webpage located at the site www.flexforceworks.com (full URL for the specific page is located at the bottom of the Exhibit). The site shows use of the FLEX-FORCE product name and trademark. The website is available for viewing by consumers and members of the public. The pages of Exhibit 58 were printed on January 8, 2009 from my office in Chicago, IL. I last viewed said website on January 8, 2009 using my office computer. Exhibit 58 is relevant to show use of "FLEX"-containing marks in connection with joint supplements and as evidence that "FLEX" is descriptive when used in connection with joint supplements.

60. Attached to Registrant's Motion for Summary Judgment as "Exhibit 59" is a true and correct copy of a webpage located at the site www.allegromedical.com (full URL for the specific page is located at the bottom of the Exhibit). The site shows use of the FLEX-

EZE 1000 product name and trademark. The website is available for viewing by consumers and members of the public. The pages of Exhibit 59 were printed on January 8, 2009 from my office in Chicago, IL. I last viewed said website on January 8, 2009 using my office computer. Exhibit 59 is relevant to show use of "FLEX"-containing marks in connection with joint supplements and as evidence that "FLEX" is descriptive when used in connection with joint supplements.

61. Attached to Registrant's Motion for Summary Judgment as "Exhibit 60" is a true and correct copy of a webpage located at the site www.proflexto.com (full URL for the specific page is located at the bottom of the Exhibit). The site shows use of the FLEX PROTEX product name and trademark. The website is available for viewing by consumers and members of the public. The pages of Exhibit 60 were printed on January 8, 2009 from my office in Chicago, IL. I last viewed said website on January 8, 2009 using my office computer. Exhibit 60 is relevant to show use of "FLEX"-containing marks in connection with joint supplements and as evidence that "FLEX" is descriptive when used in connection with joint supplements.

62. Attached to Registrant's Motion for Summary Judgment as "Exhibit 61" is a true and correct copy of a webpage located at the site www.shopping.msn.com (full URL for the specific page is located at the bottom of the Exhibit). The site shows use of the FLEX DEFENSE product name and trademark. The website is available for viewing by consumers and members of the public. The pages of Exhibit 61 were printed on January 8, 2009 from my office in Chicago, IL. I last viewed said website on January 8, 2009 using my office computer. Exhibit 61 is relevant to show use of "FLEX"-containing

marks in connection with joint supplements and as evidence that "FLEX" is descriptive when used in connection with joint supplements.

63. Attached to Registrant's Motion for Summary Judgment as "Exhibit 62" is a true and correct copy of a webpage located at the site www.drugstore.com (full URL for the specific page is located at the bottom of the Exhibit). The site shows use of the TRIFLEX product name and trademark. The website is available for viewing by consumers and members of the public. The pages of Exhibit 62 were printed on January 8, 2009 from my office in Chicago, IL. I last viewed said website on January 8, 2009 using my office computer. Exhibit 62 is relevant to show use of "FLEX"-containing marks in connection with joint supplements and as evidence that "FLEX" is descriptive when used in connection with joint supplements.

64. Attached to Registrant's Motion for Summary Judgment as "Exhibit 63" is a true and correct copy of a webpage located at the site www.amazon.com (full URL for the specific page is located at the bottom of the Exhibit). The site shows use of the FLEXALL 454 product name and trademark. The website is available for viewing by consumers and members of the public. The pages of Exhibit 63 were printed on January 8, 2009 from my office in Chicago, IL. I last viewed said website on January 8, 2009 using my office computer. Exhibit 63 is relevant to show use of "FLEX"-containing marks in connection with joint supplements and as evidence that "FLEX" is descriptive when used in connection with joint supplements.

65. Attached to Registrant's Motion for Summary Judgment as "Exhibit 64" is a true and correct copy of a webpage located at the site www.vetriscience.com (full URL for the specific page is located at the bottom of the Exhibit). The site shows use of the GLYCO-

FLEX I and II for Humans products name and trademark. The website is available for viewing by consumers and members of the public. The pages of Exhibit 64 were printed on January 8, 2009 from my office in Chicago, IL. I last viewed said website on January 8, 2009 using my office computer. Exhibit 64 is relevant to show use of "FLEX"-containing marks in connection with joint supplements and as evidence that "FLEX" is descriptive when used in connection with joint supplements.

66. Attached to Registrant's Motion for Summary Judgment as "Exhibit 65" is a true and correct copy of a webpage located at the site www.cargilhft.com (full URL for the specific page is located at the bottom of the Exhibit). The site shows use of the OPTAFLEX product name and trademark. The website is available for viewing by consumers and members of the public. The pages of Exhibit 65 were printed on January 8, 2009 from my office in Chicago, IL. I last viewed said website on January 8, 2009 using my office computer. Exhibit 65 is relevant to show use of "FLEX"-containing marks in connection with joint supplements and as evidence that "FLEX" is descriptive when used in connection with joint supplements.

67. Attached to Registrant's Motion for Summary Judgment as "Exhibit 66" is a true and correct copy of a webpage located at the site www.trivita.com (full URL for the specific page is located at the bottom of the Exhibit). The site shows use of the OPTIMA FLEX product name and trademark. The website is available for viewing by consumers and members of the public. The pages of Exhibit 66 were printed on January 8, 2009 from my office in Chicago, IL. I last viewed said website on January 8, 2009 using my office computer. Exhibit 66 is relevant to show use of "FLEX"-containing marks in connection

with joint supplements and as evidence that "FLEX" is descriptive when used in connection with joint supplements.

68. Attached to Registrant's Motion for Summary Judgment as "Exhibit 67" is a true and correct copy of a webpage located at the site www.trusolutionscorp.com (full URL for the specific page is located at the bottom of the Exhibit). The site shows use of the OXYFLEX product name and trademark. The website is available for viewing by consumers and members of the public. The pages of Exhibit 67 were printed on January 8, 2009 from my office in Chicago, IL. I last viewed said website on January 8, 2009 using my office computer. Exhibit 67 is relevant to show use of "FLEX"-containing marks in connection with joint supplements and as evidence that "FLEX" is descriptive when used in connection with joint supplements.

69. Attached to Registrant's Motion for Summary Judgment as "Exhibit 68" is a true and correct copy of a webpage located at the site www.seacoastvitamins.com (full URL for the specific page is located at the bottom of the Exhibit). The site shows use of the SUPER FLEX JOINT FORMULA product name and trademark. The website is available for viewing by consumers and members of the public. The pages of Exhibit 68 were printed on January 8, 2009 from my office in Chicago, IL. I last viewed said website on January 8, 2009 using my office computer. Exhibit 68 is relevant to show use of "FLEX"-containing marks in connection with joint supplements and as evidence that "FLEX" is descriptive when used in connection with joint supplements.

70. Attached to Registrant's Motion for Summary Judgment as "Exhibit "69" is a true and correct copy of a webpage located at the site www.synflexamerica.com (full URL for the specific page is located at the bottom of the Exhibit). The site shows use of the SYN-

FLEX product name and trademark. The website is available for viewing by consumers and members of the public. The pages of Exhibit 69 were printed on January 8, 2009 from my office in Chicago, IL. I last viewed said website on January 8, 2009 using my office computer. Exhibit 69 is relevant to show use of "FLEX"-containing marks in connection with joint supplements and as evidence that "FLEX" is descriptive when used in connection with joint supplements.

71. Attached to Registrant's Motion for Summary Judgment as "Exhibit 70" is a true and correct copy of a webpage located at the site www.healthdynamite.com (full URL for the specific page is located at the bottom of the Exhibit). The site shows use of the SUPER JOINT FLEX AID product name and trademark. The website is available for viewing by consumers and members of the public. The pages of Exhibit 70 were printed on January 8, 2009 from my office in Chicago, IL. I last viewed said website on January 8, 2009 using my office computer. Exhibit 70 is relevant to show use of "FLEX"-containing marks in connection with joint supplements and as evidence that "FLEX" is descriptive when used in connection with joint supplements.

72. Attached to Registrant's Motion for Summary Judgment as "Exhibit 71" is a true and correct copy of a webpage located at the site www.herbalever.com (full URL for the specific page is located at the bottom of the Exhibit). The site shows use of the FLEXIBILITY product name and trademark. The website is available for viewing by consumers and members of the public. The pages of Exhibit 71 were printed on January 8, 2009 from my office in Chicago, IL. I last viewed said website on January 8, 2009 using my office computer. Exhibit 71 is relevant to show use of "FLEX"-containing

marks in connection with joint supplements and as evidence that "FLEX" is descriptive when used in connection with joint supplements.

73. Attached to Registrant's Motion for Summary Judgment as "Exhibit 72" is a true and correct copy of a webpage located at the site www.theartofwellnessmd.com (full URL for the specific page is located at the bottom of the Exhibit). The site shows use of the FLEXIBILITY product name and trademark. The website is available for viewing by consumers and members of the public. The pages of Exhibit 72 were printed on January 8, 2009 from my office in Chicago, IL. I last viewed said website on January 8, 2009 using my office computer. Exhibit 72 is relevant to show use of "FLEX"-containing marks in connection with joint supplements and as evidence that "FLEX" is descriptive when used in connection with joint supplements.

74. On January 15, 2009, I visited the Merriam-Webster Online Dictionary and searched for the definition of the term "FLEX". Attached to Registrant's Motion for Summary Judgment as "Exhibit 73" is a true and correct copy of results of my search for the definition of the term "FLEX" from the Merriam-Webster Online Dictionary, available at www.m-w.com or www.merriam-webster.com. The Merriam-Webster Online Dictionary is available for viewing by members of the public. The pages of Exhibit 73 were printed on January 15, 2009 from my office in Chicago, IL. I last viewed said website on January 15, 2009 using my office computer.

75. On December 19, 2008, I visited the website operated by Petitioner and located at www.flexamin.com. Attached to Registrant's Motion for Summary Judgment as "Exhibit 1" is a true and correct copy of the "home" or "index" page of Petitioner's flexamin.com website. The pages of Exhibit 1 were printed on December 19, 2008 from

my office in Chicago, IL. I last viewed said website on January 16, 2009 using my office computer.

76. The document attached to Registrant's Motion for Summary Judgment as "Exhibit 2" is a true and correct copy of documents number NBTY00169-00170, produced by Petitioner in response to a discovery request in this action. The document consists of an advertisement for Petitioner's FLEX-A-MIN product in a periodical publication called *Arthritis Today*, at p. 61 (July-August 2001 Ed.).

The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

Dated: January 19, 2009

Ryan M. Kaiser

Exhibit 1

Get Flexible. Get Flex-a-min.

HOME | PRODUCTS | FAQ'S | HEALTH RESEARCH

Glucosamine • Chondroitin • MSM • Hyaluronic Acid

Get Flexible. Get Flex-a-min®.

Flex-a-min® nourishes the joints and promotes healthy cartilage formation.* Joint health is important...the joint support system is responsible for maintaining the areas around muscles and bones, providing shock absorption and supporting your internal structure. With the highest quality joint care ingredients, like Glucosamine HCl, Chondroitin, MSM, Hyaluronic Acid and many more, Flex-a-min® gives you the nutrients your joints need to help you move freely and comfortably.*

Whether you choose Triple Strength, Complete or Super Glucosamine 2000... there's a Flex-a-min® formula that's just right for your joint care needs.* Click on Products for details about each unique Flex-a-min® formula.

Save on your next purchase! Sign up today to receive a free coupon!

CLICK HERE TO WATCH OUR NEW TV AD!

Speak with Someone Today!

If you have any questions about Flex-a-min or Arthritis Research Corp., call 1-800-255-8490 to speak with someone, Monday through Friday, 9 a.m. to 7 p.m. (ET).

NEWS REPORT

Medical Research on Glucosamine. Click Here

Store Locator

Zip Miles 5 10 20 GO

STORE LOCATOR | HOME | CONTACT US

*These statements have not been evaluated by the Food and Drug Administration. These products are not intended to diagnose, treat, cure or prevent any diseases.

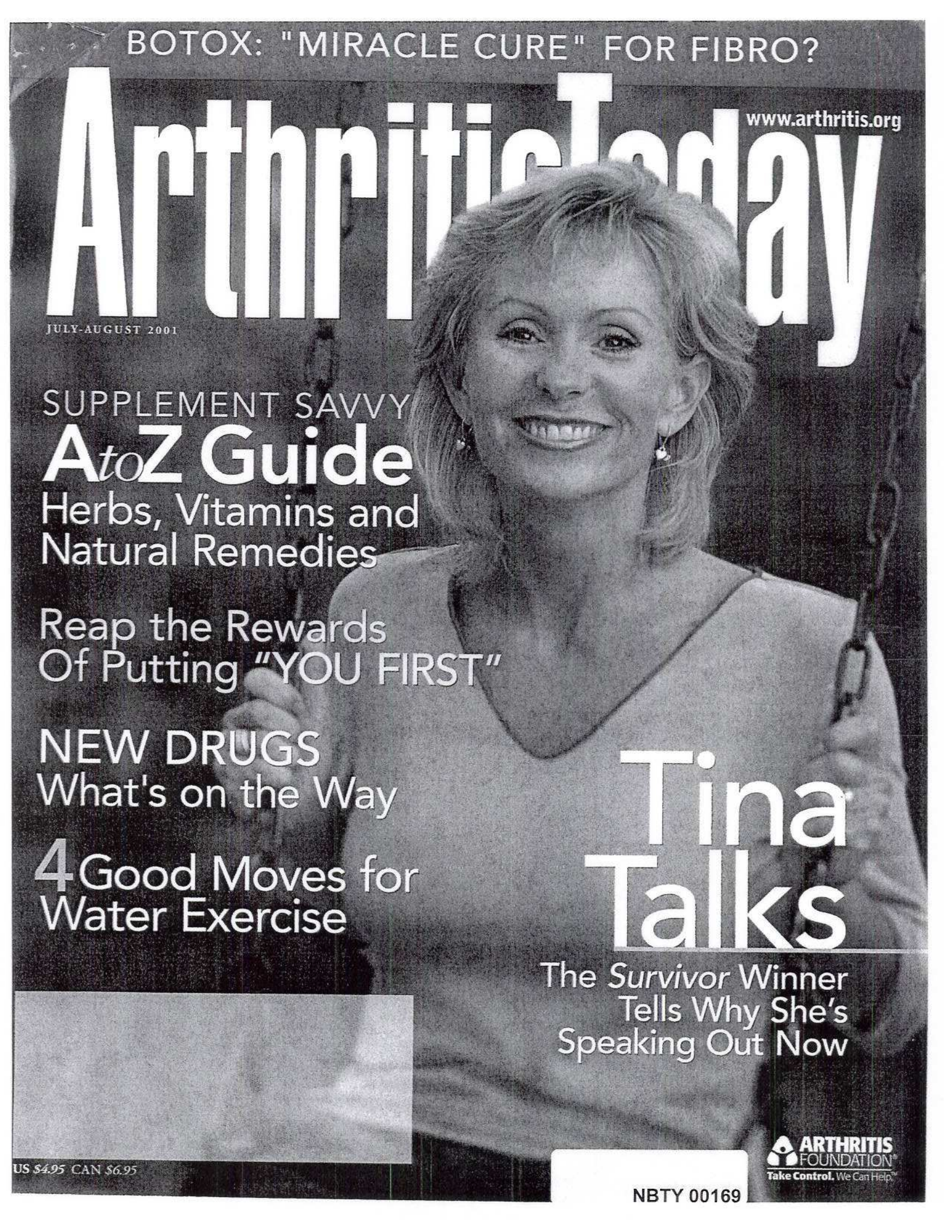
Exhibit 2

BOTOX: "MIRACLE CURE" FOR FIBRO?

ArthritisToday

www.arthritis.org

JULY-AUGUST 2001



SUPPLEMENT SAVVY

AtoZ Guide

Herbs, Vitamins and Natural Remedies

Reap the Rewards Of Putting "YOU FIRST"

NEW DRUGS What's on the Way

4 Good Moves for Water Exercise

Tina Talks

The *Survivor* Winner Tells Why She's Speaking Out Now

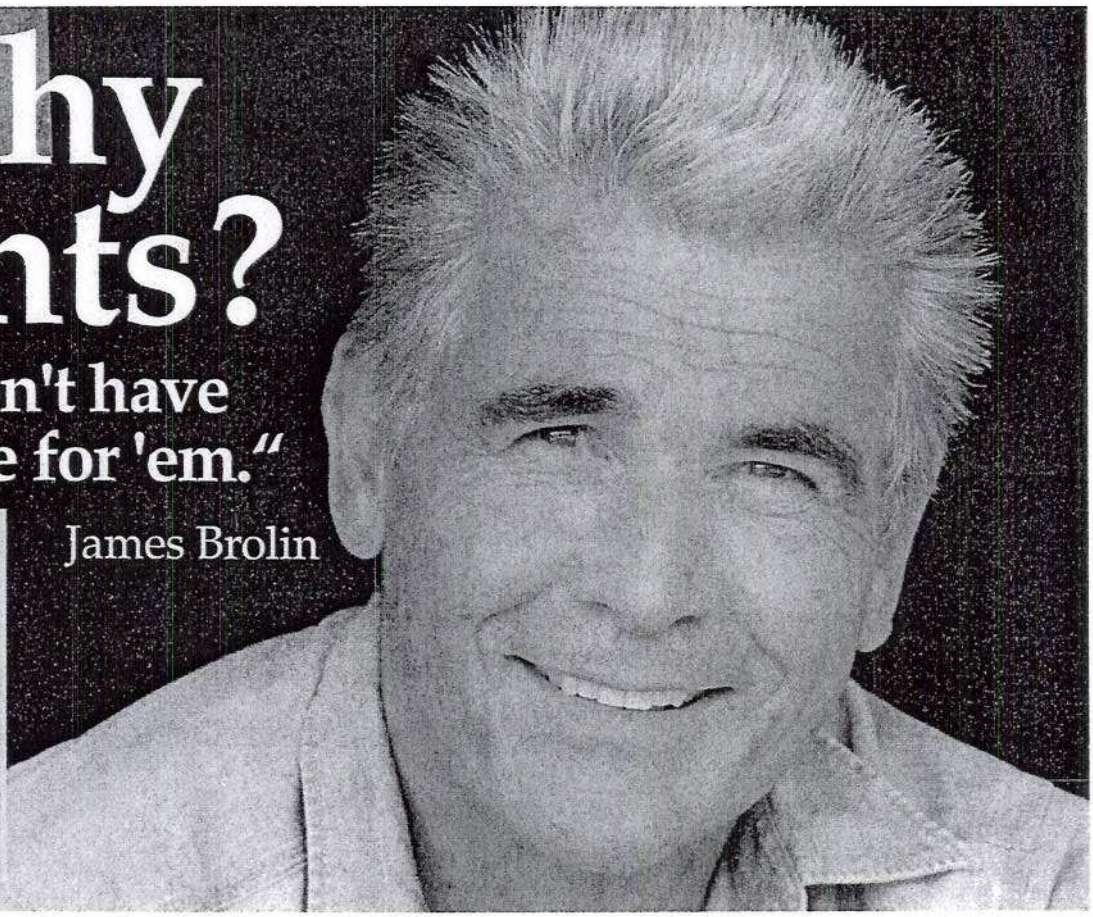
US $4.95 CAN $6.95

ARTHRITIS FOUNDATION®
Take Control. We Can Help.™

"Achy joints?

I don't have time for 'em."

James Brolin



"If sore, stiff joints are slowing you down, do what I do. Take maximum strength Flex-A-Min. It goes right to the source of my joint problems. So whether I'm in front of or behind the camera, now I have the flexibility to move easily and freely."

Flex-A-Min is the top quality brand with glucosamine, chondroitin and the power of MSM, all in one joint support formula that nourishes and helps rebuild cartilage.*

"Don't live with achy joints. Now there's maximum strength Flex-A-Min."

1-800-255-8490
www.flexamin.com

AVAILABLE AT
CVS/Pharmacy
Eckerd
Walgreens
and wherever quality vitamins are sold.

The Arthritis Research Corporation proudly funds the research initiatives of various arthritis and joint care organizations.

Flex-A-Min®

Formulated By Arthritis Research Corporation

SAVE $3.00

on any Flex-A-Min® product

CONSUMER: One coupon per purchase towards any regular size. Not to be used in conjunction with any other offer. Cash value 1/20 of one cent. RETAILER: Arthritis Research Corp. will reimburse you for the face value of this coupon, plus 8 cents handling, provided this coupon is redeemed in accordance with Arthritis Research Corp. Coupon Redemption Policy. Void where taxed, restricted, or prohibited by law. Mail to: Arthritis Research Corp., P.O. Box 1040-73, Millburn, NJ 07041.

5 74312 00087 9 (8100)0 30001

MANUFACTURER'S COUPON EXPIRES 9/30/01

*These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.

US $4.95 CAN

Pg 61

Exhibit 3

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 3,060,297

Registered Feb. 21, 2006

TRADEMARK
PRINCIPAL REGISTER

Flex

ENIVA CORPORATION (MINNESOTA CORPORATION)
9702 ULYSSES STREET NE
MINNEAPOLIS, MN 55449

FOR: BLENDED LIQUID MINERAL DIETARY SUPPLEMENTS AND NUTRITIONAL DIETARY SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 12-11-2001; IN COMMERCE 12-11-2001.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-577,213, FILED 3-1-2005.

LA TONIA FISHER, EXAMINING ATTORNEY

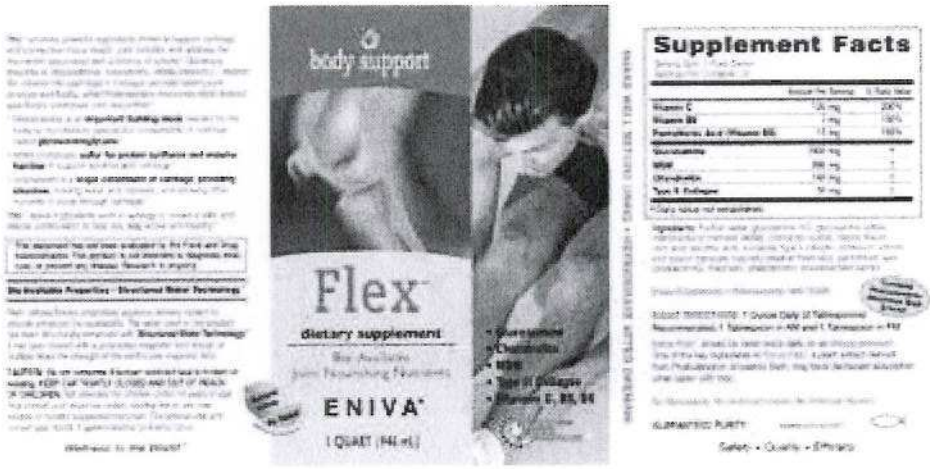

body support
Flex
dietary supplement
ENIVA
1 QUART (946 mL)
Supplement Facts

Exhibit 4

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 3,482,740
Registered Aug. 12, 2008

TRADEMARK
PRINCIPAL REGISTER

FLEXSOLUTIONS

NUTRASTAR INCORPORATED (CALIFORNIA CORPORATION)
1261 HAWK'S FLIGHT COURT
EL DORADO HILLS, CA 95762

FOR: NUTRITIONAL SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 11-16-2000; IN COMMERCE 11-16-2000.

SER. NO. 76-199,750, FILED 1-24-2001.

CURTIS FRENCH, EXAMINING ATTORNEY

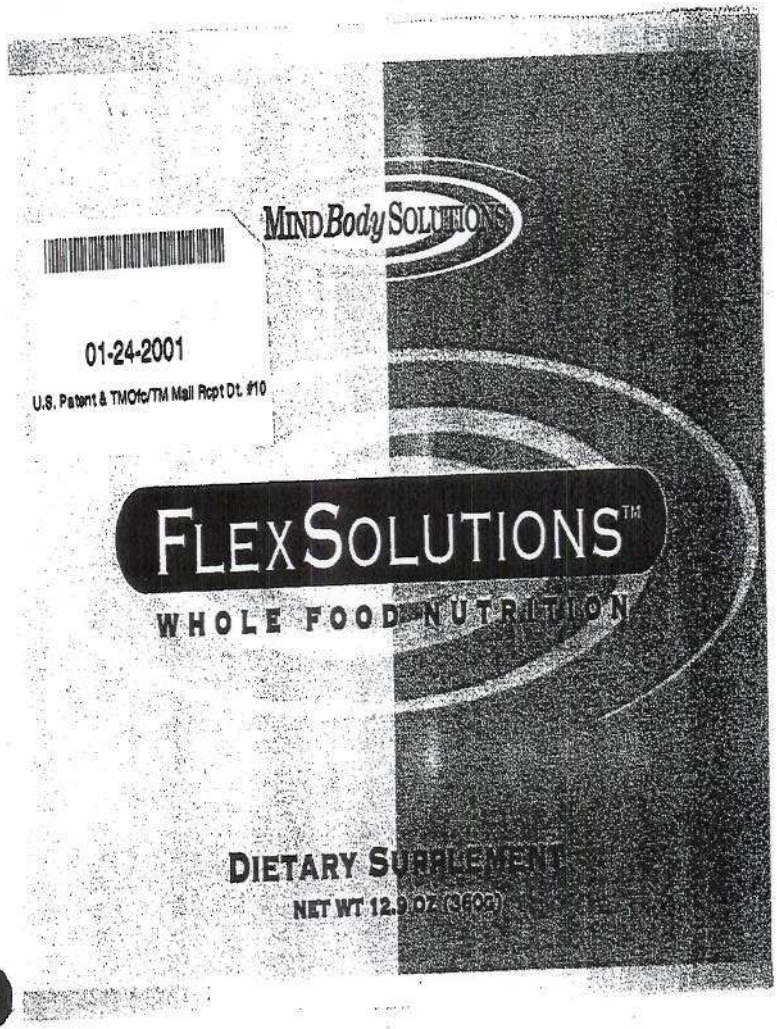

MIND Body SOLUTIONS
01-24-2001
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #10
FLEXSOLUTIONS™
WHOLE FOOD NUTRITION
DIETARY SUPPLEMENT

Exhibit 5

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 2,944,340

Registered Apr. 26, 2005

TRADEMARK
PRINCIPAL REGISTER

FLEX-RENEW

JOINTHEALTH.ORG, INC. (INDIANA CORPORATION)
300 W. JENNINGS, #102B
NEWBURGH, IN 47630

FOR: NUTRITIONAL SUPPLEMENT, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 11-1-2004; IN COMMERCE 11-1-2004.

SN 76-385,519, FILED 3-18-2002.

GLENN CLARK, EXAMINING ATTORNEY

Advanced Formula

FLEX RENEW™

Glucosamine
Chondroitin
MSM

Dietary Supplement
180 Tablets

www.jointhealth.org

SUPPLEMENT FACTS
Serving Size: 1 Tablet

Amount Per Serving	% Daily Value
Calcium 110mg	11%
Glucosamine Sulfate (as Potassium HCl) 300mg	*
MSM (Methyl Sulfonyl Methane) 300mg	*
Chondroitin Sulfate 240mg	*
**Bovine Free	

* Daily Value not established

Other Ingredients: Dicalcium Phosphate, Cellulose, Stearic Acid, Magnesium Stearate, and Modified Cellulose (Coating)

Contains NO yeast, starch, sugar, wheat, artificial colors, flavors or preservatives

Tamper Resistant:
If inner seal or outer band is broken, do not use.

SUGGESTED USE:
Two to four daily with water or juice.

Exhibit 6

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 3,264,195

Registered July 17, 2007

TRADEMARK
PRINCIPAL REGISTER

FLEX-CID

NUTRI-HEALTH SUPPLEMENTS, LLC (ARIZONA LTD LIAB CO)
218 JUSTIN DRIVE
COTTONWOOD, AZ 86326

FOR: DIETARY FOOD SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 7-6-2005; IN COMMERCE 7-6-2005.

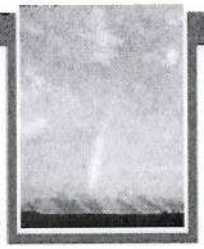
THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 77-034,357, FILED 11-1-2006.

ANDREA SAUNDERS, EXAMINING ATTORNEY

NUTRI HEALTH

A DIETARY SUPPLEMENT



Flex-CID™

A Highly Absorbable Form of Calcium, Isoflavone and Vitamin D

60 Tablets

SUPPLEMENT FACTS		
Serving Size: 1 Tablet (600mg)		
Servings Per Container: 60		
Each Serving Contains:		**%DV**
Isoflavone (aglycone)†	30 mg	*
Algal Calcium‡	500 mg	100%
Vitamin D_3 (cholecalciferol)†	400 IU	50%
Origin: † S.Korea, ‡ Ireland *Daily value not established		

Other Ingredients: microcrystalline cellulose, hydroxypropyl methylcellulose

*These statements have not been evaluated by the FDA. This products is not intended to diagnose, treat, cure or prevent any disease.

ITEM: 077

6 48575 00010 2

Not affiliated with NutriHealth USA, LLC

RexGene Biotech Co., LTD.

Flex-CID™ is a remarkable formulation for bone health and strength, containing a highly absorbable form of calcium with naturally occurring magnesium, that is 100% from algae sources, plus a sugar-free, non-soy form of isoflavone (aglycone). This product is not genetically modified.

Benefits: May help maintain healthy bones and lipid levels for both men and women. May encourage and sustain both peri-menopausal and post-menopausal health.*

Suggested Use: Take 2 tablets daily with meals, 1 with breakfast and 1 with dinner.

If pregnant, consult physician before taking.

Manufactured for: NUTRI•HEALTH
218 Justin Drive, Cottonwood AZ 86326
800-914-6311 • www.bestflora.com

Exhibit 7

Int. Cl.: 5
Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52
United States Patent and Trademark Office
Corrected

Reg. No. 2,625,765
Registered Sep. 24, 2002
OG Date Mar. 22, 2005

TRADEMARK
PRINCIPAL REGISTER

FLEX ABLE

AMERIFIT, INC. (DELAWARE CORPORATION)
166 HIGHLAND PARK DRIVE
BLOOMFIELD, CT 06002

FOR: DIETARY AND NUTRITIONAL SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 5-29-2001; IN COMMERCE 5-29-2001.

SER. NO. 75-896,013, FILED 1-13-2000.

In testimony whereof I have hereunto set my hand and caused the seal of The Patent and Trademark Office to be affixed on Mar. 22, 2005.

DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE

FlexAble™ Brand

Glucosamine & Chondroitin

Sugar-Free Orange Drink Mix

Now with VITAMIN C! For Added Joint Support*

Just one per day!

Dietary Supplement

Net wt. 105 grams

3.7 ounces

30 Packets

FlexAble™ Brand

Glucosamine & Chondroitin

Sugar-Free Orange Drink Mix

Just one convenient drink per day provides the suggested amount of glucosamine, plus chondroitin and vitamin C to help promote healthy joints and reduce minor joint discomfort due to aging or exercise.* Each drink mix is easily digested, readily absorbed and utilized in the body to help ensure lasting benefits for your joints and cartilage.*

Glucosamine HCl:
Glucosamine is a natural substance noted to play a role in the health and resiliency of joints.* Glucosamine helps build cartilage to maintain range of motion and joint flexibility.*

Chondroitin Complex:
Chondroitin sulfate is a vital, natural compound that supports ease of movement by lubricating joint membranes.* Hydrolyzed gelatin is an excellent protein source that helps maintain joint connective tissue.*

Vitamin C:
A powerful antioxidant that helps neutralize free radicals in joint tissue.* It's also necessary for the body's formation of collagen, the chief protein substance in the connective tissue that protects joints.*

Money-Back Guarantee

If you are not completely satisfied with this product, return the unused portion to the address on package for a full refund.

*THESE STATEMENTS HAVE NOT BEEN EVALUATED BY THE FDA. THIS PRODUCT IS NOT INTENDED TO DIAGNOSE, TREAT, CURE OR PREVENT ANY DISEASE.

Exhibit 8

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 2,730,306

Registered June 24, 2003

TRADEMARK
PRINCIPAL REGISTER

FLEX 4LIFE

4LIFE RESEARCH, L.C. (UTAH LIMITED LIABILITY COMPANY)
9850 SOUTH 300 WEST
SANDY, UT 840703262

FOR: DIETARY SUPPLEMENTS; VITAMIN, MINERAL AND HERBAL SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 3-0-2002; IN COMMERCE 3-0-2002.

SN 76-322,894, FILED 10-9-2001.

JEFF DEFORD, EXAMINING ATTORNEY

Exhibit 9

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 3,183,907
Registered Dec. 12, 2006

TRADEMARK
PRINCIPAL REGISTER

Flex Defense

FLORA MANUFACTURING & DISTRIBUTING, LTD. (CANADA CORPORATION)
7400 FRASER PARK DRIVE
BURNABY, BRITISH COLUMBIA, CANADA V5J 5B9

FOR: DIETARY SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 3-7-2006; IN COMMERCE 3-7-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-855,142, FILED 4-5-2006.

NAAKWAMA ANKRAH, EXAMINING ATTORNEY

UDO'S CHOICE

Flex Defense™ Enzyme Blend

Help for Sore Joints & Muscles
Dietary Supplement

60 CAPSULES

Udo's Choice® Flex Defense™ Enzyme Blend contains seven potent proteolytic plant-based enzymes, including bromelain, to help reduce discomfort from minor pain and stiffness in joints and muscles without side effects.* These enzymes also act as catalysts to activate body defenses to help maintain a healthy immune response and to assist in the healing processes.*

*These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease.

SUPPLEMENT FACTS

Serving Size: 3 capsules

Amt. per capsule	% Daily Value
Proflavine 100	2.5 mg*
Bromelain	250,000 HUT*
Proflavine 6.0	5,000 HUT*
Papain	167,000 USP*
Peptidase	5,000 HUT*
Proflavine (Lipase)	16,700 FCC*
Proflavine (Amylase)	167 FCC*

*Daily Value not established

OTHER INGREDIENTS: Microcrystalline cellulose, magnesium stearate and silicon dioxide in a vegetarian capsule made of cellulose and hypromellose (HPC).

PRODUCT OF CANADA
DISTRIBUTED BY: FLORA, INC.
P.O. BOX 72, LYNDEN, WA 98264
1.800.446.2134
PRINTED IN CANADA 10/06

SUGGESTED USE: Take one capsule up to three times daily on an empty stomach. Shake is not recommended.

CAUTION: Keep out of reach of children. In case of accidental ingestion, consult a physician immediately. Do not use if pregnant without reading.

Sensibly sound for your good health.
Do not use if seal is missing or damaged.

1.800.446.2134
www.floraheath.com
www.udoschoice.com

0 61998 01575 3

LOT

EXP

Exhibit 10

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 3,238,414
Registered May 1, 2007

TRADEMARK
PRINCIPAL REGISTER

FLEX DRIVE

MIND SPORTS NUTRITION INC (NEW JERSEY CORPORATION)
38 INDUSTRIAL WAY EAST
EATONTOWN, NJ 07724

FOR: DIETARY AND NUTRITIONAL SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 6-30-2006; IN COMMERCE 6-30-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 78-853,334, FILED 4-4-2006.

MICHAEL SOUDERS, EXAMINING ATTORNEY

Exhibit 11

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 3,265,045

Registered July 17, 2007

TRADEMARK
PRINCIPAL REGISTER

FLEX-FORCE

CORTA-FLX, INC. (SOUTH CAROLINA CORPORATION)
2969 WAGONER ROAD
AIKEN, SC 29801

FOR: DIETARY AND NUTRITIONAL SUPPLEMENTS; FOOD SUPPLEMENTS; NUTRITIONAL SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 11-11-1998; IN COMMERCE 11-11-1998.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-970,752, FILED 9-9-2006.

SCOTT BALDWIN, EXAMINING ATTORNEY

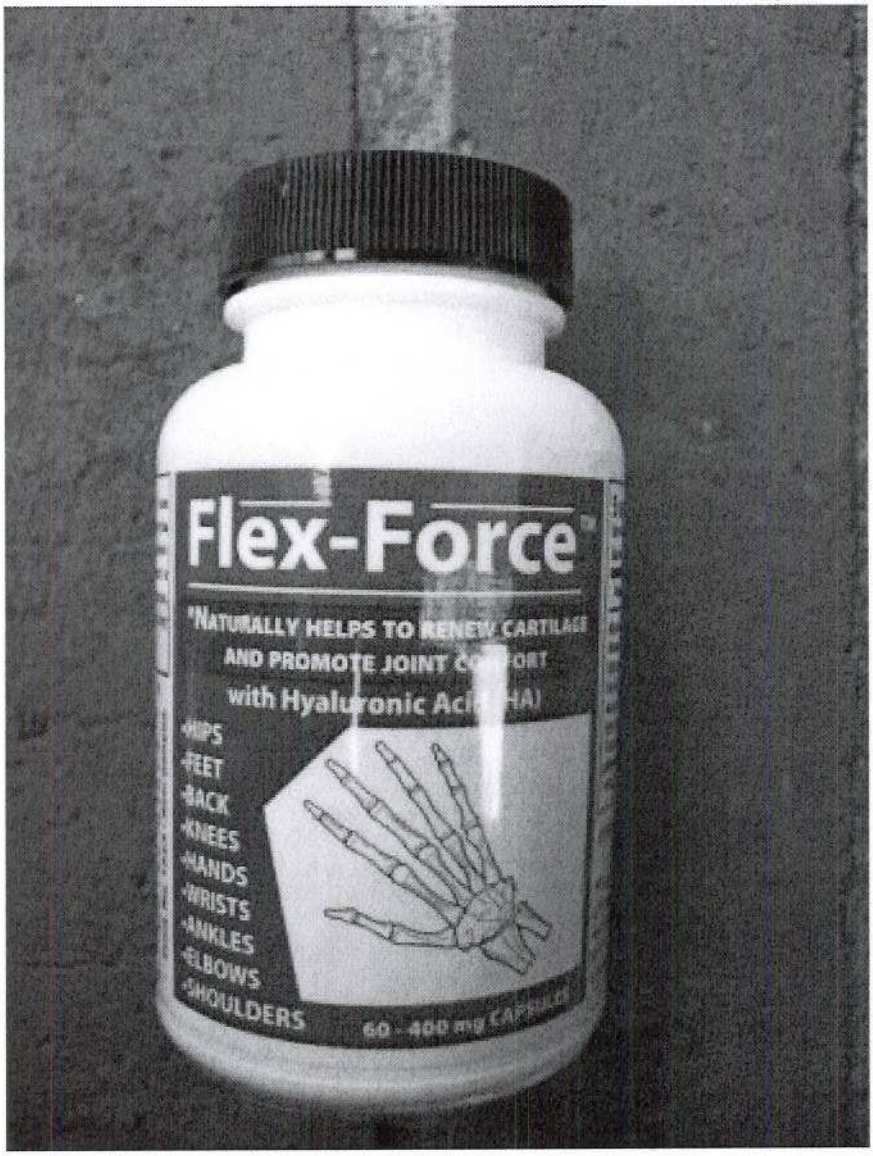

Flex-Force
*NATURALLY HELPS TO RENEW CARTILAGE
AND PROMOTE JOINT
with Hyaluronic
•HIPS
•FEET
•BACK
•KNEES
•HANDS
•WRISTS
•ANKLES
•ELBOWS
•SHOULDERS

Exhibit 12

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 3,295,442

Registered Sep. 18, 2007

TRADEMARK
PRINCIPAL REGISTER

FLEX FREE

L. PERRIGO COMPANY (MICHIGAN CORPORATION)

117 WATER STREET

ALLEGAN, MI 49010

FOR: DIETARY SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 2-17-2007; IN COMMERCE 2-17-2007.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 2,457,987.

SN 78-797,046, FILED 1-23-2006.

ZACHARY BELLO, EXAMINING ATTORNEY

Exhibit 13

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 2,610,766
Registered Aug. 20, 2002

TRADEMARK
PRINCIPAL REGISTER

FLEX*SURE

BEHAN, MARY J. (UNITED STATES INDIVIDUAL)
5 NOAH PLACE
SOHUNTINGTON, NY 11746

FOR: DIETARY SUPPLEMENT, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 4-12-2001; IN COMMERCE 7-6-2001.

SN 78-065,122, FILED 5-22-2001.

RONALD MCMORROW, EXAMINING ATTORNEY

Exhibit 14

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 3,184,706

Registered Dec. 12, 2006

TRADEMARK
PRINCIPAL REGISTER

FLEXACTIVE

GLOBAL HEALTH LABORATORIES (NEW YORK CORPORATION)
9500 NEW HORIZONS BLVD.
AMITYVILLE, NY 117011155

FOR: DIETARY SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 8-11-2006; IN COMMERCE 8-11-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 78-584,601, FILED 3-10-2005.

STEPHANIE DAVIS, EXAMINING ATTORNEY

Nutritional Support for
Healthy Joint Function.*

FlexActive™ Glucosamine Chondroitin with MSM is a targeted, condition-specific formulation designed to nutritionally support healthy joint function. Each triple-action tablet supplies the critical joint nutrients – glucosamine sulfate, chondroitin sulfate and methylsulfonylmethane (MSM) – for peak joint lubrication and mobility.*

Free from artificial colors and preservatives. Free from the common allergens yeast, wheat, corn, soy and milk.

DIRECTIONS: As a dietary supplement, three tablets once daily.

IN A SPECIAL BASE WHICH PROVIDES FOR THE GRADUAL RELEASE OF INGREDIENTS OVER A PROLONGED PERIOD OF TIME.

HYPO-ALLERGENIC. KEEP TIGHTLY CLOSED IN A COOL, DRY PLACE. KEEP OUT OF REACH OF CHILDREN.

*These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.

THIS IS NOT A PRESCRIPTION PRODUCT. It is a dietary supplement made with the highest possible quality standards.

Global Health Laboratories

FlexActive™

GLUCOSAMINE CHONDROITIN *with* MSM

EXTENDED DELIVERY

DIETARY SUPPLEMENT
60 TABLETS

Supplement Facts

Serving Size 3 Extended-Delivery Tablets
Servings Per Container 20

	Amount Per Serving	% Daily Value
Vitamin C (as calcium ascorbate)	200 mg	333%
Manganese (as glycinate)	20 mg	1000%
Glucosamine Sulfate (as aminomonosaccharide)	1000 mg	†
MSM (methylsulfonylmethane)	1000 mg	†
Chondroitin Sulfate (as porcine, N-Acetyl-D-galactosamine 4-sulfate)	300 mg	†

†Daily Value not established.

Other ingredients: microcrystalline cellulose, dicalcium phosphate, stearic acid, magnesium stearate, silica and pharmaceutical glaze.

OptiMSM®

Global Health Laboratories
9500 New Horizons Blvd.
Amityville, New York 11701-1155
www.globalhealthlabs.com

PRODUCT NO. 4923

0 97467 04923 9

Exhibit 15

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 3,182,567

Registered Dec. 12, 2006

TRADEMARK
PRINCIPAL REGISTER

FLEXAJOINT

GENE BIOTECHNOLOGY CORPORATION (CALIFORNIA CORPORATION)
3440 WILSHIRE BOULEVARD, SUITE 810
LOS ANGELES, CA 90010

FOR: DIETARY AND NUTRITIONAL FOOD SUPPLEMENT FOR USE IN THE TREATMENT OF AND PROTECTION OF JOINTS AND JOINT RELATED CONDITIONS , IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 7-14-2000; IN COMMERCE 7-14-2000.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-510,315, FILED 11-3-2004.

LINDA M. KING, EXAMINING ATTORNEY

Exhibit 16

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

Reg. No. 2,393,997

United States Patent and Trademark Office

Registered Oct. 10, 2000

TRADEMARK
PRINCIPAL REGISTER

FLEX-EASE

VIRBAC AH, INC. (DELAWARE CORPORATION)
3200 MEACHAM BLVD.
FORT WORTH, TX 76137 BY MERGER; BY ASSIGNMENT VIRBAC, INC. (DELAWARE CORPORATION) FORT WORTH, TX 76137

FOR: VETERINARY MEDICINAL SUPPLEMENTS FOR RELIEVING JOINT PAIN IN PETS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).
FIRST USE 7–15–1998; IN COMMERCE 7–15–1998.

SN 75–504,938, FILED 6–18–1998.

TRACY FLETCHER, EXAMINING ATTORNEY

Exhibit 17

Int. Cls.: 5, 29, 30, 31 and 32

Prior U.S. Cls.: 1, 6, 18, 44, 45, 46, 48, 51 and 52

United States Patent and Trademark Office

Reg. No. 3,445,050

Registered June 10, 2008

TRADEMARK
PRINCIPAL REGISTER

DSM IP ASSETS B.V. (NETHERLANDS LTD LIAB CO)
HET OVERLOON 1
HEERLEN, NETHERLANDS NL-6411TE

FOR: DIETETIC PREPARATIONS AND SUBSTANCES ADAPTED FOR MEDICAL USE, NAMELY, DIETETIC FOODS ADAPTED FOR MEDICAL USE, DIETARY AND NUTRITIONAL SUPPLEMENTS; FOOD SUPPLEMENTS FOR MEDICAL USE; DIETETIC BEVERAGES ADAPTED FOR MEDICAL PURPOSES; VITAMINS; VITAMIN PREPARATIONS; NATURAL MEDICINES, NAMELY, NATURAL PHARMACEUTICAL PREPARATIONS FOR THE TREATMENT AND PREVENTION OF OSTEOARTHRITIS AND SIMILAR CONDITIONS, NAMELY, TREATING AND PREVENTING FLEXIBILITY OR MOBILITY CONDITIONS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FOR: PRESERVED, FROZEN, DRIED AND COOKED FRUITS AND VEGETABLES; JELLIES, JAMS, COMPOTES; EDIBLE OILS , IN CLASS 29 (U.S. CL. 46).

FOR: FLOUR; PREPARATIONS MADE FROM CEREALS, NAMELY, BREAKFAST CEREALS, READY TO EAT CEREAL DERIVED FOOD BARS; BREAD, PASTRY; BISCUITS; COOKIES; TEA; TEA-BASED BEVERAGES, IN CLASS 30 (U.S. CL. 46).

FOR: FLOWER, FRUIT, WHEAT SEEDS; NATURAL PLANTS AND FLOWERS; FRESH FRUITS AND VEGETABLES, IN CLASS 31 (U.S. CLS. 1 AND 46).

FOR: MINERAL AND AERATED WATERS; SYRUPS FOR MAKING BEVERAGES; PREPARATIONS FOR MAKING FRUIT DRINKS, FRUIT JUICES, MINERAL AND AERATED WATERS, SYRUPS FOR MAKING BEVERAGES, NON-ALCOHOLIC SPORT DRINKS IN THE NATURE OF SOFT DRINKS; NON-ALCOHOLIC ENERGY DRINKS; FRUIT DRINKS AND FRUIT JUICES; NON-ALCOHOLIC SPORT DRINKS IN THE NATURE OF SOFT DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

PRIORITY CLAIMED UNDER SEC. 44(D) ON BENELUX APPLICATION NO. 1142663, FILED 9-7-2007, REG. NO. 829821, DATED 9-14-2007, EXPIRES 9-7-2017.

THE MARK CONSISTS OF THE TERMS "I-FLEX ... I CAN FLEX FREELY" IN STYLIZED FORM.

SER. NO. 77-325,256, FILED 11-8-2007.

CHARLOTTE CORWIN, EXAMINING ATTORNEY


i-flex
...i can flex freely

Exhibit 18

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 2,780,394

Registered Nov. 4, 2003

TRADEMARK
PRINCIPAL REGISTER

TotalFLEX

IVC INDUSTRIES, INC. (NEW JERSEY CORPORATION)
500 HALLS MILL ROAD
FREEHOLD, NJ 07728

FOR: VITAMINS AND FOOD SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 1-29-2002; IN COMMERCE 4-22-2002.

SN 76-381,809, FILED 3-13-2002.

TONI HICKEY, EXAMINING ATTORNEY


Exclusively for
ECKERD
NO ARTIFICIAL COLORS
NO PRESERVATIVES
Inner Splendor
Orange Flavored
TotalFLEX
Glucosamine/Chondroitin
Healthy Joints
Dietary Supplement
60 CHEWABLE TABLETS
SAFETY SEALED: DO NOT USE IF PRINTED SEAL UNDER CAP IS CUT, TORN, OR MISSING.
Supplement Facts
Each Tablet Contains
% Daily Value
Calories 10
Total Carbohydrate 2 g
Sugars 1.6 g
Glucosamine Hydrochloride 250 mg
Chondroitin Sulfate Calcium 5x5 200 mg
Sodium 35 mg
1%
* Percent Daily Values are based on a 2,000 calorie diet.
** Daily Value not established.
† These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease.

Exhibit 19

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 2,699,705

Registered Mar. 25, 2003

TRADEMARK
PRINCIPAL REGISTER

Syn•flex

ACTIVEX AMERICA, INC. (FLORIDA CORPORATION)
3018 AVENUE C
HOLMES BEACH, FL 34217

FOR: NUTRACEUTICAL FOR USE AS A DIETARY SUPPLEMENT FOR HUMANS AND FAMILY PETS, NAMELY, A LIQUID GLUCOSAMINE FORMULA USED FOR JOINT CARE; CARTILAGE CARE; AND ARTHRITIS CARE , IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 4-10-2001; IN COMMERCE 8-24-2001.

SER. NO. 76-338,252, FILED 11-15-2001.

KAREN K. BUSH, EXAMINING ATTORNEY

CAUTION: If you are allergic to shellfish or pregnant, please consult with your family physician before using any glucosamine product.

For More Information Visit:
www.activexamerica.com

These statements have not been evaluated by the U.S. Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.

End Your Arthritis Pain

with

Syn•flex™

Fast Acting Relief for Humans and Pets

Exhibit 20

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

Reg. No. 2,203,323

United States Patent and Trademark Office

Registered Nov. 10, 1998

TRADEMARK
PRINCIPAL REGISTER

SUPER FLEX

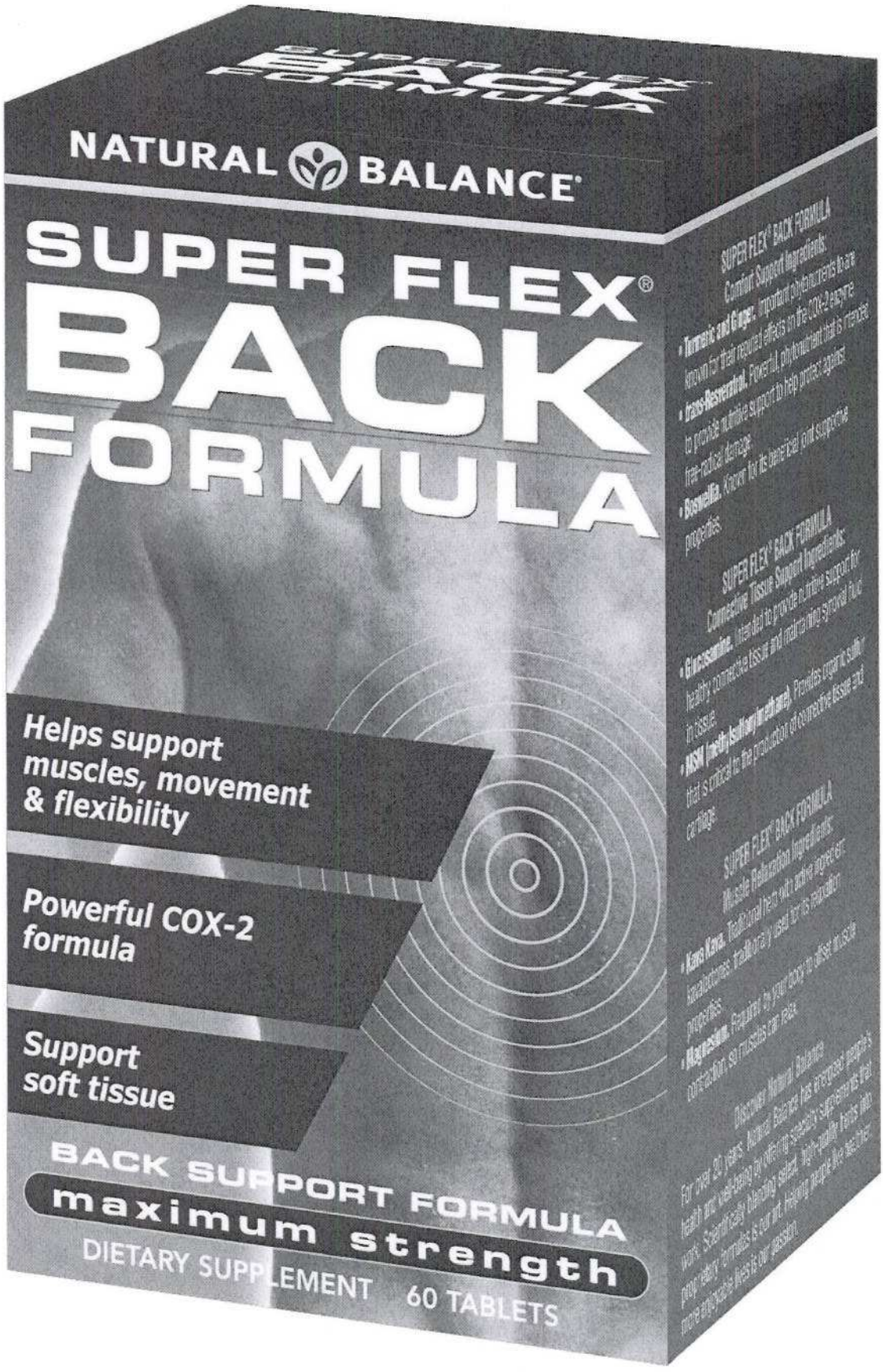
NATURAL BALANCE, INC. (COLORADO CORPORATION)
3130 NORTH COMMERCE COURT
CASTLE ROCK, CO 80104

FOR: DIETARY SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 7-31-1997; IN COMMERCE 7-31-1997.

SN 75-311,373, FILED 6-19-1997.

IRA J. GOODSAID, EXAMINING ATTORNEY


SUPER FLEX BACK FORMULA
NATURAL BALANCE
SUPER FLEX®
BACK
FORMULA
Helps support muscles, movement & flexibility
Powerful COX-2 formula
Support soft tissue
BACK SUPPORT FORMULA
maximum strength
DIETARY SUPPLEMENT 60 TABLETS
SUPER FLEX® BACK FORMULA
Comfort Support Ingredients:
• Turmeric and Ginger. Important phytonutrients that are known for their natural effects in the COX-2 enzyme.
• trans-Resveratrol. Powerful phytonutrient that is intended to provide nutritive support to help protect against free-radical damage.
• Boswellia. Known for its beneficial joint supportive properties.
SUPER FLEX® BACK FORMULA
Connective Tissue Support Ingredients:
• Glucosamine. Intended to provide nutritive support for healthy connective tissue and maintaining synovial fluid in tissue.
• MSM (methylsulfonylmethane). Provides organic sulfur that is critical in the production of connective tissue and cartilage.
SUPER FLEX® BACK FORMULA
Muscle Relaxation Ingredients:
• Kava Kava. Traditional herb with active agent for headaches. Traditionally used for its relaxation properties.
• Magnesium. Required by your body to relax muscle contraction. 50 muscles can relax.
Discover Natural Balance
For over 20 years, Natural Balance has empowered people's health and well-being by offering quality, safe pet products that work. Scientifically blending select, high-quality foods into proprietary formulas is our art. Helping people live healthier, more enjoyable lives is our passion.

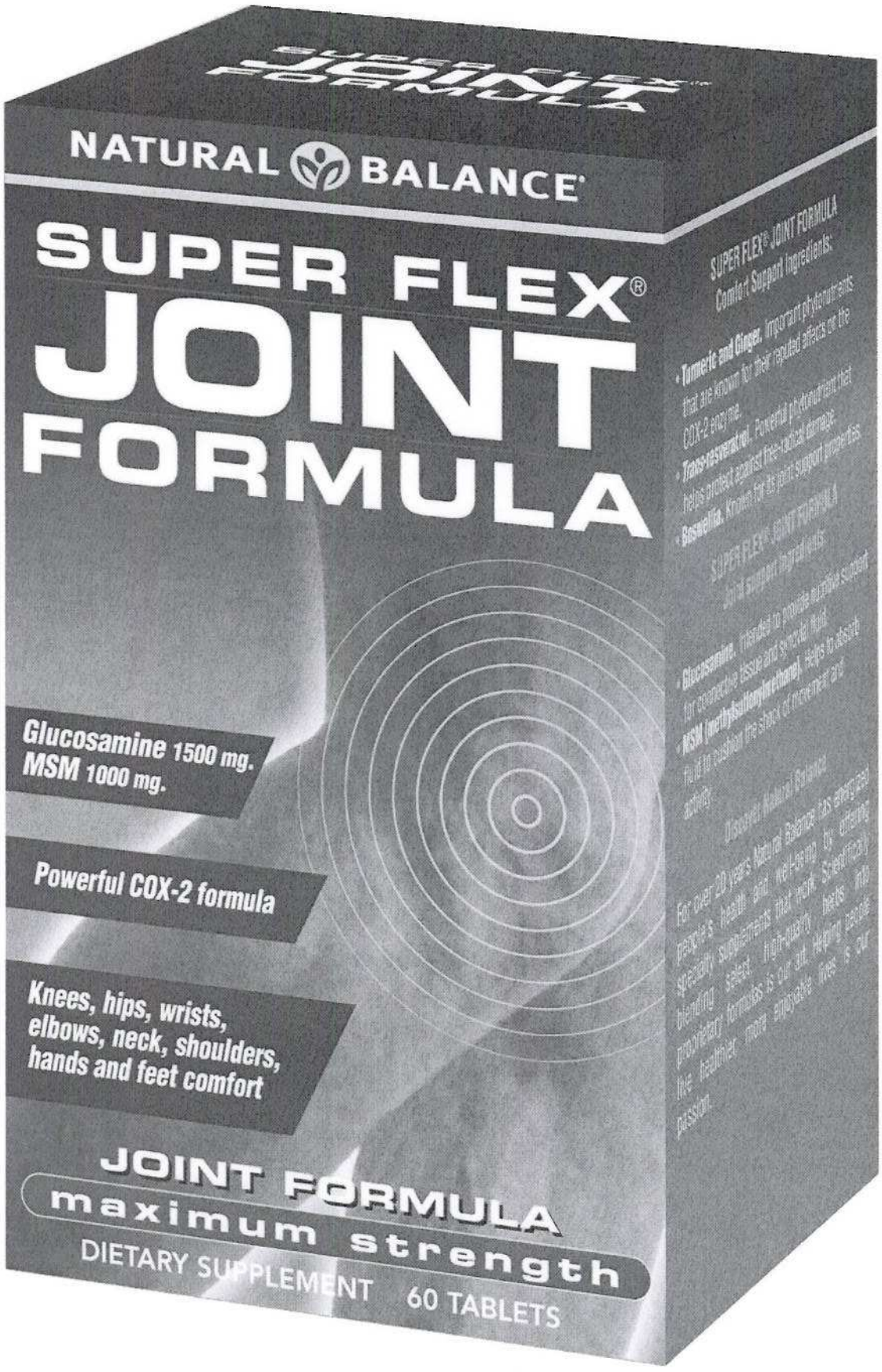

SUPER FLEX JOINT FORMULA
NATURAL BALANCE
SUPER FLEX®
JOINT
FORMULA
Glucosamine 1500 mg.
MSM 1000 mg.
Powerful COX-2 formula
Knees, hips, wrists, elbows, neck, shoulders, hands and feet comfort
JOINT FORMULA
maximum strength
DIETARY SUPPLEMENT 60 TABLETS
SUPER FLEX® JOINT FORMULA
Comfort Support Ingredients:
• Turmeric and Ginger. Important phytonutrients that are known for their reputed effects on the COX-2 enzyme.
• Trans-resveratrol. Powerful phytonutrient that helps protect against free-radical damage.
• Boswellia. Known for its joint support properties.
SUPER FLEX® JOINT FORMULA
Joint support ingredients:
• Glucosamine. Intended to promote supple support for connective tissue and synovial fluid.
• MSM (methylsulfonylmethane). Helps to absorb fluid to cushion the shock of movement and activity.
Discover Natural Balance
For over 20 years Natural Balance has emerged people's health and well-being by offering specialty supplements that work. Scientifically blending select high-quality herbs into proprietary formulas is our art. Helping people live healthier more enjoyable lives is our passion.

Exhibit 21

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 2,659,325

Registered Dec. 10, 2002

TRADEMARK
PRINCIPAL REGISTER

SO FLEX

SOTERIA CORPORATION (MICHIGAN CORPORATION)
6000 CLYDE PARK SW, SUITE 2-B
WYOMING, MI 49509

FOR: DIETARY SUPPLEMENTS, NAMELY NON-PRESCRIPTION NUTRITION SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 10-6-2001; IN COMMERCE 10-6-2001.

SER. NO. 76-378,953, FILED 3-6-2002.

FRED MANDIR, EXAMINING ATTORNEY

SOLERIA

Sclex™

Supports joint fu

Dietary Supplement
Standardized • 90 Caplets

Suggested Use: As a dietary supplement, adults, 1 to 2 caplets up to 3 times per day.
Drink at least 8 glasses of water daily.
Contains no salt, sugar, solvents, dairy products, coloring, flavoring, or preservatives.

* These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.

Warning: Keep out of the reach of children. Do not use if tamper-evident seal is broken or missing. Keep away from light. If allergic to Shell Fish contact care provider before use.

Supplement Facts

Serving Size 1 Caplet Servings per Container: 90

Amount Per Serving		%Daily Value
Vitamin C (as Ascorbic Acid)	100 mg	167%
Zinc (as Zinc Citrate)	10 mg	67%
Manganese (as Manganese Citrate)	5 mg	250%
Proprietary Blend	775 mg	*

Glucosamine Sulfate, Methylsulfonylmethane (MSM), Chicken Collagen Type II, Chondroitin Sulfate, Yucca (root), Turmeric Extract (rhizome), Indian Frankincense (gum resin), Quercetin.

*Daily Value not established.

Other ingredients: Cellulose, Croscarmellose Sodium, Di-Calcium Phosphate, Magnesium Stearate, Maltodextrin, Microcrystalline Cellulose, Silica, Stearic Acid.

Soleria Corporation
Wyoming, MI 49509 • www.solericorp.com

So-030

8 33001 00030 0

1481

SOLERIA

Sclex™

Supports joint fu

Dietary Supplement
Standardized • 90 Caplets

Suggested Use: As a dietary supplement, adults, 1 to 2 caplets up to 3 times per day.
Drink at least 8 glasses of water daily.
Contains no salt, sugar, solvents, dairy products, coloring, flavoring, or preservatives.

* These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.

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Proprietary Blend	775 mg	*

Glucosamine Sulfate, Methylsulfonylmethane (MSM), Chicken Collagen Type II, Chondroitin Sulfate, Yucca (root), Turmeric Extract (rhizome), Indian Frankincense (gum resin), Quercetin.

*Daily Value not established.

Other ingredients: Cellulose, Croscarmellose Sodium, Di-Calcium Phosphate, Magnesium Stearate, Maltodextrin, Microcrystalline Cellulose, Silica, Stearic Acid.

Soleria Corporation
Wyoming, MI 49509 • www.solericorp.com

So-030

8 33001 00030 0

1481

SOLERIA

Sclex™

Supports joint fu

Dietary Supplement
Standardized • 90 Caplets

Suggested Use: As a dietary supplement, adults, 1 to 2 caplets up to 3 times per day.
Drink at least 8 glasses of water daily.
Contains no salt, sugar, solvents, dairy products, coloring, flavoring, or preservatives.

* These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.

Warning: Keep out of the reach of children. Do not use if tamper-evident seal is broken or missing. Keep away from light. If allergic to Shell Fish contact care provider before use.

Supplement Facts

Serving Size 1 Caplet Servings per Container: 90

Amount Per Serving		%Daily Value
Vitamin C (as Ascorbic Acid)	100 mg	167%
Zinc (as Zinc Citrate)	10 mg	67%
Manganese (as Manganese Citrate)	5 mg	250%
Proprietary Blend	775 mg	*

Glucosamine Sulfate, Methylsulfonylmethane (MSM), Chicken Collagen Type II, Chondroitin Sulfate, Yucca (root), Turmeric Extract (rhizome), Indian Frankincense (gum resin), Quercetin.

*Daily Value not established.

Other ingredients: Cellulose, Croscarmellose Sodium, Di-Calcium Phosphate, Magnesium Stearate, Maltodextrin, Microcrystalline Cellulose, Silica, Stearic Acid.

Soleria Corporation
Wyoming, MI 49509 • www.solericorp.com

So-030

8 33001 00030 0

1481

Exhibit 22

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 2,691,428

Registered Feb. 25, 2003

TRADEMARK
PRINCIPAL REGISTER

PUREFLEX

TECHNICAL SOURCING INTERNATIONAL, INC. (MONTANA CORPORATION)
210 WEST MAIN, SUITE 101
MISSOULA, MT 59802

FOR: NUTRITIONAL DIETARY SUPPLEMENTS SOLD IN BULK, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 8-0-2000; IN COMMERCE 8-0-2000.

SN 76-105,316, FILED 8-7-2000.

BRIAN BROWN, EXAMINING ATTORNEY

Exhibit 23

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 2,744,735

Registered July 29, 2003

TRADEMARK
PRINCIPAL REGISTER

PHARMAFLEX

PURETEK CORPORATION (CALIFORNIA CORPORATION)
200 PARKSIDE DRIVE
SAN FERNANDO, CA 91340

FOR: DIETARY AND NUTRITIONAL SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 8-1-2001; IN COMMERCE 10-1-2001.

SN 76-975,521, FILED 4-16-2001.

DAVID C. REIHNER, EXAMINING ATTORNEY

Exhibit 24

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 3,355,958

Registered Dec. 18, 2007

TRADEMARK
PRINCIPAL REGISTER

MARTEX NUTRITION,INC (FLORIDA CORPORATION)
7230 NW 33 STREET
MIAMI, FL 33122

FOR: DIETARY AND NUTRITIONAL SUPPLEMENTS; DIETARY SUPPLEMENTS; DIETARY SUPPLEMENTS FOR HUMAN CONSUMPTION; MINERAL NUTRITIONAL SUPPLEMENTS; NUTRITIONAL SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 7-10-2006; IN COMMERCE 7-10-2006.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MAXIMUM STRENGTH", "4", "GLUCOSAMINE", "CHRONDROITIN", "MSM", "CHELATED TRACE MINERALS", APART FROM THE MARK AS SHOWN.

THE COLOR(S) ORANGE, YELLOW AND GREEN IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE COLORS ORANGE AND YELLOW APPEAR IN THE WORDING NUTRA FLEX AND IN THE NUMBER 4; THE OUTLINE OF THE OUTER CIRCLE SURROUNDING THE 4 AND THE INNER CIRCLE APPEAR IN ORANGE; THE OUTLINE OF THE TRIANGULAR SHAPE APPEARS IN ORANGE; THE WORDS MAXIMUM STRENGTH APPEAR IN GREEN; THE WORDS GLUCOSAMINE, CHONDROITIN, MSM, AND CHELATED TRACE MATERIALS APPEARS IN GREEN. THE INNER CIRCLE AND BACKGROUND TO THE WORDS GLUCOSAMINE, CHONDROITIN, MSM, AND CHELATED TRACE MATERIALS APPEARS IN YELLOW; THE INNER CIRCLE AND BACKGROUND BEHIND THE NUMBER 4 APPEARS IN LIGHT ORANGE.

SER. NO. 77-173,026, FILED 5-4-2007.

GINA HAYES, EXAMINING ATTORNEY

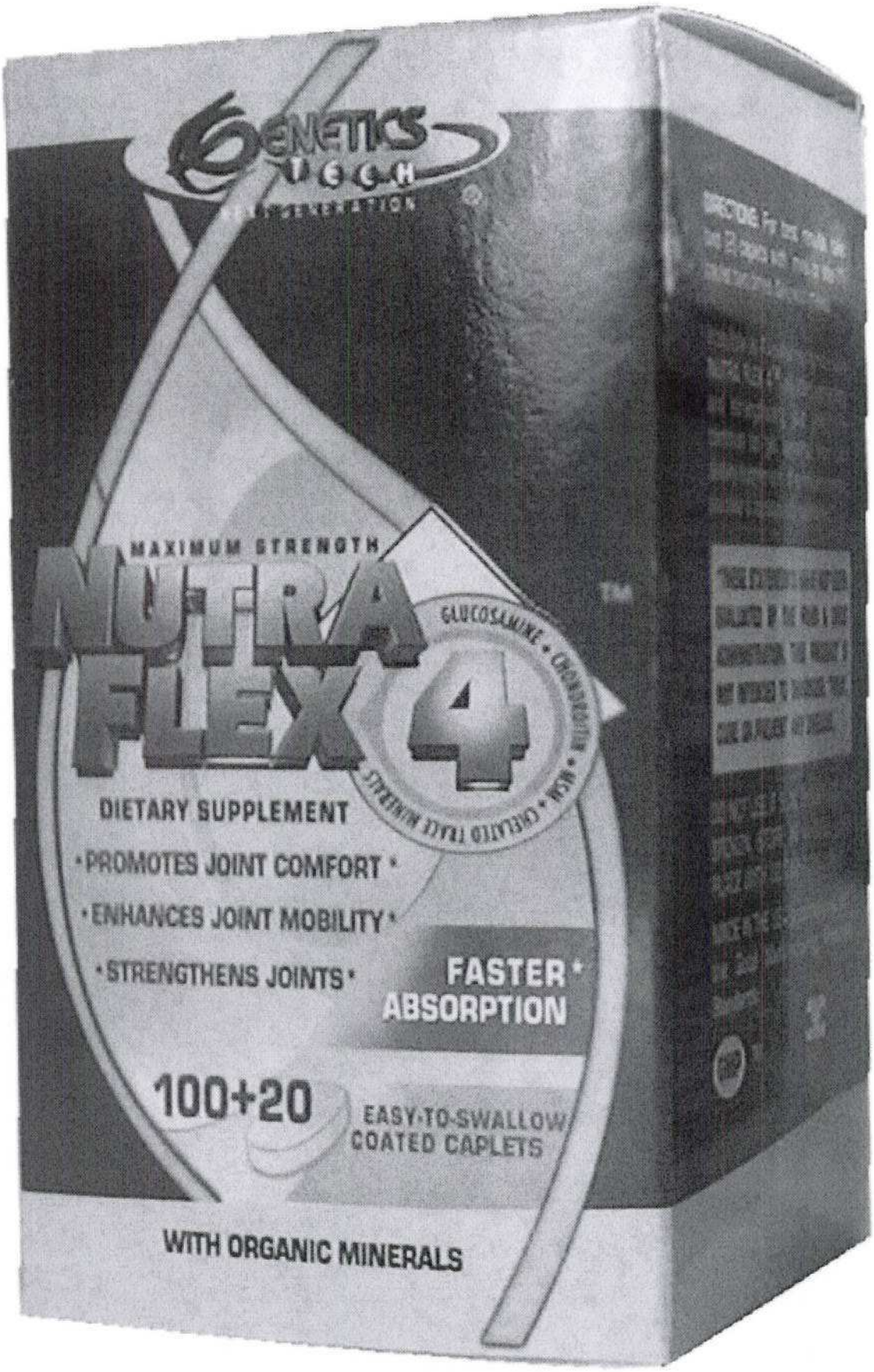

GENETICS
TECH
MAXIMUM STRENGTH
NUTRA FLEX 4
GLUCOSAMINE • CHONDROITIN • MSM • CHELATED TRACE MINERALS
DIETARY SUPPLEMENT
• PROMOTES JOINT COMFORT •
• ENHANCES JOINT MOBILITY •
• STRENGTHENS JOINTS •
FASTER • ABSORPTION
100+20
EASY-TO-SWALLOW COATED CAPLETS
WITH ORGANIC MINERALS

Exhibit 25

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 2,838,272

Registered May 4, 2004

TRADEMARK
PRINCIPAL REGISTER

Nu-Flex

AMERIDEN INTERNATIONAL, LLC (CALIFORNIA LTD LIAB CO)
P.O. BOX 1870
FALLBROOK, CA 92088

FOR: DIETARY FOOD SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 8-5-2000; IN COMMERCE 8-5-2000.

SER. NO. 76-523,166, FILED 6-16-2003.

STEVEN BERK, EXAMINING ATTORNEY

SUPPLEMENT FACTS

Serving size: 1 capsule Servings per container: 90	
Amount per serving	% Daily Value
Glucosamine Sulfate	400 mg *
Proprietary Blend	350 mg *
Each 750mg capsule contains the following proprietary blend: Plant cell derived Vitamin C, Magnesium (as aspartate), Zinc (as aspartate), Manganese (as aspartate), D-Phenylalanine, Sea Cucumber, Hydrolyzed Cartilage II, Chondroitin Sulfate, MSM, Alpha Lipoic Acid, L-Leucine, Boswellin, Bromelain, Papain, Boron Citrate, a synergistic blend of Devil's Claw (root), Guaiac (root), White Willow (bark), Flax Seed, Stinging Nettle (leaves), Celery Seed, and Turmeric (root)	
*Daily Value not established Other support ingredients: Plant Gelatin	

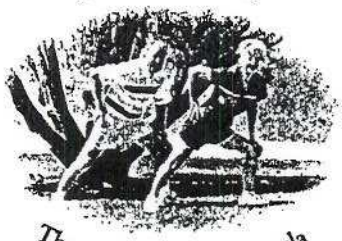
Directions: As a dietary supplement, take one (1) capsule before or with meals, three (3) times per day - morning, noon and evening. Continue until all capsules have been taken. Drink at least eight-8 ounce glasses of water per day.

Dosage requirements may vary and should be individualized.

Made in America

AMERIDEN

Nu-Flex



The Superior Joint Formula

90 capsules

WARNING: If you are pregnant, do not use without consulting your health care professional.

These statements have not been evaluated by the Food & Drug Administration. This product is not intended to diagnose, cure or prevent any disease.

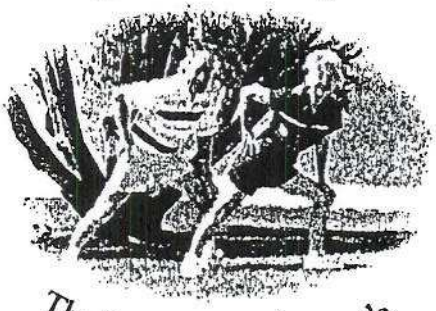
- Store in a cool dry place.
- Keep lid tightly closed and out of the reach of children.

Nu-Flex™ capsules are derived from 100% plant gelatin and contain no animal by-products.

6 50313 15001 7

AMERIDEN™ International LLC Fallbrook, CA 92088

Nu-Flex



The Superior Joint Formula

DO YOU KNOW THE TRUTH ABOUT GLUCOSAMINE & CHONDROITIN?

The latest research now reveals that Glucosamine & Chondroitin, on their own, fail in as many as 50% of all cases. That's right, the studies showed that they only worked ½ of the time. Enormous claims have made about these "Top Selling" supplements, but studies have proven these claims to be false!

What would a 50/50 chance do for you when you're in pain?
On there own Glucosamine & Chondroitin do not work fast enough for most people. That's because they are only two of the compounds normally found in cartilage. There are hundreds more. So by taking only Glucosamine & Chondroitin, you don't get the cartilage building benefits.

Are you really tired of the discomfort and swelling in your joints?
Are you experiencing the following conditions?

- **Arthritis**
- **Osteoarthritis**
- **Rheumatoid Arthritis**
- **Pain in your back, knees or elbows**
- **Fibromyalgia**

If you are and want...

- **Quick response**
- **Pain relief**
- **Tissue repair**
- **Renewed flexibility**

...then you should try Nu-Flex™.

Exhibit 26

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 2,764,728

Registered Sep. 16, 2003

TRADEMARK
PRINCIPAL REGISTER

MICRO-FLEX

ORIGIN GROUP INC., THE (GEORGIA CORPORATION)
P.O. BOX 72770
MARIETTA, GA 30007

FOR: DIETARY AND NUTRITIONAL SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 9-1-2000; IN COMMERCE 9-1-2000.

SN 76-073,012, FILED 6-19-2000.

GLENN CLARK, EXAMINING ATTORNEY

[redacted]

The Origin Group Inc. MICROF-FLEX
76/073012

Label on Back of Specimen

Exhibit 27

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 3,075,052

Registered Apr. 4, 2006

TRADEMARK
PRINCIPAL REGISTER

MEGAFLEX

GOLDEN PRIDE, INC. (FLORIDA CORPORATION)
1501 NORTHPOINT PARKWAY
WEST PALM BEACH, FL 33407

FOR: NUTRITIONAL SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 8-0-1997; IN COMMERCE 8-0-1997.

SER. NO. 76-376,797, FILED 3-1-2002.

BARNEY CHARLON, EXAMINING ATTORNEY

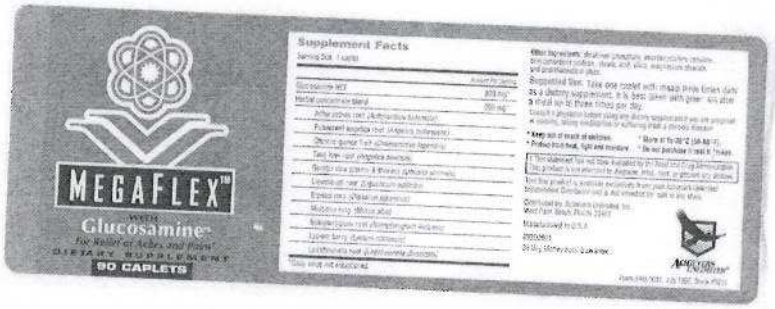

MEGAFLEX™
with
Glucosamine
DIETARY SUPPLEMENT
90 CAPLETS
Supplement Facts
Serving Size 1 caplet
Amount Per Serving
Glucosamine HCl
Herbal concentrate blend
Suggested Use: Take one caplet with meal three times daily as a dietary supplement. It is best taken with water and after a meal up to three times per day.
Keep out of reach of children.
Protect from heat, light and moisture.
Store at 15-30°C (59-86°F).
Do not purchase if seal is broken.
This statement has not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.
Distributed by: Schiavon Enterprises, Inc.
West Palm Beach, FL 33407
Manufactured in U.S.A.
Sealed for your protection.
Do not buy if seal is broken.

Exhibit 28

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 3,209,491
Registered Feb. 13, 2007

TRADEMARK
PRINCIPAL REGISTER

Lubriflex^3

WEIDER NUTRITION INTERNATIONAL, INC.
(DELAWARE CORPORATION)
2002 SOUTH 5070 WEST
SALT LAKE CITY, UT 84104

FOR: DIETARY SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 9-10-2004; IN COMMERCE 9-10-2004.

SN 76-608,289, FILED 8-19-2004.

TINA KUAN, EXAMINING ATTORNEY


Lubriflex3
WORKS IN ONE WEEK!
TRIPLE ACTION JOINT CARE SYSTEM
Lubriflex3
FAST ACTING
POWERFUL
JOINT COMFORT
2
60 COATED TABLETS

Exhibit 29

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 2,686,316

Registered Feb. 11, 2003

TRADEMARK
PRINCIPAL REGISTER

GLYCO-FLEX

FOODSCIENCE CORPORATION, INC. (VERMONT CORPORATION)
20 NEW ENGLAND DRIVE
ESSEX JUNCTION, VT 05452

FOR: NUTRITIONAL SUPPLEMENTS FOR HUMANS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 9-30-2001; IN COMMERCE 9-30-2001.

SER. NO. 76-402,826, FILED 5-2-2002.

YONG KIM, EXAMINING ATTORNEY

Warning: If allergic to shellfish, do not take this product.

Perna mussels are rich in amino acids, polypeptides, naturally chelated minerals, numerous enzymes, vitamins, and nucleic acids (RNA and DNA). They are also an especially rich, natural source of all major classes of glycosaminoglycans, including chondroitin -4- and -6- sulfates

This product is free of citrus, corn, egg, gluten, milk, rice, sodium, soy, wheat, yeast, added sugars, starches, synthetic dyes, artificial flavorings and preservatives.

Color of this product may vary due to color variations of the natural ingredients.

Store in a cool, dry place.
Keep out of reach of children.

9364.18

VETRI-SCIENCE®

LABORATORIES OF VERMONT

Glyco-Flex™ - For Humans

A New Zealand Green-Lipped Mussel Supplement to Support Connective Tissue and Joint Functions*

*This statement has not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.

180 CAPSULES

Suggested Use: As a dietary supplement, take 2 capsules with each meal until results occur, then reduce to 1 capsule with meals, 3 times daily.

Supplement Facts

Serving Size 2 Capsules
Servings Per Container 90

Amount Per 2 Capsules	% Daily Value
Perna canaliculus (Green-Lipped Mussel) 1000 mg	*
Alfalfa Leaf 200 mg	*
Cinnamon Oil 2 mg	*

* Daily Value not established.

Other ingredients: gelatin, water

Distributed by Vetri-Science Laboratories of Vermont
a division of FoodScience Corp.
20 New England Drive
Essex Junction, VT 05453 USA
www.vetriscience.com

Warning: If allergic to shellfish, do not take this product.

Perna mussels are rich in amino acids, polypeptides, naturally chelated minerals, numerous enzymes, vitamins, and nucleic acids (RNA and DNA). They are also an especially rich, natural source of all major classes of glycosaminoglycans, including chondroitin 4- and 6- sulfates.

This product is free of citrus, corn, egg, gluten, milk, rice, sodium, soy, wheat, yeast, added sugars, starches, synthetic dyes, artificial flavorings and preservatives.

Color of this product may vary due to color variations of the natural ingredients.

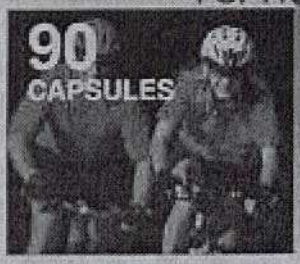
Store in a cool, dry place.
Keep out of reach of children.

*This statement has not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent disease.

9364 9

GLYCO-FLEX®

For Humans



A New Zealand Green-Lipped Mussel Supplement to Support Connective Tissue and Joint Functions*

VETRI-SCIENCE®
LABORATORIES OF VERMONT

Suggested Use: As a dietary supplement, take 2 capsules with warm milk and meal once daily for 1 week and then 2 times daily.

Supplement Facts

Serving Size 2 Capsules
Servings Per Container 90

Amount Per 2 Capsules	% Daily Value
Perna canaliculus (Green-Lipped Mussel) 1000 mg	*
Alfalfa Leaf 200 mg	*
Cinnamon Oil 2 mg	*

* Daily Value not established.

Other ingredients: gelatin, water.

Distributed by Vetri-Science Laboratories of Vermont
A Division of Healthcentral.com
30 New England Drive
Essex Junction, VT 05452 USA
www.vetriscience.com

Exhibit 30

Int. Cl.: 5
Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52
United States Patent and Trademark Office
Corrected

Reg. No. 2,818,675
Registered Mar. 2, 2004
OG Date Feb. 15, 2005

TRADEMARK
PRINCIPAL REGISTER

GLUCO-FLEX FORTE

HI-VIDOMIN LABORATORIES, INC. (DELAWARE CORPORATION)
600 BOYCE ROAD
PITTSBURGH, PA 15202

OWNER OF U.S. REG. NO. 2,498,908.

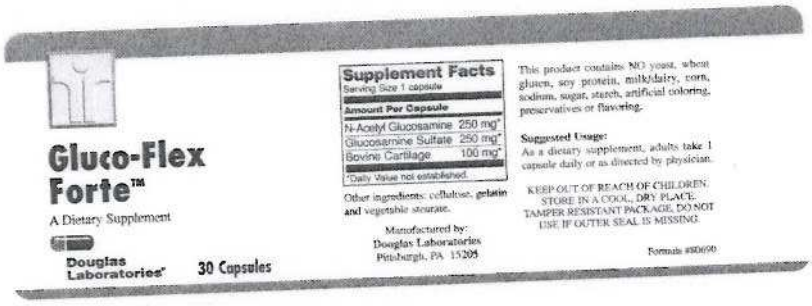
FOR: DIETARY SUPPLEMENTS EXCLUDING DIETARY SUPPLEMENTS SOLD THRU RETAIL STORE, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 1-0-1994; IN COMMERCE 1-0-1994.

SER. NO. 76-136,578, FILED 9-28-2000.

In testimony whereof I have hereunto set my hand and caused the seal of The Patent and Trademark Office to be affixed on Feb. 15, 2005.

DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE



Gluco-Flex Forte™

A Dietary Supplement

Douglas Laboratories®

30 Capsules

Supplement Facts

Serving Size 1 capsule

Amount Per Capsule	
N-Acetyl Glucosamine	250 mg*
Glucosamine Sulfate	250 mg*
Bovine Cartilage	100 mg*

*Daily Value not established.

Other ingredients: cellulose, gelatin and vegetable stearate.

Manufactured by:
Douglas Laboratories
Pittsburgh, PA 15205

This product contains NO yeast, wheat gluten, soy protein, milk/dairy, corn, sodium, sugar, starch, artificial coloring, preservatives or flavoring.

Suggested Usage:
As a dietary supplement, adults take 1 capsule daily or as directed by physician.

KEEP OUT OF REACH OF CHILDREN.
STORE IN A COOL, DRY PLACE.
TAMPER RESISTANT PACKAGE. DO NOT USE IF OUTER SEAL IS MISSING.

Formula #80690

76136578

Exhibit 31

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 3,441,757

Registered June 3, 2008

TRADEMARK
PRINCIPAL REGISTER

GINGERFLEX

VAD, VIJAY B. (UNITED STATES INDIVIDUAL)
#4C
220 EAST 65TH STREET
NEW YORK, NY 10021

FOR: NUTRITIONAL SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 5-1-2006; IN COMMERCE 5-1-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 77-120,072, FILED 3-1-2007.

SONYA STEPHENS, EXAMINING ATTORNEY

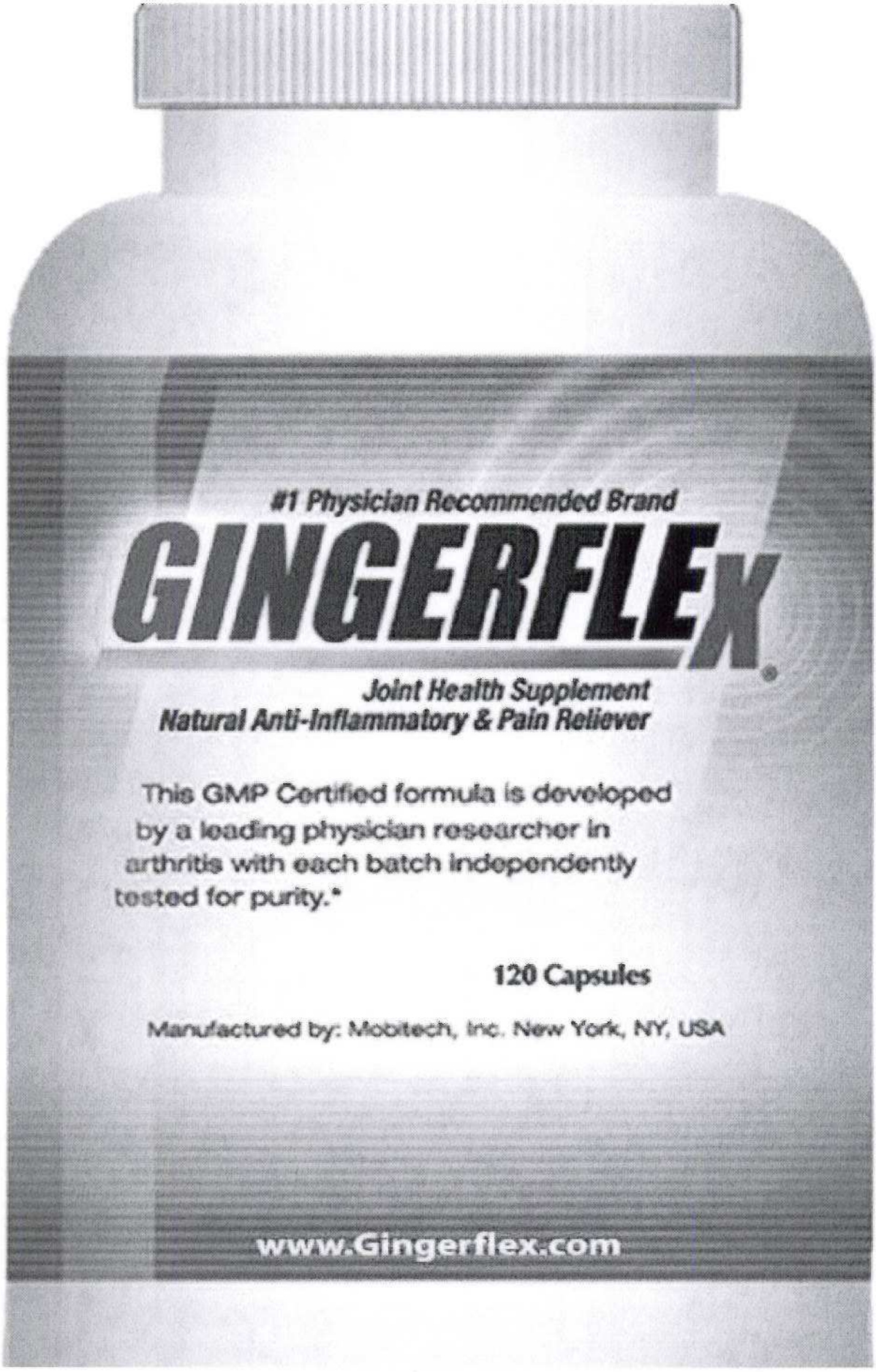

#1 Physician Recommended Brand
GINGERFLEX
Joint Health Supplement
Natural Anti-Inflammatory & Pain Reliever
This GMP Certified formula is developed by a leading physician researcher in arthritis with each batch independently tested for purity.*
120 Capsules
Manufactured by: Mobitech, Inc. New York, NY, USA
www.Gingerflex.com

Exhibit 32

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 2,952,755
Registered May 17, 2005

TRADEMARK
PRINCIPAL REGISTER

FAST FLEX

GENERAL NUTRITION INVESTMENT COMPANY (ARIZONA CORPORATION)
300 SIXTH STREET
PITTSBURGH, PA 15222

FOR: DIETARY SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 10-16-2003; IN COMMERCE 10-16-2003.

SN 76-541,148, FILED 8-18-2003.

SCOTT OSLICK, EXAMINING ATTORNEY

Exhibit 33

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 3,051,249
Registered Jan. 24, 2006

TRADEMARK
PRINCIPAL REGISTER

EZ FLEX

METAGENICS, INC. (CALIFORNIA CORPORATION)
100 AVENIDA LA PATA
SAN CLEMENTE, CA 92673

FOR: DIETARY SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 4-14-1994; IN COMMERCE 7-1-1994.

SN 75-848,784, FILED 11-15-1999.

AISHA CLARKE, EXAMINING ATTORNEY

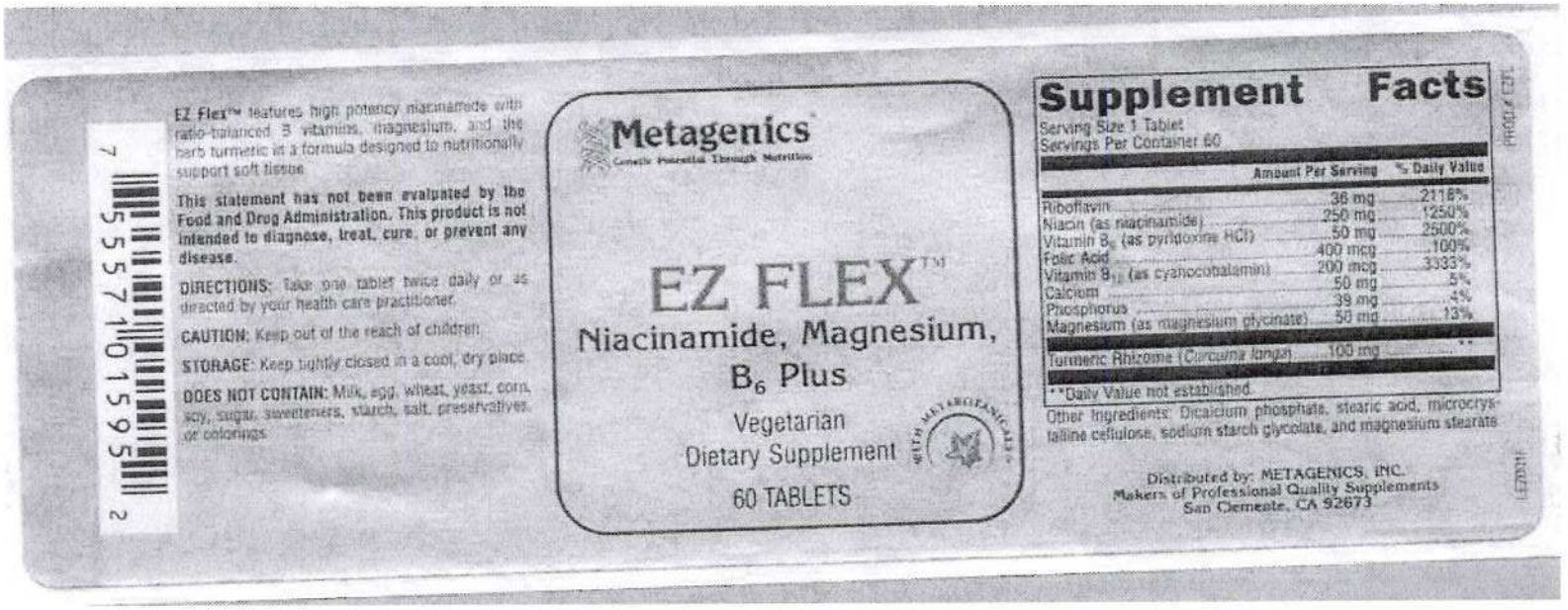

EZ Flex™ features high potency niacinamide with ratio-balanced B vitamins, magnesium, and the herb turmeric in a formula designed to nutritionally support soft tissue.
This statement has not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease.
DIRECTIONS: Take one tablet twice daily or as directed by your health care practitioner.
CAUTION: Keep out of the reach of children.
STORAGE: Keep tightly closed in a cool, dry place.
DOES NOT CONTAIN: Milk, egg, wheat, yeast, corn, soy, sugar, sweeteners, starch, salt, preservatives, or colorings.
7 55571015952
Metagenics
Genetic Potential Through Nutrition
EZ FLEX™
Niacinamide, Magnesium, B6 Plus
Vegetarian
Dietary Supplement
60 TABLETS
WITH METABOTANICALS
Supplement Facts
Serving Size 1 Tablet
Servings Per Container 60
Amount Per Serving
% Daily Value
Riboflavin 36 mg 2118%
Niacin (as niacinamide) 250 mg 1250%
Vitamin B6 (as pyridoxine HCl) 50 mg 2500%
Folic Acid 400 mcg 100%
Vitamin B12 (as cyanocobalamin) 200 mcg 3333%
Calcium 50 mg 5%
Phosphorus 39 mg 4%
Magnesium (as magnesium glycinate) 50 mg 13%
Turmeric Rhizome (Curcuma longa) 100 mg **
**Daily Value not established.
Other Ingredients: Dicalcium phosphate, stearic acid, microcrystalline cellulose, sodium starch glycolate, and magnesium stearate.
Distributed by: METAGENICS, INC.
Makers of Professional Quality Supplements
San Clemente, CA 92673

Exhibit 34

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 2,789,459

Registered Dec. 2, 2003

TRADEMARK
PRINCIPAL REGISTER

CABLEFLEX

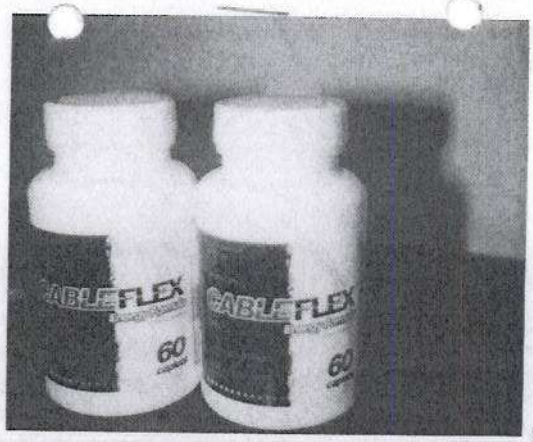
GT MERCHANDISING & LICENSING CORP. (DELAWARE CORPORATION)
16 EAST 40TH STREET
NEW YORK, NY 10016

FOR: VITAMINS AND NUTRITIONAL SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

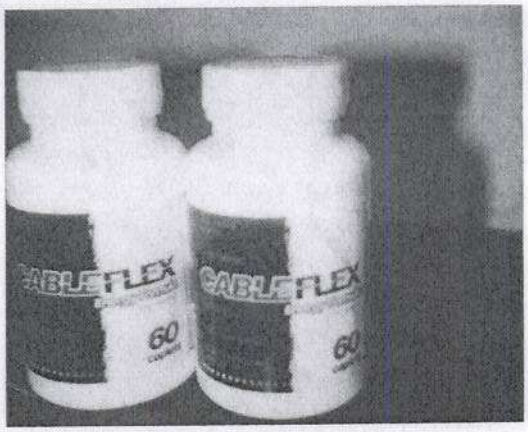
FIRST USE 1-0-2002; IN COMMERCE 1-0-2002.

SN 76-360,006, FILED 1-17-2002.

ALEXANDER L. POWERS, EXAMINING ATTORNEY


CABLEFLEX
60
CABLEFLEX
60


CABLEFLEX
60
CABLEFLEX
60


CABLEFLEX
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CABLEFLEX
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Exhibit 35

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 3,462,778

Registered July 8, 2008

TRADEMARK
PRINCIPAL REGISTER

BONE FLEX

AVANTI LABORATORIES INC. (NEW YORK CORPORATION)
130-17 23RD AVENUE
COLLEGE POINT, NY 11356

FOR: DIETARY SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 4-30-2008; IN COMMERCE 4-30-2008.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 76-587,772, FILED 4-21-2004.

PAULA MAHONEY, EXAMINING ATTORNEY

AVANTI BONE FLEX™

NATURAL JOINT SUPPORT
WITH GLUCOSAMINE
& CHONDROITIN

As we grow older, our bodies become less efficient at maintaining and replenishing the shock absorbing joint tissues and natural lubricants that allow us to move freely and comfortably. Even such basic tasks as walking and even rising from a chair can become difficult to perform. That's why **Bone Flex™** was scientifically formulated to provide the research-recommended amounts of the key nutrients that have been proven to support joint flexibility and comfort.

Bone Flex™ – The safe and natural way to improved joint comfort and mobility.

Avanti Laboratories
New Hyde Park, NY
U.S.A.

Expiration Date:

DIRECTIONS
For adults, take (2) tablets daily with water.

- **Glucosamine HCl** – The hydrochloride form of glucosamine is the purest stable form available, providing about 25% more active glucosamine than the sulfate form.
- **Chondroitin Sulfate** – Besides being a key structural component of joint cartilage, chondroitin helps to maintain the joints' natural lubrication system.
- **Real Joint Support** – Conveniently delivered in 2-per-day tablets.

† These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease.

BONE FLEX

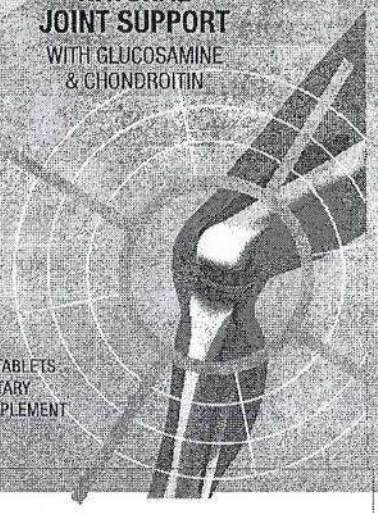
NATURAL
JOINT SUPPORT

avanti

BONE FLEX

avanti

NATURAL
JOINT SUPPORT
WITH GLUCOSAMINE
& CHONDROITIN



60 TABLETS
DIETARY
SUPPLEMENT

Bone Flex™ is the all-natural, science based formula for long-term joint comfort. By supporting the integrity of joint and cartilage structures, Bone Flex™ promotes joint flexibility, comfort and youthful range of motion that today's active lifestyles demand.

Supplement Facts

Serving Size: 2 Tablets
Servings Per Container: 30

	Amount Per Serving	%DV
Glucosamine HCl	1,500 mg	*
Chondroitin sulfate	1,200 mg	*

* Daily value (DV) not established

Other Ingredients: Microcrystalline cellulose, croscarmellose sodium, stearic acid, magnesium stearate, silica and film coat (hypromellose, hydroxypropyl cellulose, and polythylen glycol)

WARNINGS: For adult use only. Do not exceed recommended dose. Consult your healthcare professional before taking any dietary supplement. Do not use if you are pregnant or nursing.

NOT FOR USE BY PERSONS UNDER THE AGE OF 18.

Distributed by Avanti Laboratories, Inc.
New Hyde Park, New York 11040 U.S.A.

Exhibit 36

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 2,695,291

Registered Mar. 11, 2003

TRADEMARK
PRINCIPAL REGISTER

ARTI-FLEX

HORSE N HOUND VET SUPPLY INC. (FLORIDA CORPORATION)
10562 SW 129TH PLACE
MIAMI, FL 33186

FOR: DIETARY SUPPLEMENT, NAMELY, AN ALL NATURAL LIQUID SUPPLEMENT CONTAINING GLOCOSAMINE AND CHONDROITIN FORMULATED TO HELP REBUILD, LUBRICATE AND STRENGTHEN JOINTS AND CARTILAGE, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 9-20-2001; IN COMMERCE 9-20-2001.

SER. NO. 76-384,046, FILED 3-18-2002.

JORDAN PULASKI, EXAMINING ATTORNEY

Directions: As a dietary supplement take 1 tablespoonful once daily. Since Arti-flex™ is highly concentrated, for best taste mix with 3 oz. of your favorite juice.

Precautions: Keep out of reach of children. Consult with your healthcare practitioner if you are pregnant, nursing, allergic to sulfur or shellfish, have a medical condition or on medication. Store in a cool, dry place.

Shake well before each use.
Keep refrigerated after opening.

8 19469 00321 3

Arti-flex™

Joint Health Supplement*

Liquid health supplement for articular joints*

CITRUS Flavor!

Per 1/2 oz. serving:
1500mg Glucosamine
1200mg Chondroitin Sulfate
600mg MSM
500mg Vitamin C

*These statements have not been evaluated by the FDA. This product is not intended to diagnose, treat, cure or prevent any disease.

16 FLUID OZ.

Supplement Facts

Serving Size: 15mL = 1/2 oz. = 1 tablespoonful
Servings Per Container: 32

Amount Per 15mL		% Daily Value
Vitamin C	500 mg	833.33%
Manganese (as sulfate)	1 mg	50%
Glucosamine (as Hydrochloride)	1500 mg	†
Chondroitin Sulfate	1200 mg	†
MSM (methylsulfonylmethane)	600 mg	†
Yucca Root††	20 mg	†
Boswellic Acids††	15 mg	†

†Daily Value not established

Other Ingredients: USP Purified Water, Glycerin, Polysorbate 80 USP, Stevia Leaf, Natural Tangerine Flavor, Potassium Sorbate, Caramel Color

††**Method of Manufacturing:** Bio-Chelation® is a proprietary cold extraction process of Bio-Botanica®, and is a registered trademark of Bio-Botanica® Inc.

Mfg. For
ArtiFlex, Inc.
Miami, FL 33186
Toll-Free: 1-866-387-2162
Fax: 305-387-2178

Visit our website:
www.drinkartiflex.com

Exhibit 37

Int. Cls.: 5, 29, 30, 31 and 32

Prior U.S. Cls.: 1, 6, 18, 44, 45, 46, 48, 51 and 52

United States Patent and Trademark Office

Reg. No. 3,468,122

Registered July 15, 2008

TRADEMARK
PRINCIPAL REGISTER

i-flex

DSM IP ASSETS B.V. (NETHERLANDS BESLOTEN VENNOOTSCHAP)

HET OVERLOON 1

NL-6411 TE HEERLEN, NETHERLANDS

FOR: DIETETIC PREPARATIONS AND SUBSTANCES ADAPTED FOR MEDICAL USE, NAMELY, DIETETIC FOODS ADAPTED FOR MEDICAL USE, DIETARY AND NUTRITIONAL SUPPLEMENTS; FOOD SUPPLEMENTS FOR MEDICAL USE; DIETETIC BEVERAGES ADAPTED FOR MEDICAL PURPOSES; VITAMINS; VITAMIN PREPARATIONS; NATURAL MEDICINES, NAMELY, NATURAL PHARMACEUTICAL PREPARATIONS FOR THE TREATMENT AND PREVENTION OF OSTEOARTHRITIS AND SIMILAR CONDITIONS, NAMELY, TREATING AND PREVENTING FLEXIBILITY OR MOBILITY CONDITIONS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FOR: PRESERVED, FROZEN, DRIED AND COOKED FRUITS AND VEGETABLES; JELLIES, JAMS, COMPOTES; EDIBLE OILS, IN CLASS 29 (U.S. CL. 46).

FOR: FLOUR; PREPARATIONS MADE FROM CEREALS, NAMELY, BREAKFAST CEREALS, READY TO EAT CEREAL DERIVED FOOD BARS; BREAD, PASTRY; BISCUITS; COOKIES; TEA; TEA-BASED BEVERAGES, IN CLASS 30 (U.S. CL. 46).

FOR: FLOWER, FRUIT, WHEAT SEEDS; NATURAL PLANTS AND FLOWERS; FRESH FRUITS AND VEGETABLES, IN CLASS 31 (U.S. CLS. 1 AND 46).

FOR: MINERAL AND AERATED WATERS; SYRUPS FOR MAKING BEVERAGES; PREPARATIONS FOR MAKING FRUIT DRINKS, FRUIT JUICES, MINERAL AND AERATED WATERS, SYRUPS FOR MAKING BEVERAGES, NON-ALCOHOLIC SPORT DRINKS IN THE NATURE OF SOFT DRINKS; NON-ALCOHOLIC ENERGY DRINKS; FRUIT DRINKS AND FRUIT JUICES; NON-ALCOHOLIC SPORT DRINKS IN THE NATURE OF SOFT DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

PRIORITY DATE OF 1-19-2007 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION 0926000 DATED 3-12-2007, EXPIRES 3-12-2017.

SER. NO. 79-039,242, FILED 3-12-2007.

REBECCA POVARCHUK, EXAMINING ATTORNEY

Exhibit 38

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 2,699,705

Registered Mar. 25, 2003

TRADEMARK
PRINCIPAL REGISTER

Syn·flex

ACTIVEX AMERICA, INC. (FLORIDA CORPORATION)
3018 AVENUE C
HOLMES BEACH, FL 34217

FOR: NUTRACEUTICAL FOR USE AS A DIETARY SUPPLEMENT FOR HUMANS AND FAMILY PETS, NAMELY, A LIQUID GLUCOSAMINE FORMULA USED FOR JOINT CARE; CARTILAGE CARE; AND ARTHRITIS CARE , IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 4-10-2001; IN COMMERCE 8-24-2001.

SER. NO. 76-338,252, FILED 11-15-2001.

KAREN K. BUSH, EXAMINING ATTORNEY

Exhibit 39

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 3,332,807

Registered Nov. 6, 2007

TRADEMARK
PRINCIPAL REGISTER

RAPID FLEX

MANNA PRO CORPORATION (KANSAS CORPORATION)
707 SPIRIT 40 PARK DRIVE, SUITE 150
ST. LOUIS, MO 63005

FOR: ANIMAL FEED SUPPLEMENT, NAMELY, HORSE JOINT SUPPLEMENT, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 1-12-2007; IN COMMERCE 1-12-2007.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 78-944,478, FILED 8-3-2006.

STEVEN R. FINE, EXAMINING ATTORNEY

Exhibit 40

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 3,262,409

Registered July 10, 2007

TRADEMARK
PRINCIPAL REGISTER

PERFORMA FLEX

NUTRITION & FITNESS, INC. (NORTH CAROLINA CORPORATION)
4525 CAMPGROUND ROAD
FAYETTEVILLE, NC 28314

FOR: DIETARY SUPPLEMENT FOR JOINT SUPPORT, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 4-14-2004; IN COMMERCE 4-14-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 78-591,382, FILED 3-21-2005.

CAROLYN CATALDO, EXAMINING ATTORNEY

Exhibit 41

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 3,454,352

Registered June 24, 2008

TRADEMARK
PRINCIPAL REGISTER

LIQUID-FLEX

RIDLEY U.S. HOLDINGS, INC. (DELAWARE CORPORATION)
424 NORTH RIVERFRONT DRIVE
MANKATO, MN 56002

FOR: DIETARY JOINT SUPPLEMENT FOR HORSES, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 2-1-2008; IN COMMERCE 2-1-2008.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 77-014,428, FILED 10-5-2006.

EDWARD NELSON, EXAMINING ATTORNEY

Exhibit 42

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 2,951,755

Registered May 17, 2005

TRADEMARK
PRINCIPAL REGISTER

CaniFlex

ALPINE VELVET, LTD (COLORADO CORPORATION)
P.O. BOX 86
MONTE VISTA, CO 81144

FOR: DIETARY JOINT SUPPLEMENT FOR DOGS MADE PREDOMINANTLY FROM ELK ANTLER AND ELK BYPRODUCTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 11-21-2002; IN COMMERCE 3-5-2003.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-412,618, FILED 5-4-2004.

RICHARD A. STRASER, EXAMINING ATTORNEY

Exhibit 43

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

Reg. No. 2,034,518

United States Patent and Trademark Office

Registered Jan. 28, 1997

TRADEMARK
PRINCIPAL REGISTER

ARTHOFLEX

MEDICAL MERCHANDISING, INC. (ARKANSAS CORPORATION)
23 LYRIC LANE
LITTLE ROCK, AR 72205

FOR: TOPICAL CREAMS AND OINTMENTS FOR RELIEF FOR BODY JOINT AND STRUCTURAL PAIN, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 1-10-1996; IN COMMERCE 1-10-1996.

SN 74-712,973, FILED 8-9-1995.

BALDEV SARAI, EXAMINING ATTORNEY

Exhibit 44

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

Reg. No. 2,339,945

Registered Apr. 11, 2000

United States Patent and Trademark Office

TRADEMARK
PRINCIPAL REGISTER

ARTHOFLEX MAX

MEDICAL MERCHANDISING, INC. (ARKANSAS CORPORATION)
7509 CANTRELL ROAD, SUITE 229
LITTLE ROCK, AR 72207

FOR: PHARMACEUTICAL PREPARATIONS IN THE FORM OF TOPICAL CREAMS AND OINTMENTS FOR RELIEF FOR BODY JOINT AND STRUCTURAL PAIN, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 11-1-1997; IN COMMERCE 11-1-1997.

OWNER OF U.S. REG. NO. 2,034,518.

SER. NO. 75-508,990, FILED 6-26-1998.

TINA L. SNAPP, EXAMINING ATTORNEY

Exhibit 45

Int. Cl.: 5

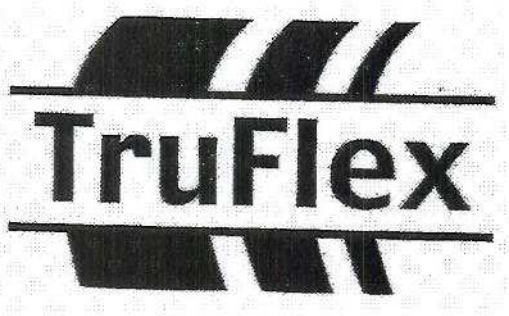
Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 3,343,801

Registered Nov. 27, 2007

TRADEMARK
PRINCIPAL REGISTER



SWANSON HEALTH PRODUCTS, INCORPORATED (NORTH DAKOTA CORPORATION)

4075 40TH AVENUE SW

FARGO, ND 58104

FOR: NUTRITIONAL AND DIETARY SUPPLEMENTS SOLD ALONE AND AS INTEGRAL COMPONENTS OF NUTRITIONAL AND DIETARY SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 2-0-2005; IN COMMERCE 2-0-2005.

SER. NO. 78-624,652, FILED 5-6-2005.

REBECCA EISINGER, EXAMINING ATTORNEY

Exhibit 46

Int. Cls.: 5 and 29

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 3,040,641

Registered Jan. 10, 2006

TRADEMARK
PRINCIPAL REGISTER

SPORTFLEX

SEVEN SEAS LIMITED (UNITED KINGDOM CORPORATION)
HEDON ROAD, MARFLEET, HULL,
EAST YORKSHIRE, UNITED KINGDOM HU9 5NJ

FOR: NUTRITIONAL SUPPLEMENTS FOR HUMANS; VITAMINS; MINERALS AND MINERAL SALTS; COD LIVER OIL FOR PHARMACEUTICAL PURPOSES, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FOR: PROCESSED FISH AND PROCESSED SEAFOOD; OILS AND FATS FOR FOOD, IN CLASS 29 (U.S. CL. 46).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF UNITED KINGDOM REG. NO. 2293069, DATED 9-27-2002, EXPIRES 2-16-2012.

SER. NO. 78-464,848, FILED 8-10-2004.

DAWN FELDMAN, EXAMINING ATTORNEY

Exhibit 47

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 3,122,001

Registered July 25, 2006

TRADEMARK
PRINCIPAL REGISTER

OxyFLEX

TRUSOLUTIONS CORPORATION (DELAWARE CORPORATION)
6343 HALEY WAY
FRISCO, TX 75034

FOR: NON-PRESCRIPTION TOPICAL PAIN RELIEF CREAM MADE WITH HYPER-OXYGENATED OIL, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 1-1-2005; IN COMMERCE 1-1-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 78-548,783, FILED 1-17-2005.

KYLE PEETE, EXAMINING ATTORNEY

Exhibit 48

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 3,314,558

Registered Oct. 16, 2007

TRADEMARK
PRINCIPAL REGISTER

Optima Flex

TRIVITA, INC. (ARIZONA CORPORATION)
SUITE 950
16100 GREENWAY HAYDEN LOOP
SCOTTSDALE, AZ 85260

FOR: NUTRITIONAL SUPPLEMENT, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 9-29-2006; IN COMMERCE 9-29-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 78-876,025, FILED 5-3-2006.

HENRY S. ZAK, EXAMINING ATTORNEY

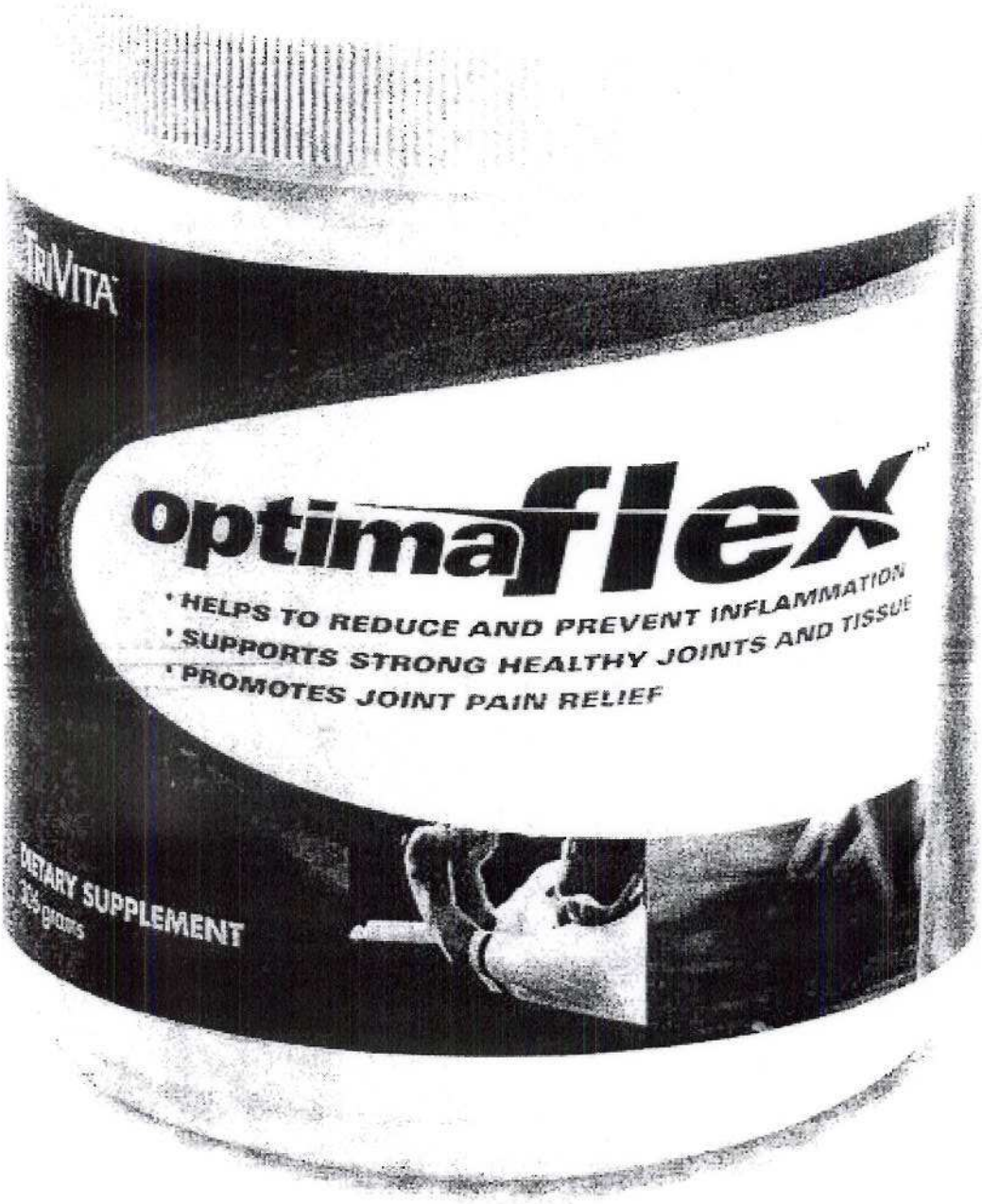

TRIVITA
optimaflex
• HELPS TO REDUCE AND PREVENT INFLAMMATION
• SUPPORTS STRONG HEALTHY JOINTS AND TISSUE
• PROMOTES JOINT PAIN RELIEF
DIETARY SUPPLEMENT

Exhibit 49

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 2,931,716

Registered Mar. 8, 2005

TRADEMARK
PRINCIPAL REGISTER

OPTAFLEX

CARGILL, INCORPORATED (DELAWARE CORPORATION)
15407 MCGINTY ROAD WEST
WAYZATA, MN 55391

FOR: DIETARY SUPPLEMENTS FOR HUMAN USE, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 7-19-2004; IN COMMERCE 7-19-2004.

SN 78-204,109, FILED 1-16-2003.

PAM WILLIS, EXAMINING ATTORNEY

Exhibit 50

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 3,171,638

Registered Nov. 14, 2006

TRADEMARK
PRINCIPAL REGISTER

COGNI-FLEX

JARROW FORMULAS, INC. (CALIFORNIA CORPORATION)
1824 SOUTH ROBERTSON BLVD.
LOS ANGELES, CA 900354317

FOR: DIETARY SUPPLEMENTS; NUTRITIONAL SUPPLEMENTS; VITAMIN SUPPLEMENTS; VITAMINS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 1-5-1996; IN COMMERCE 1-5-1996.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 2,722,639.

SER. NO. 78-871,375, FILED 4-27-2006.

CHERYL CLAYTON, EXAMINING ATTORNEY

Exhibit 51

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 3,227,943

Registered Apr. 10, 2007

TRADEMARK
PRINCIPAL REGISTER

ANIMAL FLEX

UNIVERSAL PROTEIN SUPPLEMENTS CORPORATION (NEW JERSEY CORPORATION), DBA UNIVERSAL NUTRITION

3 TERMAINAL ROAD

NEW BRUNSWICK, NJ 08901

FOR: NUTRITIONAL SUPPLEMENTS FOR HUMANS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 6-12-2006; IN COMMERCE 6-12-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,437,306, 2,594,433, AND 2,784,232.

SER. NO. 78-915,936, FILED 6-23-2006.

JAY BESCH, EXAMINING ATTORNEY


The Hard Line In Sports Nutrition
UNIVERSAL
ANIMAL™
FLEX
JOINT SUPPORT
44 PACKS
DIETARY SUPPLEMENT
Animal Flex Supplement Tagline
Smaller Tagline
Tagline 2

Exhibit 52

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51, and 52

United States Patent and Trademark Office

Reg. No. 3,299,761

Registered Sep. 25, 2007

TRADEMARK
PRINCIPAL REGISTER

AMERI-FLEX

AMERICAN LABORATORIES, INC. (NEBRASKA CORPORATION)
4410 SOUTH 102ND STREET
OMAHA, NE 68127

FOR: DIETARY SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 11-9-2005; IN COMMERCE 4-28-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 78-804,403, FILED 2-1-2006.

SEAN CROWLEY, EXAMINING ATTORNEY

Exhibit 53

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 1,999,979

Registered Sep. 10, 1996

TRADEMARK
PRINCIPAL REGISTER

FLEX-ALL

SIGNAL INVESTMENT & MANAGEMENT CO. (DELAWARE CORPORATION)
1105 NORTH MARKET STREET, SUITE 1300
WILMINGTON, DE 19890

FOR: TOPICAL ANALGESICS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 6-0-1987; IN COMMERCE 6-0-1987.

OWNER OF U.S. REG. NOS. 1,481,352, 1,569,189 AND OTHERS.

SER. NO. 75-005,548, FILED 10-13-1995.

LAURA SMITH, EXAMINING ATTORNEY

Exhibit 54

Int. Cl.: 5

Prior U.S. Cl.: 18

United States Patent and Trademark Office

Reg. No. 1,498,283
Registered Aug. 2, 1988

TRADEMARK
PRINCIPAL REGISTER

SALFLEX

CARNRICK LABORATORIES, INC. (NEW JERSEY CORPORATION)
65 HORSE HILL ROAD
CEDA KNOLLS, NJ 07927

FOR: PHARMACEUTICAL COMPOSITION FOR THE TREATMENT OF OSTEOARTHRITIS, IN CLASS 5 (U.S. CL. 18).

FIRST USE 10-20-1987; IN COMMERCE 10-20-1987.

SER. NO. 703,670, FILED 12-30-1987.

RICHARD A. STRASER, EXAMINING ATTORNEY

Exhibit 55

Int. Cl.: 5

Prior U.S. Cl.: 18

United States Patent and Trademark Office

Reg. No. 1,293,827

Registered Sep. 11, 1984

TRADEMARK

Principal Register

HERBAFLEX

Mark A. LeDoux (United States citizen), d.b.a. Green Farm
Suite 107
1145 Linda Vista Dr.
San Marcos, Calif. 92069

For: DIETARY SUPPLEMENTS—NAMELY, VITAMINS, MINERALS AND HERBS, in CLASS 5 (U.S. Cl. 18).

First use Nov. 1, 1982; in commerce Nov. 1, 1982.

Ser. No. 408,561, filed Jan. 7, 1983.

CYNTHIA B. WHITE, Examining Attorney

Exhibit 56

Int. Cl.: 5

Prior U.S. Cl.: 51

United States Patent and Trademark Office

Reg. No. 1,239,942

Registered May 31, 1983

TRADEMARK
Principal Register

Tennis Elbow Corporation (Texas corporation)
P.O. Box 1185
Dickinson, Tex. 77539

For: TOPICAL CREAM FOR USE IN THE RELIEF OF ORTHOPEDIC PAIN, SWELLING AND SKIN IRRITATIONS, in CLASS 5 (U.S. Cl. 51).

First use Jan. 1980; in commerce Jan. 1980.

No claim is made to the exclusive right to use the word "Aloe" and the design of the Aloe Plant, apart from the mark as shown.

Ser. No. 343,757, filed Dec. 29, 1981.

RUSS HERMAN, Examining Attorney

Orthopedic Cream

Works deep. Without heat.
Works on Pain

NET WT. 4 fl. oz.

ALOE FLEX orthopedic cream may be used on most all types of orthopedic pain and swelling, and skin irritations.

Works excellent on ARTHRITIS, BURSITIS, BACK ACHES, and SORE MUSCLES.

May also be used to relieve the sting of cuts, scratches, sunburn and shaving.

CONTENTS: 86% specially processed aloe vera juice, isopropyl myristate, glyceryl stearate, mink oil, fragrance, coconut oil, methyl parabens.

DIRECTIONS: Shake gently. Use as needed. Apply liberally and LEAVE ON THICK, 15—30 minutes. Then massage in. For external use.

Manufactured by The Tennis Elbow Corp.
Dickinson, TX 77539

Exhibit 57

Flexa-Joint Joint Renewal Formula

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Shopping Directory

Register to win an iPod Nano
It's Free, Quick, and Easy
See the Give Away Details

Flexa-Joint Joint Renewal Formula

see more like *'Flexa-Joint Joint Renewal Formula'*

Avg. Price: $39.95 — Unlike other joint health formulas in the market, Flexa-Joint? is a proprietary blend of herbs that have been used for centuries for improving joint health, mobility and flexibility.* The combination has been researched, formulated and endorsed by US-trained Asian (Taiwan) scientists.

Product Rating: ☆☆☆☆☆ (Not Rated)

Add Price Alert | Add to my Wishlist | Permalink | Email this to a friend

Featured Products

1 Store | Product Features | No Product Reviews | Related Products

	Product	Store	Price
	Flexa-Joint Joint Renewal Formula	english.hsuginseng.com	$39.95 GO TO STORE

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Joint Supplement Reviews
Before You Buy Anything, Read These Reviews! www.JointHealthProducts.com

Healthy Bones & Joints
Herbal Supplements for Joint Pain Take Care, Take MegaCare www.MegaCare.com

Glucosamine & Chondroitin
Restore Joint Health Naturally w/ Our ENDUR-FLEX™. Shop w/ Us Today! EnduranceProducts.com

Additional results for 'Flexa-Joint Joint Renewal Formula'. 5 results - showing 4

Phyto-Therapy Joint Renewal Rx
Formulas > Bone & Joint...

Available at 25 stores including:

healthstore123.com	$10.99
houseofnutrition.com	$10.99
herbmansnaturalfoods.com	$11.05
smartbomb.com	$13.79
amazon.com	$14.68

See all stores

$10.99
25 stores
SEE ALL STORES

Joint Renewal Rx
... Specialty Formulas > Bone and Joint Formula

$11.05
4 stores
SEE ALL STORES

Joint Renewal 42 Capsules by Phyto Therapy
... > Herbal Formulas > Joint...

$10.81
6 stores
SEE ALL STORES

Nature's Renewal Supreme Joint Formula- 90 Caps/ Bottle
... support healthy joints, tendons,...

$23.95
3 stores
SEE ALL STORES

Exhibit 58

Flex-Force™

Home | Product | Why Flex-Force | FAQs | Product Reviews | Contact Us | **Buy Now**

Flex-Force: Arthritis and Joint Pain Relief Supplement. Try Risk Free

The Natural Choice for Joint Mobility - Flex-Force

An active lifestyle can be demanding on all joints. Flex-Force is a dietary supplement for people of all ages and walks of life - a safe, natural approach to healthy joints.

New customers will recieve a free 10 day sample with purchase, and if not 100% satisfied, simply return unopened bottle for a full refund.

FACTS ABOUT ARTHRITIS

Healthy, well-lubricated cartilage (the gel-like substance positioned between the bone ends) acts as "shock absorbers", reducing the friction caused by bone ends rubbing against each other. Due to Osteoarthritis, injury, degenerated enzyme activity, or the normal aging process, joint cartilage can lose its gel-like nature, causing pain, inflammation and decreased mobility

Wear and tear is not just a result of aging. Simple, everyday activities like walking, gardening, lifting weights, and even typing or sitting for long periods of time can be hard on your joints!

Flex-Force is a dietary supplement for people of all ages and walks of life - **a safe, natural approach for healthy joints.**

NEW! Now available **Flex-Force capsules with Hyaluronic Acid**

Exhibit 59

Flex-Eze 1000 - 60 capsules

Place Your Order Here

Price $15.95

Qty. 1 add to cart

FREE SHIPPING
ON ORDERS OVER $50
Ends Midnight Friday. Use Code **shipfree50**

Email this to a Friend

BOOKMARK

Set Up Auto Re-Order (details)

Brand: Vitalabs
Allegro ID: 196604

Product Overview

Vitalabs Flex-Eze 1000 - 60 capsules

Details

Shark Cartilage, Green Lipped Mussel, L-Histidine. The natural choice. Flex-Eze 1000 is formulated to help prevent joint stiffness as well as protect and promote healing in the joint. The Flex-Eze 1000 formula contains Shark Cartilage known to be a powerful and nontoxic anti-inflammatory agent. Green Lipped Mussel (Perna Canaliculus) is effective in providing protective support for joints, cells, and fibers. Enhances the lubrication of joint linings and promotes elasticity and repair in the joint area. L-Histidine is an amino acid renowned for its ability to reduce inflammation. Flex-Eze 1000 is the perfect addition to any strenuous physician training.

Contains:

» No yeast, no sugar, no artificial colors, flavors or preservatives. (These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.)

Nutrition Facts
Serving Size 1 capsule
Servings Per Container 1

Amount Per Serving

		% Daily Value
L-Histidine	10 mg	
Shark Cartilage	740 mg	
Green Lipped Mussel (New Zealand)	250 mg	

*percent Daily Values are based on a 2,000 calorie diet.

Ingredients: Other Ingredients: Gelatin, Dl-Calcium Phosphate, Stearic Acid, and Magnesium Stearate.

These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.

Directions

Suggested Use: As a dietary supplement take one or more capsules daily.

Flex-Eze 1000 - 60 capsules Reviews Summary

(Powered by PowerReviews.com)

Avg. Customer Rating: (based on 0 reviews)

Part Number(s): 240805

Exhibit 60

Enhance Joint Health & Flexibility Naturally*

A breakthrough in natural joint supplements

FlexProtex ®
Advanced Formula - 1 Bottle

Price: $69.76
Your Price: $49.95

Buy Now

FLEX PROTEX® Packages

Flex Protex® Capsules

Flex Protex® Cream

Start Feeling Better Today, for as little as

$39.95 + $6.95 S&H
(PER MONTH) w/ AUTOSHIP

BEST VALUE!

30-DAY MONEY BACK GUARANTEE

Program Details

30 DAY MONEY BACK GUARANTEE

Flex Protex ® is a Cox-2 inhibitor. Many drugs being used to treat these diseases are being pulled from the shelves because of the harmful and sometimes deadly side effects related to cardiovascular health. Flex Protex ® is an all natural alternative to these harmful drugs.
Flex Proxtex ® is made from stabilized rice bran, the most nutrient rich delivery system. FlexProtex(r) is made from stabilized rice bran, a nutrient rich delivery system. FlexProtex(r) is a unique complex, a dietary supplement with a powerful proprietary blend of stabilized rice bran derivatives and herbs exclusively developed to promote joint health.* FlexProtex(r) also contains effective and all-natural cox-2 inhibitors that help enhance joint health and flexibility naturally.* This is a patented dietary supplement for joint health.*
Containing boswellin, and curcumin, which comes from tumerik. Flex Protex ® supplies the body with the nutrients necessary to activate and then utilize these natural cox-2 inhibitors making Flex Protex ® a unique formulation.

FlexProtex® Advanced Formula - (120 Capsules) x 3 Bottles

Price: $156.95
Your Price: $143.95

Buy Now

Discount available if you buy on the Order assurance program.

FlexProtex® Cream - 3 Jars Cream

Price: $79.95
Your Price: $54.95

Buy Now

Discount available if you buy on the Order Assurance Program

Exhibit 61

Udo's Choice Flex Defense Enzyme Blend -- 60 Capsules
by Udo's Choice

Rate it

Product details | Compare P... | Reviews & ...

Help for sore joints & muscles. Dietary Supplement Udo's Choice Flex Defense Enzyme Blend. contains seven potent proteolytic plant and fungal-based enzymes, including bromelain, to help reduce discomfort from minor pain and stiffness in joints and muscles without side-effects. These enzymes also act as catalysts to natural body defense in recovery from minor... More

Product details

Supplement type	Bromelain
Form type	Capsule
GeneralMSNMerchant	MSN Merchant

Exhibit 62

GNC Triflex Dietary Supplement 120 ea

(4) read reviews write review

larger image

everyday free shipping

drugstore.com dollars™ -- you'll earn $1.55

auto delivery eligible

Save 20% on products purchased from the GNC Store.

special offer: Get up to 35% off select GNC Vitamins!

visit: GNC Store

share: Kaboodle SHARE email

regularly: ~~$34.99~~
our price: $30.99
save 11% ($4.00)
in stock

quantity: 1 Add to bag

- add with gold card
- setup auto delivery
- save to your list™

payment and shipping options

BillMe Later
Buy Fast. Feel Secure. Pay Later®
Subject to credit approval.
Details

related products

- l-carnitine
- lecithin
- other supplements g-o
- melatonin
- More in GNC store

Save an additional 20%! when you buy this product and a GNC Gold Card Membership!

member product price: $24.79
Gold Card price: $15.00 Add both to bag

sign in if you already have a Gold Card.

Gold Card perks
You'll get 20% off and free shipping at the time you buy your card and 20% off GNC products during Gold Card week!

learn more

product details | ingredients | reviews | directions

Triple action formula featuring glucosamine, chondroitin and MSM.

For more information: 1-888-462-2548.

Conforms to USP <2091> for weight.

Meets USP <2040> for disintegration.

Made in USA.

Facts:

Supplement Facts

Serving Size:	3 Tablets
Servings Per Container:	40
Amount per Serving	**% Daily Value***
Sodium 100 mg	4%
Glucosamine HCL	1500 mg*
Chondroitin Sulfate Sodium	1200 mg*
MSM (methylsulfonylmethane)	900 mg*

Exhibit 63

See larger image and other views

Share your own customer images

Flexall 454 & Maximum Strength 454 Pain Relief

Other products by Flexall

☆☆☆☆☆ (8 customer reviews)

Price: $7.50

Size: Regular - 4 oz. Bottle

Regular - 7 lb. Bottle w/Pump
Max.Strength - 1-1/2 oz. Packet
Max.Strength - 3 oz. Bottle
Max.Strength - 16 oz. Bottle
Max.Strength - 7 lb. Bottle w/Pump
Regular - 16 oz. Bottle
Regular - 4 oz. Bottle

In Stock.
Ships from and sold by Best Priced Products, Inc..

Ready to buy?
Price: $7.50 + $6.16 shipping
Your Selection: Regular - 4 oz. Bottle
In Stock. Ships from and sold by **Best Priced Products, Inc.**
Quantity: 1

or
Sign in to turn on 1-Click ordering.

Share with Friends

Product Features

Size: **Regular - 4 oz. Bottle**

- Flexall gels help increase patient compliance and enhance ultrasound, cryotherapy, T.E.N.S. and massage therapists
- Flexall 454 is 7% menthol and Maximum Strength Flexall 454 is 16% menthol
- Both are aloe vera gel formulas that provide fast, long-lasting relief from arthritis, backache, bursitis, tendonitis, muscle strains and sprains, bruises, and cramps
- Gels absorb quickly and completely, are greaseless, non-staining, and gentle on the skin

Customers Who Bought This Item Also Bought

Winning Ugly: Mental Warfare in Tennis--Lessons... by Brad Gilbert
☆☆☆☆½ (66) **$11.16**

Flexall 454 Pain Relieving Gel - Maximum Strength - Pint Bottle
$25.95

Flexall 454 Pain Relieving Gel - Regular Strength - Pint Bottle
$19.95

Exhibit 64

Thursday, January 8, 2009

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Top Selling New Product!

Composure Liquid

A calming support formula for dogs and cats.

www.nasc.cc

Look for the NASC seal on all Vetri-Science® products.

GLYCO-FLEX® I AND GLYCO-FLEX® II for Humans

(A Dietary Supplement to Support Proper Joint and Connective Tissue Functions*)
For Humans

Product Number	Size
0900364.090	**Glyco-Flex I for humans** - 90 Tablets
0900364.180	**Glyco-Flex I for humans** - 180 Tablets
0900365.090	**Glyco-Flex II for humans** - 90 Tablets
0900365.180	**Glyco-Flex II for humans** -180 Tablets

SHOP ONLINE: Veterinarians
SHOP ONLINE: Consumers

Customers ordering Glyco-Flex® Products outside the US please contact dross@foodsciencecorp.com for your local distributor.

GLYCO-FLEX ® For Humans is a Perna canaliculus (New Zealand Green-Lipped Mussel) formula that provides key building blocks to support the structural integrity and maintenance of joints, ligaments and tendons.*

GLYCO-FLEX ® II For Humans is a high-potency advanced joint and connective tissue formula that can be used as an alternative or in conjunction with other joint health programs.*It combines the powerful benefits of Perna, Glucosamine, Methylsulfonylmethane (MSM), Dimethylglycine (DMG), an Manganese for a quicker response than would be seen if any nutrient was taken singularly.*

Supplement Facts
Glyco-Flex ® For Humans
2 Capsules Contain:

```
Perna canaliculus (Green-Lipped Mussel) . 1000 mg
Alfalfa Leaf. . . . . .200 mg
Cinnamon Oil . . . . . 2 mg
```

Other ingredients: gelatin
Glyco-Flex ® II For Humans
2 Tablets Contain:

```
Manganese (Mn. Amino Acid Chelate) . . . . .10 mg
Perna canaliculus (Green-Lipped Mussel) . 1000 mg
Glucosamine Sulfate . . . . . .600 mg
Methylsulfonylmethane. . . . . 400 mg
Dimethylglycine HCl . . . . . .200 mg
```

Other ingredients: microcrystalline cellulose, stearic acid, vegetable stearate, sodium carboxymethylcellulose, silicon dioxide, cinnamon oil, polyethylene glycol, methylcellulose, titanium dioxide.

100% Satisfaction Guaranteed

Allergy Information: Glyco-Flex® II For Humans contains glucosamine (from shrimp and crab) and both Glyco-Flex® For Humans products contain green lipped mussel (a shellfish)

Warning: If you are pregnant or nursing, consult your health care practitioner before taking this or any nutritional product.

Suggested Use:
Glyco-Flex ® For Humans:
As a dietary supplement, take 2 capsules, 3 times daily with each meal until results occur, then reduce to 1 capsule with meals, 3 times daily or as directed by your health care practitioner.

Glyco-Flex ® II For Humans:
As a dietary supplement, take 2 tablets, 3 times daily with food for 2 to 4 weeks, then reduce to 2 tablets once or twice daily with food or as directed by your health care practitioner.

*This statement has not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease.

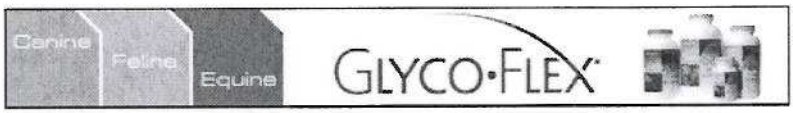

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Exhibit 65

Cargill

Cargill Home

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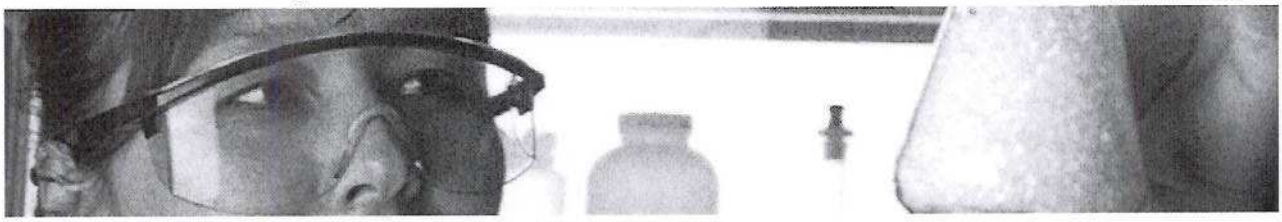

Home > For Industry Professionals > Products > Chondroitin > OptaFlex™ Chondroitin

Products

- Barley Betafiber
- OptaFlex™ Chondroitin
- OptaFlex™ Chondroitin
- Oliggo-Fiber® Inulin
- Mixed Tocopherols
- Corowise™ Plant Sterols & Plant Sterol Esters
- Vitamin E
- Prolisse® Soy Protein Isolate

OptaFlex™ Chondroitin

Introducing the first organic solvent-free chondroitin from North American sources*. OptaFlex™ chondroitin is manufactured using a proprietary water-based processing technology that eliminates the need for organic solvents. Because this unique product eliminates solvent odor, common among competing products on the market, OptaFlex™ provides our customers with a unique point of product differentiation.

**In the production of OptaFlex™ chrondroitin sulfate sodium, Cargill HFT purchases bovine-based raw materials obtained exclusively from animals processed at U.S. Packing houses. While these facilities adhere to USDA guidelines, there are no current regulations requiring animals to be tracked from birth to slaughter.*

More Information

- Learn More
- Typical Analysis
- Executive Summaries
- References
- Frequently Asked Questions (FAQ)
- Applications & Formulations
- Request a Sample

Privacy

Exhibit 66

OPTIMA4 AND OPTIMAFLEX
- FAQ

WAYS TO SHOP
- Health Concern
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- View All Products
- List Alphabetically

SHOPPING CART

Buy any two items and become a member free!

Your cart is empty.

Subtotal: $0.00

View Cart checkout

Send This Page to a Friend

Optima Flex - 30 Serving Tub

Item #30590

OptimaFlex can nourish and hydrate your joints and make movement easier and less painful! Simply add one scoop (included) of OptimaFlex to a glass of water or juice to help your body fight pain and inflammation.

OptimaFlex's benefits include:

- Helps reduce inflammation & pain
- Increases joint hydration
- Helps repair connective tissue

This package contains one 306-gram jar of OptimaFlex Powder.

VitaPoints: 60 What are VitaPoints?

Regular Price: $74.99

Member Price: $59.99

Members Save: $15.00

Quantity: 1 add to cart

Product Description

Success Stories - View Product Label

Stop Pain
OptimaFlex is designed to help reduce the enzymes that can lead to pain. **Boswellia** is a form of acid that has been shown to slow cell death by keeping the enzymes that attack cells at bay.

Curcumin has been shown to be an antioxidant and a substance that can help keep inflammation under control by inhibiting two common pain triggers: COX-2 and LOX (enzymes responsible for pain), both of which are known to contribute to arthritis and the breakdown of cartilage. By guarding the cartilage against breakdown, pain will be less likely to occur as the joints will stay more flexible, lubricated and healthy.

Help Fight Inflammation
OptimaFlex has been formulated with a variety of powerful vitamins and minerals that help the body reduce inflammation and its effects. TriVita has included a heavy-hitter in the anti-inflammatory family: bromelain.

Bromelain is an enzyme that reduces the proteins that are released when a muscle or joint is overextended. These proteins are what lead to inflammation and pain. Studies have shown that bromelain can also reduce bruising, pain and healing time, and can even help as a therapeutic aid in treating inflammatory diseases, such as arthritis and even sinusitis.

Reduce the Effects of Wear and Tear
Our joints require hydration in order to stay flexible, strong and pliable. The cartilage in our joints stretches every time we move-when a joint is properly hydrated, it will stretch without tearing.

The key ingredient in OptimaFlex to supplement the joints is **cetyl myristoleate**. Cetyl Myristoleate has been reported to act as a lubricant for the joints and muscles, help in the building of cartilage, and helps your body reduce inflammation. It is an expensive, rare ingredient but one that has shown in studies to have impressive results in protecting the joints and lowering the possibility for future damage.

Optima Flex also has other ingredients to help keep joints healthy and mobile. Hyaluronic acid can help reduce friction in joint cartilage, and glucosamine and MSM have been shown in studies to work together to help reduce joint problems.

Success Stories

[Back to Top]

I have severe Arthritis in my knees from a bad accident. I do as little as I can standing up because of the severe pain in my knees. Even when I'm doing the dishes, I lean forward and put my body weight on my arms to take some of the weight off my knees.

I recently went to a business meeting. I had a long walk from the parking lot and a long day of meetings. I didn't even want to get up for breaks, because the walk had caused so much discomfort. By dinnertime I was uncomfortable, exhausted, and in so much pain.

The next day I went back for more meetings. Someone gave me a packet of OptimaFlex to try. I mixed it with water and drank it. Within minutes, I could feel the pain draining out of me. Within 15 minutes I felt remarkably better. At the next break I got up and walked like I was 20 years old again. OptimaFlex really took away the pain. Now I take it every morning and am virtually pain free.

My neighbor injured her knee at the gym. She was in a lot of pain. She ordered Optima Flex and within a few days she got relief. It's a natural product, so you can take it three times a day, if necessary, to keep the pain away. With time, you may be able to cut back the amount you take, too.
Martha B. Phoenix, AZ

I have had an issue with lower back pain for several months now. It gets so bad and irritating that I have a difficult time sitting in my desk chair for longer than an hour before I just have to get up and do something else.

Recently we were to go to a family wedding in Sun River, Oregon (about a 6 hour drive from where we live in Tacoma) and since we were riding down with others, I would be sitting in the back seat of a mini-van. With my back, it was NOT something I was looking forward to doing!

Hoping that OptimaFlex would help, I decided to place an order, which arrived about two days before our trip. By the first day of the trip, my pain was TOTALLY gone (very unusual for me of late)!

I was able to enjoy our three days in Sun River, the 6-7 hour ride each way and the wedding and dinner/dance afterward totally pain free!!!

It's now been two weeks since our return, and even though I now take OptimaFlex every other day (as an experiment to see how that will work for me), I still enjoy a mostly lower back pain free life no matter what I am doing.

It truly is amazing, and for me, my first personal experience with a health supplement product where I definitely know that it's working for me.

Thanks so much for this great product.
Rich S. Tacoma, WA

* It's with great pleasure that I share my experience with TriVita's Optima4 and OptimaFlex products. I'm 57 years of age and am blessed with good health. However, due to a severe ankle injury incurred while playing football back in 1970, I suffer from post-traumatic degenerative Arthritis. This condition has deteriorated steadily over the years to the point that even on a good day it was painful to walk and on the bad days, almost unbearable. I have also developed Arthritis in the knuckles of the fingers of both hands, and swinging a golf club had become quite painful. I've been playing golf for forty years now and was

Over the years, I have tried many different products that claimed to work wonders in easing arthritic pain in joints. Nothing I've tried, short of prescription medication, has come close to easing my pain. Then one day, while watching The Golf Channel, a TriVita infomercial came on advertising Optima4 and OptimaFlex I liked the fact that the ingredients were natural. Though skeptical, I decided to give it a try. I am so glad I did! One week to the day after starting OptimaFlex, I was amazed at how the pain had virtually disappeared from my ankle and fingers. People at work who are used to seeing me limping about are now commenting about how I'm all of a sudden walking with a bounce in my step. No longer does it hurt to swing a golf club. In fact, I'm now playing more golf than ever before and enjoying it more than ever. I've not taken Celebrex since starting on OptimaFlex. I have also noticed a marked increase in my energy level which comes from Optima4. I'm now good for 27 holes in a day, sometimes more, and have plenty of energy to spare. I work as an Air Traffic Specialist and Optima4 is helping me at work with mental clarity, focus and work-related stress.

I highly recommend these products to anyone, no matter what your professions or avocations. They've improved my quality of life so much that I can't stop singing their praises. I just want to thank the people at TriVita, especially the scientists who did such painstaking research, for developing an all natural product that actually does what it says it will do!
Greg N. Hermitage, TN

*** You should not stop taking any medication without first consulting your health care provider.**

Share your own success story now!

View Product Label

Exhibit 67

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OxyFLEX® Comfort Cream

OxyFLEX® is clinically proven to reduce inflammation and provide immediate PAIN RELIEF for

TENDONITIS

****

"I highly recommend OxyFLEX Comfort Cream..."
Jim Mauer - Head Athletic Trainer
Dallas Cowboys Football Club - Sports Medicine Dept

- Exclusive hyper-oxygenated oils
- U.S. Patented Process
- Doctor Recommended
- Featured on ***The Golf Channel***
- Endorsed by Pro and Olympic Athletes
- Endorsed by Top Athletic Trainers
- **Money-Back Guarantee**

SEE SPECIAL OFFERS BELOW

ORDER NOW!

Our Customers include

AAFES (Army & Air Force Exchange Service)
(Click here for U.S. base store listings)

Dallas Independent School District - *Sports Medicine Dept*

Dallas Cowboys Football Club - *Sports Medicine Dept*

Cleveland Browns Football Club - *Sports Medicine Dept*

PGA Champions Tour Players

Texas Christian University - *Sports Medicine Dept*

Dallas Football Officials Association

Dallas Basketball Officials Association

Hospitals, Sports & Rehab Centers
Doctors, Chiropractors, Phys-Occup-Massage Therapists
...and thousands of satisfied consumers worldwide!

Why is OxyFLEX Comfort Cream different?

OxyFLEX is available for retail stores. Click here to learn more.

CUSTOMER'S COMMENTS

DALLAS COWBOYS FOOTBALL CLUB-*Sports Medicine Dept*

As Head Athletic Trainer for the Dallas Cowboys Football team I treat a variety of moderate to severe sports related injuries daily. These injuries range from muscle strains to ligament sprains and can keep a player out of action for several days.

We use OxyFLEX for many of these injuries and are quite impressed with its natural pain relieving ability. Many of the players I care for are very enthusiastic and adamant about using OxyFLEX to the point where several request we bring additional tubes when we travel to away games. With dozens of available products for pain relief OxyFLEX is often requested and has been quite successful for our players.

I highly recommend OxyFLEX Comfort Cream and am very pleased with the results we have seen with the Dallas Cowboys players. Thank you.

Jim Maurer, LAT, ATC - Head Athletic Trainer
Dallas Cowboys Football Club-*Sports Medicine Department*

TENDONITIS PAIN

I developed tendonitis in both of my elbows due to lifting weights. Per doctor's advice I iced my elbows and took anti-flamatories three times a day and was not getting better after several months. I came across the TruSolutions product on the Internet and decided to try the product as a last resort before going ahead with surgery.

The TruSolutions product, **OxyFLEX Comfort Cream, almost instantly reduced my pain**. Even though I am not completely healed **this product has allowed me to be basically pain free**.

I strongly recommend this product for anyone trying to find an alternative way to reduce pain without using anti-flammatories or resorting to surgery. Thanks.

John Mabold MBA - *Pennsylvania*

MEDICAL PROFESSIONAL

I use OxyFLEX Comfort Cream on all my patients in my office because it works!

I have had several patients ask me for more OxyFLEX after the original tube has been used up and I have gotten new referrals from those patients, too. Thanks Paul.

Dr. Kevin J. Rodrigues, D.C., F.I.A.M.A. - *Massachusetts*

NERVE PAIN

This was the first time I used OxyFLEX. **It started working as soon as I put it on**. I had to use it for about 2 weeks for my nerve damage. I also let people at work us it for their injuries and such. **They where amazed in how fast they felt relief**.

I would recommend this product to all who are complaining of soreness and pain. Thank you for your natural product.

Tonya Renee MacKay - *California*

Please Send Us Your OxyFLEX Testimonial

We want to hear from you.

DALLAS INDEPENDENT SCHOOL DISTRICT-*Sports Medicine Dept*

When OxyFLEX Comfort Cream was presented to me I was somewhat hesitant because we can be overwhelmed with numerous products that declare amazing results compared to their competitors. When you find a product that fits your method of treatment we can often become complacent and stay inside the box. This is absolutely not the case with OxyFLEX Comfort Cream.

I agreed to conduct a two week evaluation with our sports medicine staff in our five sports medicine clinics. Our Athletic Training Staff treated a variety of sports related musculoskeletal injuries including muscles and joints to the ankle, knee, shoulder and back.

Our sports medicine team was overwhelmingly impressed with the effectiveness of OxyFLEX Comfort Cream in just the first week of our trial application and treatment. Our team was very impressed.

OxyFLEX Comfort Cream does exactly what it says it will do and more!

I would encourage Athletic Trainers or an individual who has a need for a naturally acting anti-inflammatory and analgesic to try OxyFLEX Comfort Cream. **OxyFLEX Comfort Cream works for us and I highly recommend it**. Thank you for introducing OxyFLEX to us.

Phil Francis - Head Athletic Trainer
Dallas Independent School District-*Sports Medicine Department*

If you suffer from tendonitis pain you owe it to yourself to try **OxyFLEX® Comfort Cream. OxyFLEX®** reduces inflammation and provides immediate relief for tendonitis pain. That's why I provide an **Money-Back Guarantee.**

Paul A. Siemik
CEO/President
Trusolutions Corporation

McKINNEY ISD-*Sports Medicine Dept*

I have been using OxyFLEX Comfort Cream on many of our student athletes and **I can say that the results are amazing**. We have treated many acute and chronic injuries and have found that **OxyFLEX Comfort Cream really works! It has allowed our athletes to return to activity faster and pain free. I highly recommend using OxyFLEX Comfort Cream for athletic injuries. It has helped our Athletic Training Program tremendously**.

Billy Skidmore, ATC/LAT - Head Athletic Trainer
McKinney High School, McKinney Texas

SEE SPECIAL OFFERS BELOW

BICEP TENDONITIS PAIN

I had developed bicep tendonitis and it was interfering with my workouts. I started appling before and after my workouts and continued with my workouts with specific stretches and **my tendonitis was significantly better in 2 weeks**.

Jeff Hill, DPT, MA, CSCS *Director*
CaroMont Rehab and Sports Medicine

TENDONITIS - *GOLFERS ELBOW*

I wanted to let you know how much I appreciate your OxyFLEX product. Over the last few years I have suffered from tendonitis in both of my elbows (often called golfers elbow). I have had multiple cortisone shots but the problem has continued to deteriorate rather than improve. Three months ago, because the pain was becoming much worse, I had an MRI on both elbows and the results indicated chronic tendonitis. Unfortunately my doctor informed me that there is nothing that can be done to resolve the condition. In other words "Learn to live with it".

About a month ago I purchased a tube of OxyFLEX, quite honestly with very low expectations that a cream could help with something that traditional medicine has been unable to resolve. I have to tell you that **this cream has had a tremendously positive impact on my condition. My right elbow is essentially pain free and the pain in my left elbow has been reduced to the level of minor annoyance**. I have been able to resume my weight training regimen and **my golf game is pain free**.

It's a great product and **I have recommended it to friends and family and would strongly recommend this product to anyone** seeking relief from conditions such as mine.

Martin Ewing *- Texas*

CLICK TO READ OTHER CUSTOMER COMMENTS

PLANTAR FASCIITIS PAIN

SCIATICA PAIN

ARTHRITIS PAIN

BACK PAIN

MUSCLE AND JOINT PAIN

TENDONITIS PAIN

I met Paul Siemik, the President of TruSolutions Corporation, at the PGA Senior Championship at Laurel Valley Country Club while warming up for a practice round. Paul had noticed that I had an air cast on my right elbow. I told him that at times I have some nagging pain from tendonitis. He suggested that the next time I felt the pain to massage a small dab of OxyFLEX Comfort Cream, the size of a pea, on the spot and see what happens. That night after 18 holes of walking the rolling hills of Laurel Valley I had some soreness in my legs. **I pulled out the OxyFLEX Comfort Cream and applied very little to my thighs. The next day I felt great. No pain or stiffness**.

My elbow has felt good but when I do notice some pain I immediately apply the OxyFLEX Comfort Cream and, **like magic, the pain is gone the next day**.

I also told my wife Kathy to try it on her back where she was always complaining of soreness. **Since Kathy began using OxyFLEX her back has been great. She swears by OxyFLEX Comfort Cream.**

My wife and I truly recommend OxyFLEX Comfort Cream.

Jay Friedman
PGA Champions Tour Pro

SEE SPECIAL OFFERS BELOW

TENDONITIS PAIN

Thank you once again for introducing me to OxyFLEX Comfort Cream.

I have had pain in my left arm for at least 2-3 years and this can be documented by my Doctor. I was taking 800mg of Ibuprofen 3 times a day, which I did not like doing. I was diagnosed with tendonitis, given some pills and told to have a good day. My nights were the worst. Sleeping on my left arm was not a possibility. If I slept on my left arm the pain would almost rivet me out of the bed like a bolt of lighting. My range of mobility was severely limited and stretching my arm out was not going to happen either. I learned to deal with the pain and when it got too bad I took the pills. I have pills in my purse, in my car, next to my bed, in the kitchen and in the living room. Pills really dominated me. I never thought about this til last night while looking for a bank statement. I am really embarrassed to tell you about all the different kinds of medications and rubs that I have bought and massages that I have had.

I thank you once again for this wonderful cream. My arm feels new again. I have not taken one pill for pain since Sunday (08/14/05). I sleep so well now and on my arm without pain. Thank you, thank you, and thank you again and again.

My father is currently using OxyFLEX Comfort Cream now. His knee has been giving him problems. He started using it Monday night. Tuesday night he came into my bedroom again begging for my cream. I am very selfish when it comes to good stuff. I let him use it reluctantly. I am going to be ordering two tubes next week, because **I do not ever want to be out of this product**....

Christa Cross - *California*

TENDONITIS PAIN

In May of 2004 my brother and I went fishing under the oil rigs in the Gulf of Mexico. The good news is that we caught over 200 redfish and speckled trout that day. The bad news is that in the process of setting the hook on the one hundred or so fish that I personally caught, I developed tendonitis in my left elbow. (I am left handed). It plagued me so badly during the summer and fall of 2004 that I had two separate series of cortisone shots to make the pain bearable. About two months after each cortisone series, the pain came back. I was told by my doctor that he could only inject me with cortisone twice and if the pain returned after the second treatment, surgery would be required to eliminate the pain. I began wearing a cushioned arm band to make the pain bearable.

About five weeks ago, while playing golf at my club I got paired with Paul Siemik for the first time. Paul noticed my arm band and asked me about it. I told him the story and he told me about OxyFLEX® Comfort Cream. After the round that day I bought a tube and began to use it. I use it before and after playing golf and once again just before I retire for the night.

Today, after over a year of suffering with painful left elbow tendonitis, I play golf, do yard work, or whatever and I am completely pain free. I do not wear the arm band any more and my left elbow feels great. I am even thinking about going fishing under the oil rigs again with my brother. That's how good this stuff is.

I have no idea of how it works, **I just know that for me it does work and it is so easy to use**. Thanks Paul.

Mike Busby - *Texas*

Dedication to satisfaction: We are dedicated to providing our customers with 100% satisfaction! We feel that the best way to build repeat business and a long lasting relationship with our customers is by treating them right, giving them good, fair prices, and quality service. If we ever fail to meet your expectations please contact us and we will make every attempt possible to meet and beat your highest expectations in order to make you a happy customer. We thank you for doing business with TruSolutions Corporation.

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Exhibit 68

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Super Flex Joint Formula (120 Tab)

Seacoast Only Prices

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Seacoast Review of Benefits & Side Effects
Super Flex Joint Formula (120 Tab) | Natural Balance | Joint + Muscle Support

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Most young adults have no complaints about aching, whining joints. However, if one does not have a well balanced diet, such problems can arise much earlier on in the game of life. Super Flex Joint Formula may

Uses & Indications

- Relieving Pain
- Improving Muscle Tone
- Increasing Flexibility

Ailments & Concerns

- Joint Pain
- Muscle Strain

Exhibit 69

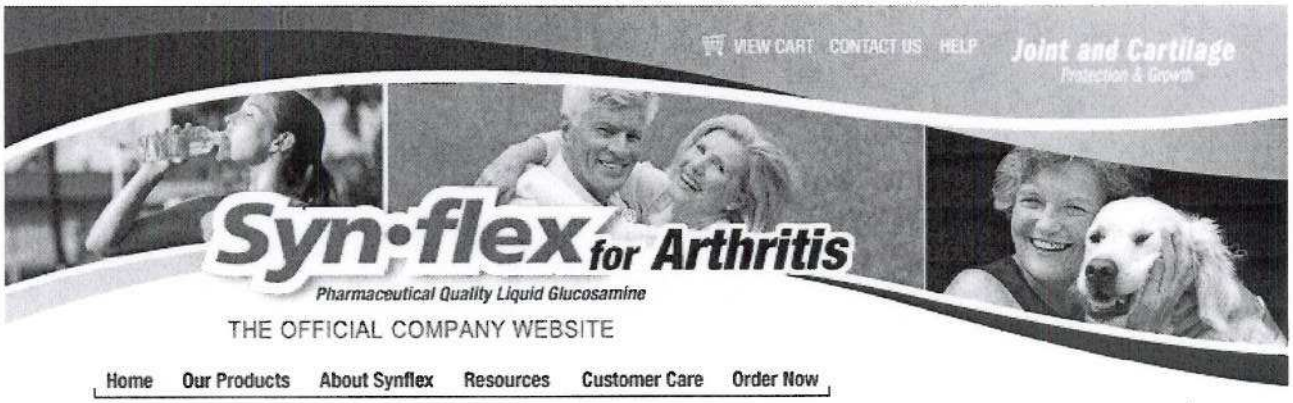

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Exhibit 70

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Fitness Equipment and Nutritional Supplements for Less

Super Joint Flex Aid

See variations of Super Joint Flex Aid at eVitamins

BOOKMARK

CHECK PRICE & SELECTION

The combination of Glucosamine and Chondroitin Sulfates, MSM and the digestive enzyme Bromelain may enhance cartilage repair, help reduce joint and muscle pain, help reduce inflammation, and accelerate tissue repair. ...**learn more**

View complete product details on *Super Joint Flex Aid*

SEE IT

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User Reviews - Rate/Review This Product (0 Reviews)

Average Rating : None Recorded

Last Review Date: NA,Be the First to review this product.

Rate/Review This Product

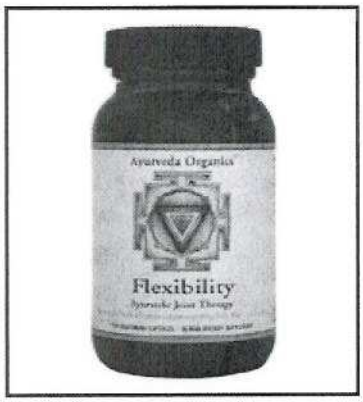
Exhibit 71

Categorized | Herbal Supplements

Tags : Flexibility Formula, Herbalever, herbel supplement

Flexibility Formula

Posted on 31 December 2008



- Lubing to joint, muscle, and bone tissues
- Provides respite from morning clumsiness
- Encourages power and stamina
- Soft on digestive system

Stretch your capability....

Our Flexibility formula is an exclusive amalgamation of 100% naturally grown herbs and roots that assist in preserving healthy joints by softly purifying and sustaining joint tissues. Flexibility was intended for those who lead a physically vigorous lifestyle, sustaining flexibility, vigor, endurance and total muscle and joint health. It's mild on the stomach, free from addiction and brilliant when taken in amalgamation with our Turmeric Formula.

Details:

- **Part used:** Ashwagandha root. Tulsi leaf & flower. Cyperus Rotundus rhizome. Guduchi root (Indian Tinospora stem) .
- **Blend actions:**Tulsi performs its action as a transporter and a tonic. The Cyperus helps in cleansing waste (ama) from joints to clear up issues. Ashwagandha is added to build healthy tissues. The Guduchi performs its action as a lubricant.
- **Qualities:** Earth, fire, lubricating, mordant, escalating and purifying.
- **Systems:** Muscular, Skeletal, Circulatory.

Exhibit 72

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Flexibility®

Flexibility is rich in vitamins, minerals and amino acids recognized as beneficial to the health of joints and soft tissues. Two important amino acids utilized in Flexibility include glycine and histidine. These amino acids are known to promote neuromuscular control as well as maintain healthy, flexible joints. Boron, another key ingredient, is vital in protecting joints and vitamin E is added to soothe muscle cramps associated with heavy exercise or everyday exertions.

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We speak Spanish!
Hablamos Español!

Exhibit 73

flex

4 entries found.

On Off

[1]flex (verb)
[2]flex (noun)
[3]flex (noun)
flex–cuff

Main Entry: **[1]flex**
Pronunciation: \'fleks\
Function: *verb*
Etymology: Latin *flexus*, past participle of *flectere* to bend
Date: circa 1521

transitive verb
1 : to bend especially repeatedly
2 a : to move muscles so as to cause flexion of (a joint) **b :** to move or tense (a muscle) by contraction
3 : USE , DEMONSTRATE <*flexing* her skills as a singer>
intransitive verb
: BEND
— flex one's muscles : to demonstrate one's strength <an exaggerated need to *flex his* political *muscles* — J. P. Lash>

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Pronunciation Symbols

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