

Bio-Medical & Pharmaceutical

Manufacturing Corporation

Revised: October 27, 2011

License & Use: Pro-Tect® Sunscreens

Scope

This license agreement supercedes all previous versions, verbal or written, pertaining to the use of the Pro-Tect® brand and the Pro-Spectrum™ Process.

Compliance

To legally use any of the brands, trademarks, or registered marks (referred to collectively as Marks) described herein, companies must comply with all conditions outlined below. Refusal to comply with any single condition prohibits the use of any of the Marks outlined below. Any company using any of the Marks governed by this license agreement without first complying with the conditions herein shall be pursued using every legal means necessary to achieve compliance or desistance.

Goal

Bio-Medical & Pharm. Mfg. Corp.'s goal behind the enforcement of this license is to protect the reputation and usefulness of the Marks and to maintain the public perception of the products represented by the Marks. To achieve this, Bio-Medical & Pharm. Mfg. Corp. will pursue any company found to be using such Marks without complying with the conditions outlined below.

Conditions

Graphics & Images

All of the graphics and images Bio-Medical & Pharm. Mfg. Corp. produces to support the sale and distribution of Marked products are available by email. If a company copies an image to its own website, it is assumed that the company also bears the responsibility of updating obsolete images

Written Materials

Bio-Medical & Pharm. Mfg. Corp. will provide any company selling or distributing Marked products or a properly-licensed private-label of Marked products with technical support, documentation, regulatory information, required label copy, scientific papers, or any other documentation we feel would strengthen the marketing position of the brand at a reasonable cost. Any advertisements or other printed materials using any of the Marks must first be reviewed and approved by Bio-Medical & Pharm. Mfg. Corp.'s authorized personnel. This is a service we provide for free. It helps sellers and distributors avoid accidental misstatements and ensures compliance with FDA regulations.

Labeling

All artwork intended for labeling should be submitted to tom3@bio-medicalmanufacturing.com for approval before the labels are actually printed. Certain information is required by the FDA to appear verbatim on labeling or printed cartons. We provide review services free of charge because if non-compliant labels are provided for a packaging job, they will be rejected and they must then be reprinted usually leading to delays when the job is rescheduled. Any company using the Marks should check for a new version before each printing. There is no way to predict when regulatory changes will force label changes, so all licensors must be responsible for ensuring they are printing a current and compliant version.

4311 SOUTH DR, HOUSTON, TX 77053-4820

PHONE: 281.835.8051 FAX: 281.835.8114

Verbal Communication & Support

Bio-Medical & Pharm. Mfg. Corp. will provide any education or training needed to support Marked products excluding proprietary information. Training can be performed at any location in Houston, Texas free of charge or for a per-diem charge anywhere in the world. This training ensures that sales personnel have a broad understanding of the benefits and features of Marked products and can guide the average consumer during normal use. For more technical issues, please request more information by calling our office or emailing tom3@bio-medicalmanufacturing.com. Certain information is proprietary and will not be disclosed under any circumstances. Any customer who is aware of confidential information is required to hold that information in confidence and not to disclose it to anyone.

Anyone selling or promoting products using the Marks on labeling or in printed materials must fully understand what can and can not be said about the products. If they are unsure about the distinction, they should seek advice from Bio-Medical & Pharm. Mfg. Corp.'s personnel before engaging in detailed conversation with a potential customer. Statements like "prevents cancer" or "extends life" must be avoided in favor of statements like "helps reduce the chance of skin cancer due to overexposure to the sun."

Repackaging Compliance

Only FDA-registered companies licensed for OTC drug manufacturing & packaging may repackage OTC drug products. This includes all sizes from samples to drums. Companies that are not FDA-registered must not repackage OTC drug products for any reason. Bio-Medical & Pharm. Mfg. Corp. offers specially-reduced pricing for sample sizes and companies can even add samples to their orders for larger sizes to avoid setup charges.

W. T. Loesch III, VP Signed to: Pages 1 - 2

A handwritten signature in black ink, appearing to read 'W. T. Loesch III', with a stylized, cursive flourish extending to the right.

Thu Oct 2011 10/27/11 12:21:30