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Area Code and Telephone Number [630] 252-2176

Name Robert J. Fisher

Address (line 1) U.S. Department of Energy

Address (line 2) Office of Intellectual Property Law

Address (line 3) 9800 South Cass Avenue

Address (line 4) Argonne, Illinois 60439

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Patent Application Number(s)

Patent Number(s)

294,719						

If this document is being filed together with a new Patent Application, enter the date the patent application was Month Day Year

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CONFIRMATORY LICENSE

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Title : **COMBINED SUPPORT STRUCTURE AND SERVICE MANIFOLDS
FOR FUEL CELL STACK**

Inventor(s) : **Michael M. Walsh**

Serial No. : 09/294,719 Filing Date: 4-19-1999

Contractor : **PLUG POWER, L.L.C.**

DOE Contract No.: **Subcontract No. 47-2-R-31153 under Ford Motor Co. Prime Contract
No. DE-AC02-94CE50389**

DOE Case No. : **S-90,155**

Patent Rights Clause No.: **DEAR 952.227-71**

Foreign Applications filed in or intended to be filed at Contractor's expense in (countries):

The contractor, having the right to retain title to Subject Inventions as a result of Public Law 96-517, has reported the above-identified invention as a Subject Invention to DOE with its election to retain title thereto.

Accordingly, this document is confirmatory of the nonexclusive, nontransferable, irrevocable, paid-up license to practice or to have practiced for or on behalf of the United States, required by the Public Law and the above-identified contract, in this Subject Invention, patent application and any resulting patent, as well as any continuation, divisional, reissue, supplemental or continuation-in-part thereof, throughout the world and of all other rights acquired by the Government by the above-identified patent rights clause, a copy of which is attached hereto and incorporated by reference herein. The undersigned certifies the attached copy to be a true copy of said clause. It is understood and agreed that this license does not preclude the Government from asserting rights under the provisions of said contract or of any other agreement between the Government and the Contractor, or from asserting any other rights of the Government with respect to the above-identified Subject Invention.

The Government is hereby granted an irrevocable power to inspect and make copies of the above-identified patent application.

Signed this 20th day of May, 1999

(SEAL)

PLUG POWER, L.L.C.

(Contractor)

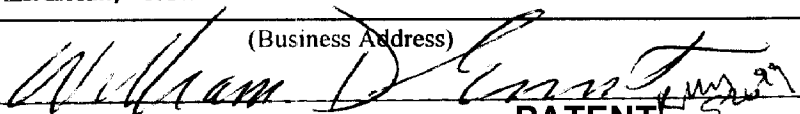
Dr. William D. Ernst

By: Vice President and Chief Scientist

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