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Docket No.: PLUG-0011-US (457)

09-03-1999

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark OfficeFORM PTO-1595 (Modified)
(Rev. 6-93)
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Tab settings

To the Honorable Commissioner of Patents and Trademarks, Please receive the attached original documents or copy thereof.

1. Name of conveying party(ies):

Glen A. Eisman
William B. Maynard
Ron H. Farkash
Charles M. Carlstrom

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: August 26, 1999

2. Name and address of receiving party(ies):

Name: Plug Power L.L.C.

Address: 968 Albany-Shaker Road

City: Latham State/Prov.: NY

Country: U.S.A. ZIP: 12110

Additional name(s) & address(es)

☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: August 26, 1999

Patent Application No. Filing date

09/383466

B. Patent No.(s)

Additional numbers

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Fred G. Pruner, Jr.

Registration No. 40,779

Address: Trop, Pruner, Hu & Miles, P.C.

8554 Katy Freeway, Suite 100

City: Houston State/Prov.: TX

Country: U.S.A. ZIP: 77024

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41): \$ 40.00

- ☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account
☐ Authorized to be charged to deposit account

8. Deposit account number:

20-1504 (PLUG-0011-US)

09/02/1999 DNGUYEN 00000236 09383466

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Fred G. Pruner, Jr.

Name of Person Signing

Signature

August 26, 1999

Date

Total number of pages including cover sheet, attachments, and

6

REEL: 010204 FRAME: 0844

DOCKET NO. PLUG-0011-US (457)

ASSIGNMENT

WHEREAS, we, **GLENN A. EISMAN, WILLIAM B. MAYNARD, RON H. FARKASH and CHARLES M. CARLSTROM**, are joint inventors of "**COMBINED FUEL CELL FLOW PLATE AND GAS DIFFUSION LAYER**" application for United States Letters Patent which is executed of even date herewith; and

WHEREAS, PLUG POWER L.L.C., a limited liability company under and by virtue of the laws of the State of New York, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention throughout the world, and all right, title and interest in, to and under any and all Letters Patent of the United States and all other countries throughout the world;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I hereby sell, assign, transfer and set over to PLUG POWER L.L.C., all right, title and interest in and to the said invention throughout the world, and said application for U.S. Letters Patent, and any and all divisions, continuations, and reissues thereof, and any and all Letters Patent of the United States and foreign countries which may be granted therefor, the same to be held and enjoyed by PLUG POWER L.L.C. for its own use and benefit, and for the use and benefit of its successors, assigns, or other legal representatives, to the end of the term or terms for which said Letters Patent of the United States or foreign countries are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by me if this assignment and sale had not been made.

And I hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States on said invention or resulting from said application and from any and all divisions, continuations, and reissues thereof, to PLUG POWER L.L.C., as assignee of my entire interest, and hereby covenant that I have the full right to convey the entire interest herein assigned, and that I have not executed and will not execute any agreement in conflict herewith.

And I further hereby covenant and agree that I will, at any time, upon request, execute and deliver any and all papers that may be necessary or desirable to perfect the title of said invention and to such Letters Patent as may be granted therefor, to PLUG POWER L.L.C., its successors, assigns, or other legal representatives and that if PLUG POWER L.L.C., its successors, assigns or other legal representatives shall desire to file any divisional or continuation applications or to secure a reissue of such Letters Patent, or to file a disclaimer relating thereto, I will upon request, sign all papers, make all rightful oaths and do all lawful acts requisite for the filing of such divisional or continuation application, or such application for reissue and the procuring thereof, and for the filing of such disclaimer, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

And I do further covenant and agree that I will, at any time upon request, communicate to PLUG POWER L.L.C., its successors, assigns or other legal representatives, such facts relating to said invention and Letters Patent or the file history thereof as may be known to me, and testify as to the same in any interference or other litigation when requested so to do, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

EXECUTED THIS 26 day of AUGUST, 1999.


Name: **GLENN A. EISMAN**

STATE OF NEW YORK

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COUNTY OF ALBANY

§

BEFORE ME, the undersigned authority, on this day personally appeared **GLENN A. EISMAN**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this 26th day of August, 1999.


Notary Public in and for the State of New York

KATHLEEN R. PETRUCCO
Notary Public, State of New York
Qualified in Schenectady County
No. 4912848
Commission Expires November 16, 1999

EXECUTED THIS 26 day of AUG, 1999.


Name: **WILLIAM B. MAYNARD**

STATE OF NEW YORK

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COUNTY OF ALBANY

§

§

BEFORE ME, the undersigned authority, on this day personally appeared **WILLIAM B. MAYNARD**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this 26th day of August, 1999.


Notary Public in and for the State of New York

KATHLEEN R. PETRUCCO
Notary Public, State of New York
Qualified in Schenectady County
No. 4912848
Commission Expires November 16, 1999

EXECUTED THIS 26 day of August, 1999.


Name: **RON H. FARKASH**

STATE OF NEW YORK

§

COUNTY OF ALBANY

§

§

BEFORE ME, the undersigned authority, on this day personally appeared **RON H. FARKASH**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this 26th day of August, 1999.


Notary Public in and for the State of New York

KATHLEEN R. PETRUCCO
Notary Public, State of New York
Qualified in Schenectady County
No. 4912848
Commission Expires November 16, 1999

EXECUTED THIS 26 day of AUGUST, 1999.


Name: **CHARLES M. CARLSTROM**

STATE OF NEW YORK

§

COUNTY OF ALBANY

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§

BEFORE ME, the undersigned authority, on this day personally appeared **CHARLES M. CARLSTROM**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this 26th day of August, 1999.


Notary Public in and for the State of New York

KATHLEEN R. PETRUCCO
Notary Public, State of New York
Qualified in Schenectady County
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