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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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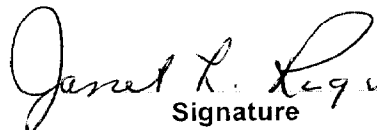
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Janet L. Rego
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CONFIRMATORY LICENSE

Title: Microsphere Attachment To DNA
Inventor(s): Rodney L. Balhorn et al.
Contract Number: W-7405-ENG-48
Contractor: Regents of the University of California

DOE Docket No.: S-85,942
Docket No.: IL-9950
U.S. Patent Application S.N.: 09/359,147
Filing Date: July 21, 1999
Waiver No.: W(C) 92-002-561

Foreign patent applications filed or intended to be filed at contractor's expense in (countries):

The Contractor certifies that a true copy of the provisions which govern patent rights in "subject inventions" under the above-identified contract is herewith submitted or has been submitted to the U.S. Department of Energy by certification dated June 15, 1999.

WHEREAS, the above-identified invention is a subject invention under the above-identified contract;

WHEREAS, the Class Waiver W(C) 92-002-561 of Government rights in certain identified inventions and the above-identified contract provides the Contractor with the right to elect to retain title in certain subject inventions and the Contractor has elected to retain title in the above-identified subject invention, EXCEPT FOR a paid-up license under the above-identified contract and the above-identified waiver, effective June 1, 1998.

ACCORDINGLY, the Contractor hereby confirms that under the provisions of the above-identified contract governing patent rights, it has granted to the Government a nonexclusive, nontransferable, irrevocable, paid-up license to practice or have practiced for or on behalf of the United States the subject invention throughout the world. This license applies to the above-identified invention, the above-identified patent application(s), and any and all divisions or continuations thereof and any resulting patent or reissue patent which may be granted thereon.

The Government reserves for itself, and is hereby granted by the Contractor, the irrevocable power to inspect and make copies of the file wrapper(s) of the above-identified U.S. patent application and of any related or continuation patent application(s), whether domestic or foreign, for the above-identified invention.

It is understood and agreed that this instrument does not preclude the Government from asserting rights under the provisions of the above-identified contract or any other agreement between the Government and the Contractor, or any other rights of the Government with respect to the above-identified invention.

Signed on behalf of: THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
(Contractor)

Witness: Nancy J. Stone
(Signature)
Nancy J. Stone, Administrative Assistant
(Name and Title)

By: Janet G. Tulk 3-17-00
(Contractor Official's Signature) (Date)
Janet G. Tulk, Laboratory Counsel
(Print/Type Contractor Official's Name and Title)

Lawrence Livermore National Laboratory
(Print/Type Contractor's Address)
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