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Pages Enter the total number of pages of the attached conveyance document including any attachments. #

Application Number(s) or Patent Number(s) Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

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

Patent Cooperation Treaty (PCT)

Enter PCT application number only if a U.S. Application Number has not been assigned.

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Number of Properties Enter the total number of properties involved. #

Fee Amount Fee Amount for Properties Listed (37 CFR 3.41): \$

Method of Payment: Enclosed Deposit Account

Deposit Account

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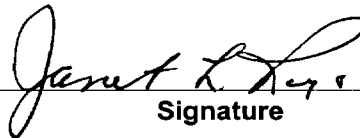
Authorization to charge additional fees: Yes No

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. Charges to deposit account are authorized, as indicated herein.

Janet L. Rego

Name of Person Signing



Signature

12-22-2000

Date

CONFIRMATORY LICENSE

**Title: Method and Apparatus for Detection
of Fluorescently Labeled Materials**
Inventor(s): David Stern et al.
Contract Number: DE-FG03-92ER81275
Contractor: Affymetrix, Inc.

DOE Docket No.: S-95,350
U.S. Patent Application: S.N.: 08/195,889
Filing Date: February 10, 1994
U.S. Patent Number: 5,631,734
Issue Date: May 20, 1997

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 8/22/00.

WHEREAS, the above-identified contract provides the Contractor with the right to elect to retain title in certain inventions and the Contractor has reported the above-identified invention as a subject invention under the contract, has elected to retain title therein, and has agreed to file a domestic patent application thereon, if not previously filed.

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: _____ **Affymetrix, Inc.**
(Contractor)

Witness: Laurie Jan Reisinger (Signature) **By:** Susan E. Siegel (Contractor Official's Signature) 8/22/00 (Date)

Laurie Jan Reisinger, Legal Administrator (Name and Title) Susan E. Siegel, President (Print/Type Contractor Official's Name and Title)

3380 Central Expressway
(Print/Type Contractor's Address)

Santa Clara, CA 95051

Approved for signature
by AFFX Legal Dept.

[Handwritten Signature]
8/11/00

PATENT