

05-10-2001



Substitute Form PTO-1595  
Attorney Docket No.: 10964-056001  
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REGISTRATION 101711244 SET  
**PATENTS ONLY**

04/27/01

J1036 U.S. PTO  
09/043522  
04/27/01

Commissioner for Patents: Please record the attached original document(s) or copy(ies).

1. Name of conveying party(ies): Milton H. Nelson and Yaobang Wu Additional name(s) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies): PLUG POWER INC. 968 Albany-Shaker Road Latham, NY 12110  Additional names/addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other: Execution Date:	
4. Application number(s) or patent number(s): If this document is being filed with a new application, the execution date of the application is: 4/25/01 A. Patent Application No(s): B. Patent No(s): Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. Name/address of party to whom correspondence concerning document should be mailed: ERIC L. PRAHL Fish & Richardson P.C. 225 Franklin Street Boston, MA 02110-2804	6. Total number of applications/patents involved: 1 7. Total fee (37 CFR §3.41): \$40 <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to charge Deposit Account. 8. Deposit Account No.: 06-1050 Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.
<b>DO NOT USE THIS SPACE</b>	
9. Statement and Signature: <i>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.</i>	
Eric L. Prahl Reg. No. 32,590 Name of Person Signing	 Signature Sean Doherty, Reg. No. 40,978 Date 4/27/2001
Total number of pages including coversheet, attachments and document:	

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04/27/2001 TO: PRAHL, ERIC L. 09/043522  
40.00 DP

**CERTIFICATE OF MAILING BY EXPRESS MAIL** Express Mail Label No. EL298426626US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner of Patents, Washington, D.C. 20231.

04/27/01 Date of Deposit  
  
Signature  
Josh Cronin  
Typed Name of Person Signing Certificate

**PATENT**  
**REEL: 011773 FRAME: 0134**

## ASSIGNMENT

WHEREAS, WE, **YAOBANG WU and MILTON H. NELSON** are the inventors of "**FUEL CELL SEALANT DESIGN**" application for United States Letters Patent which is executed of even date herewith; and

WHEREAS, PLUG POWER INC., a corporation created and existing under and by virtue of the laws of the State of Delaware, 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, WE hereby sell, assign, transfer and set over to PLUG POWER INC., 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 INC. 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 WE 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 INC., as assignee of my entire interest, and hereby covenant that WE have the full right to convey the entire interest herein assigned, and that WE have not executed and will not execute any agreement in conflict herewith.

And WE further hereby covenant and agree that WE 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 INC., its successors, assigns, or other legal representatives and that if PLUG POWER INC., 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, WE 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 WE do further covenant and agree that WE will, at any time upon request, communicate to PLUG POWER INC., 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 25<sup>th</sup> day of April, 2001.



Name: YAOBANG WU

STATE OF NEW YORK §  
COUNTY OF ALBANY §

BEFORE ME, the undersigned authority, on this day personally appeared YAOBANG WU, 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 25<sup>th</sup> day of April, 2001.



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, 192001

EXECUTED THIS 25<sup>th</sup> day of April, 2001.

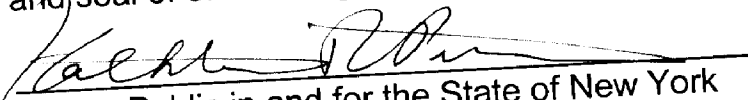


Name: MILTON H. NELSON

STATE OF NEW YORK §  
COUNTY OF ALBANY §

BEFORE ME, the undersigned authority, on this day personally appeared MILTON H. NELSON, 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 25<sup>th</sup> day of April, 2001.



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

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