
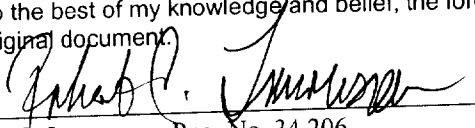


09-28-2001

FORM PTO-1595 1-31-92	RE		EET	U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office
Docket No. 04813.0016.NPUS00		101858892		
To the Honorable Commissioner of Patent and Trademark.		Transmitted original documents or copy thereof.		
1. Name of conveying party(ies): Jeffrey A. Colborn Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party: Name: <u>Metallic Power, Inc.</u> Internal Address: <u>2320 Camino Vida Roble</u> City: <u>Carlsbad</u> State: <u>CA</u> Zip: <u>92009</u> Street Address: <u>Same as above</u> City: _____ State: _____ Zip: _____ Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input checked="" type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>September 5, 2001</u>				
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: A. Patent Application No(s): <u>09/930,557</u> B. Patent No(s): _____ Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Robert C. Laurenson</u> Internal Address: HOWREY SIMON ARNOLD & WHITE, LLP Box No. 34 301 Ravenswood Avenue Menlo Park, CA 94025		6. Total number of applications and patents involved: <u>1</u> 7. Total fee (37 CFR 3.41): \$ 40.00 <input checked="" type="checkbox"/> The Commissioner is authorized to charge our Deposit Account No. 08-3038, Referencing Docket No. 04813.0016.NPUS00 <input checked="" type="checkbox"/> Charge this Deposit Account if any additional fee is required 8. Deposit Account Number: 08-3038		
DO NOT USE THIS SPACE				
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.  Robert C. Laurenson, Reg. No. 34,206 Date: <u>September 12</u> , 2001 Total number of pages including cover sheet: <u>4</u>				
OMB No. 0651-0011 (exp. 4/94)				
Do not detach this portion Mail documents to be recorded with required cover sheet information to: Commissioner of Patents and Trademarks Box Assignments Washington, D.C. 20231 09/27/2001 6TON11 00000089 083038 09930557 01 FC:581 40.00 CH				
Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Washington, D.C. 20503				

PATENT
REEL: 012193 FRAME: 0376

ASSIGNMENT

WHEREAS, I, **JEFFREY A. COLBORN**, a citizen of the United States of America, residing at 2015 Edinburg Avenue, Cardiff-by-the-Sea, CA 92007, have made new and useful improvements in **POWER SYSTEM INCLUDING HEAT REMOVAL UNIT FOR PROVIDING BACKUP POWER TO ONE OR MORE LOADS**, for which an application for Letters Patent of the United States was filed on August 15, 2001, as Application No. 09/930,557.

WHEREAS, **METALLIC POWER, INC.**, a corporation organized and existing under the laws of the State of Delaware, and having a place of business at **2320 Camino Vida Roble, Carlsbad, California 92009**, and who, together with its successors and assigns ("Assignee") is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited.

NOW, THEREFORE, for valuable consideration furnished by Assignee to me, receipt and sufficiency of which I hereby acknowledge, I hereby, without reservations:

1. Assign, transfer, and convey to Assignee the entire right, title, and interest in and to said application for Letters Patent of the United States, including all claims, if any, for infringement prior to the date of this assignment, the inventions and discoveries described therein, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent.

2. Authorize Assignee to file patent applications in any or all countries for any or all of said inventions and discoveries in my name or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise.

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct.

4. Warrant that I have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that I have good right to assign the same to Assignee without encumbrance.

5. Bind my heirs, legal representatives, and assigns, as well as myself, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to me or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by me, my heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to me relating to said inventions and discoveries or the history thereof; to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in my control or in the control of my heirs, legal representatives, or assigns which may be useful for establishing the facts of my conception, disclosures, and reduction to practice of said inventions and discoveries; and to testify as to the same in any interference or other litigation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 5th day of September, 2001.

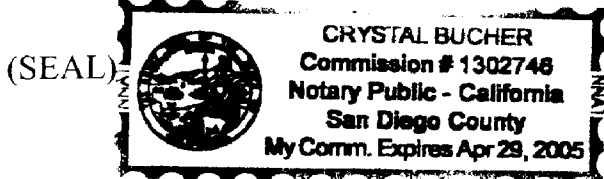

Jeffrey A. Colborn

STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

SS:

On this 5th day of September, 2001, before me personally appeared **Jeffrey A. Colborn**, to me known and known to me to be the individual described in and who executed the foregoing instrument, and who duly acknowledged to me to have executed the foregoing instrument, and who duly acknowledged to me to have executed the same for the purpose therein set forth.




NOTARY PUBLIC

My Commission Expires: 4/29/05