

5-91,553

FORM PTO-1019A
Expires 06/30/99
OMB 0651-0027



10-22-2002



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- ☐ Assignment ☐ Security Agreement
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REEL: 013391 FRAME: 0592

Correspondent Name and Address

Area Code and Telephone Number

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Address (line 1) U.S. Department of Energy

Address (line 2) Lawrence Livermore National Laboratory

Address (line 3) P. O. Box 808 (MS L-376)

Address (line 4) Livermore, CA 94550

Pages

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

1

Application Number(s) or Patent Number(s)

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

Patent Application Number(s)

Patent Number(s)

09/564,073

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

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Patent Cooperation Treaty (PCT)

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

PCT PCT PCT
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Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ 0.00

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Janet L. Rego

Name of Person Signing

Janet L. Rego
Signature

10/1/2002
Date

CONFIRMATORY LICENSE

**Title: Optical Monitor for Real Time Thickness
Change Measurements**
Inventor(s): Michael C. Rushford
Contract Number: W-7405-ENG-48
**Contractor: Regents of the University of
California**

DOE Docket No.: S-91,553
Docket No.: IL-10398
U.S. Patent Application S.N.: 09,564,073
Filing Date: May 3, 2000
Waiver No.: W(C) 92-002-629

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 February 29, 1996.

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

WHEREAS, the above-identified Class Waiver 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.

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

Witness: Wendy R. Pebler **By:** Alan H. Thompson 9/4/02
(Signature) (Contractor Official's Signature) (Date)

Wendy R. Pebler, Paralegal
(Name and Title)

Alan H. Thompson, Deputy Laboratory
(Print/Type Contractor Official's Name and Title)

Counsel for Intellectual Property

Lawrence Livermore National Laboratory
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