

FORM PTO-1619A  
Expires 08/30/99  
OMB 0651-0027

U.S. Department of Commerce  
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**PATENT**

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**PATENT**  
REEL: 014762 FRAME: 0484

FORM PTO-1619B

Expires 06/30/99  
OMB 0851-0027

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U.S. Department of Commerce  
Patent and Trademark Office  
PATENT

## Correspondent Name and Address

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Address (line 2) Lawrence Livermore National Laboratory

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## Pages

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## Application Number(s) or Patent Number(s)

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## Patent Application Number(s)

10/185,028

## Patent Number(s)

If this document is being filed together with a new Patent Application, enter the date the patent application  
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## Patent Cooperation Treaty (PCT)

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Signature

Date

Mr. William C. Daubenspeck, Patent Attorney  
Department of Energy, National Nuclear Security Administration  
Office of Chief Counsel, Intellectual Property Law Division  
Livermore Office, P.O. Box 808, L-376  
Livermore, CA 94550

PATENT

REEL: 014762 FRAME: 0485

*Patent Application Filed in  
the Name of the Contractor*

### CONFIRMATORY LICENSE

**Title: A Priority Arbitration Mechanism**

**Docket No.: S98,413**

**Inventor(s): Derrick L. Garmire et al.**

**U.S. Patent Application: S.N. 10/185028**

**LLNL Subcontract Number: B338307**

**Filing Date: 6/28/2002**

**Subcontractor: IBM**

**U.S. Patent No.:**

**Issue Date**

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

The Subcontractor certifies that a true copy of the provisions which govern patent rights in "subject inventions" under the above-identified subcontract is herewith submitted or has been submitted to the U.S. Department of Energy by certification dated 2/15/2002.

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

ACCORDINGLY, the Subcontractor hereby confirms that under the provisions of the above-identified subcontract 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 thereupon.

The Government reserves for itself, and is hereby granted by the Subcontractor, 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 subcontract or any other agreement between the Government and the Subcontractor, or any other rights of the Government with respect to the above-identified invention.

Signed on behalf of: International Business Machines Corporation (IBM)

Witness: Carolyn Soriano  
(Signature)

Carolyn Soriano

(Print/Type Name)

Assistant to Gerald Rosenthal

(Print/Type Title)

By: Gerald Rosenthal April 7, 2003  
(Subcontractor Official's Signature) (date)

Gerald Rosenthal

(Print/Type Subcontractor Official's Name)

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