

04-21-2004



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630-252-2042

Name **ROBERT J. FISHER**

Address (line 1) **U.S. DEPARTMENT OF ENERGY**

Address (line 2) **OFFICE OF INTELLECTUAL PROPERTY**

Address (line 3) **9800 SOUTH CASS AVENUE**

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# **01**

**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)

			<b>5,993,995</b>		

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

Month Day Year

**Patent Cooperation Treaty (PCT)**

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

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#

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**Brian J. Lally**

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**APR 13 2004**

Date

# CONFIRMATORY LICENSE

(Advanced Waiver of Patent Rights)

Title : Paste Type Nickel Electrode Containing Compound and at Least One Other Element

Inventor(s) : Patrick Bernard, Fran Bertrand & Olivier Simonneau

Serial No. : 08/852,054 Filing Date: 05/06/1997

Contractor : Saft America, Inc.

DOE Contract No.: R&D Agreement No. QZ007 with Saft America Under DOE  
Prime Contract No. DE-FC02-91CE-50336 with USABC

DOE Case No. : S-104,615 - U. S. Patent No.5,993,995 Issued 11/30/1999

Patent Rights Clause No. W(A) 91-016

Foreign Applications filed in or intended to be filed at Contractor's expense in (countries):

France, Europe and Japan

An advanced waiver of Government rights having been granted by the U.S. Department of Energy (DOE) to the contractor and the above-identified invention having been reported as a Subject Invention to DOE by the contractor with its election to file a domestic patent application thereon, the effective date of said waiver for the above invention is 02/09/2004.

Accordingly, this document is confirmatory of the paid-up license required to be granted to the Government under 10 CFR-Part 784 and the above-identified contract in this invention, patent application and any resulting patent as well as any continuation, divisional, reissue, supplemental or continuation-in-part thereof, and of all rights acquired by the Government by the referenced patent rights clause, a copy of which is attached hereto and incorporated by reference herein. The undersigned certifies the attached copy to be a true copy of said clause. It is understood and agreed that this license does not preclude the Government from asserting rights under the provisions of said 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.

The government is hereby granted an irrevocable power to inspect and make copies of the above-identified patent application.

Signed this 6th day of APRIL 2004.

(SEAL)

SAFT AMERICA, INC.  
(Contractor)

By: *Lisa T. Bull* LISA T. BULL, CONTRACT ADMINISTRATOR  
(Contractor's Official and Title)

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(Business Address)

RECORDED: 04/19/2004

PATENT  
REEL: 015223 FRAME: 0054