

12-08-2004



102897314
**RECORDATION FORM COVER SHEET
PATENTS ONLY**

12-06-04

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

New

Resubmission (Non-Recordation)
Document ID#

Correction of PTO Error
Reel # Frame #

Corrective Document
Reel # Frame #

Conveyance Type

Assignment Security Agreement

License Change of Name

Merger Other

U.S. Government
(For Use ONLY by U.S. Government Agencies)

Departmental File Secret File

Conveying Party(ies)

Mark if additional names of conveying parties attached

Name (line 1) SAFT AMERICA, INC. Execution Date Month Day Year 04/06/2004

Name (line 2)

Second Party

Name (line 1) Execution Date Month Day Year

Name (line 2)

Receiving Party

Mark if additional names of receiving parties attached

Name (line 1) UNITED STATES DEPARTMENT OF ENERGY If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Name (line 2)

Address (line 1) 1000 INDEPENDENCE AVENUE

Address (line 2)

Address (line 3) WASHINGTON DC 20585
City State/Country Zip Code

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name UNITED STATES DEPARTMENT OF ENERGY

Address (line 1) 1000 INDEPENDENCE AVENUE

Address (line 2)

Address (line 3)

Address (line 4)

OPR/FINANCE
DEC - 6 AM 7:50

FOR OFFICE USE ONLY

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

PATENT
REEL: 016043 FRAME: 0638

Correspondent Name and Address

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

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

Application Number(s) or Patent Number(s) Mark if additional numbers attached

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)

<input type="text" value="09/034,998"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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.

PCT <input type="text"/>	PCT <input type="text"/>	PCT <input type="text"/>
PCT <input type="text"/>	PCT <input type="text"/>	PCT <input type="text"/>

Number of Properties Enter the total number of properties involved. #

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

Method of Payment: Enclosed Deposit Account

Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the Deposit Account Number: #

Authorization to charge additional fees: Yes No

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. Charges to deposit account are authorized, as indicated herein.

BRIAN J. LALLY 51,911
Name of Person Signing


Signature

DEC 0 1 2004
Date

CONFIRMATORY LICENSE

(Advanced Waiver of Patent Rights)

Title : Positive Active Material for Alkaline Electrolyte Storage Battery Nickel
Electrodes
Inventor(s) : Patrick Bernard & Michelle Baudry
Serial No. : 09/034,998 Filing Date: 3/5/1998
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-104,618 - U. S. Patent No.6,156,454 Issued 12/05/2000
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, CONTRACT ADMINISTRATOR
(Contractor's Official and Title)

107 Beaver Court, Cockeysville, MD 21030-2106
(Business Address)

RECORDED: 12/06/2004

PATENT
REEL: 016043 FRAME: 0640