

03-28-2005

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Name (line 1) SAFT AMERICA, INC. Execution Date
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Patent Application Number(s)

Patent Number(s)

09/459,455

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CONFIRMATORY LICENSE

(Advanced Waiver of Patent Rights)

Title : **MODULE CONFIGURATION**

Inventor(s) : Salah Oweis, Guy Chagnon, Peter Alumans Louis D'Ussel, Michael Zuhowski, Tim Sack, Gaullume Laucournet & Edward J. Jackson

Serial No. : 09 /459,455 Filing Date: 12/13/1999

Contractor : Saft America, Inc.

DOE Contract No.: DOE Contract No. PO 0084 with Saft America under DOE
Prime Contract No. DE-FC26-95EE50425 with USABC

DOE Case No. : S-104,783 - U. S. Patent No.6,399,238 Issued 6/04/2002

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

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

None

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 04/09/2004.

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 28th day of MAY 2004.

(SEAL)

SAFT AMERICA, INC.
(Contractor)

By: *Lisa T. Bull*

LISA T. BULL, CONTRACT ADMINISTRATOR
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