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09/01/2005

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Name (line 1) **UNITED STATES DEPARTMENT OF ENERGY**

Name (line 2)

Address (line 1) **1000 INDEPENDENCE AVENUE, S.W.**

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PATENT

REEL: 017101 FRAME: 0077

Correspondent Name and Address

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Application Number(s) or Patent Number(s)

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Patent Application Number(s)

Patent Number(s)

10/244,067

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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BRIAN J. LALLY Reg. # 51,911

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CONFIRMATORY LICENSE

(Advanced Waiver)

Title : REDUCE -VIBRATION TUBE ARRAY

Inventor(s) : Gerald J. Bruck and Daniel R. Bartolomeo

Serial No. : 10/244,067 Filing Date: 09/13/2002

Subcontractor : SIEMENS WESTINGHOUSE POWER CORPORATION

DOE Contract No.: DE-FC21-95MC32267

DOE Case No. : S-103,671 - U.S. PATENT NO. 6,763,921 B2- Issued 7/20/2004

DOE Advanced Waiver No.: W(A) -96-002

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 September 29, 2003.

Accordingly, this document is confirmatory of the paid-up license required to be granted to the Government under 41 CFR 9-9.109.6 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 1st day of Sept, 2005

(SEAL)

Siemens Westinghouse Power Corporation
(Contractor)
By: [Signature]
Daniel J. Staudt, Assistant Secretary
4400 Alafaya Trail
Orlando, FL 32826-2399



