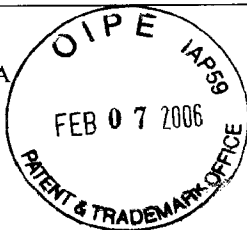


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CONFIRMATORY LICENSE

(Advanced Class Waiver of Patent Rights)

Title : SOLID-OXIDE FUEL CELL ASSEMBLY HAVING A
CONVECTIVELY VENTED STRUCTURAL ENCLOSURE

Inventor(s) : Sean M. Kelly, Michael T. Favillel & Kevin R. Keegan

Serial No. : 10/238,093 Filing Date: 10/09/2003

Subcontractor : DELPHI AUTOMOTIVE SYSTEMS

DOE Contract No.: DE-FC26-02NT41246

DOE Case No. : S-107,268

DOE Advanced Class Waiver No.: W(A)-03-021

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

An advanced class 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 March 24, 2005.

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 22nd day of December 2005.

DELPHI TECHNOLOGIES, INC.

By: 

Patrick M. Griffin
Assistant Secretary
Delphi Technologies, Inc.
5825 Delphi Drive
Troy, MI 48098