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CATERPILLAR, INC.

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Name: United States Department of Energy
Internal Address: _____

Street Address: 1000 Independence Ave., S.W.

City: Washington
State: D.C.
Country: USA Zip: 20585

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3. Nature of conveyance/Execution Date(s):
Execution Date(s) 03/14/2007
 Assignment Merger
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 Other _____

4. Application or patent number(s): This document is being filed together with a new application.
A. Patent Application No.(s)
11/640,740

Additional numbers attached? Yes No

B. Patent No.(s)


5. Name and address to whom correspondence concerning document should be mailed:
Name: Mark P. Dvorscak
Internal Address: U. S. Dept. of Energy, IPLD

Street Address: 9800 S. Cass Ave

City: Argonne
State: IL Zip: 60439
Phone Number: 630-252-2393
Fax Number: 630-252-2779
Email Address: _____

6. Total number of applications and patents involved: 1
7. Total fee (37 CFR 1.21(h) & 3.41) \$ _____
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CONFIRMATORY LICENSE
(Advanced Waiver of Patent Rights)

Title : ELECTRICAL SHORTING SYSTEM
 Inventor(s) : Christopher D. Hickam
 Serial No. : 11/640,740 Filing Date: 12-18-2006
 Subcontractor : Caterpillar Inc.
 DOE Contract No.: DE-FC26-04NT42258
 DOE Case No. : *S-110.850*
 Docket No. : 06-739

DOE Advanced Class Waiver No.: W(A)-04-071

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

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 February 28, 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 14th day of March 2007.

(SEAL)

CATERPILLAR INC.

(Contractor)

By:



James B. Buda
Vice President

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