

PATENT ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	Amended and Restated License Agreement
CONVEYING PARTY DATA	
Name	Execution Date
Symmorphix, Inc.	07/31/2006

RECEIVING PARTY DATA	
Name:	Infinite Power Solutions, Inc.
Street Address:	14998 West 6th Avenue
Internal Address:	Bldg E, Suite 60
City:	Golden
State/Country:	COLORADO
Postal Code:	80401

PROPERTY NUMBERS Total: 14

Property Type	Number
Application Number:	10101341
Application Number:	10650461
Application Number:	10789953
Application Number:	10851542
Application Number:	10850968
Application Number:	60634818
Application Number:	10291179
Application Number:	10101492
Application Number:	10101863
Application Number:	10954182
Patent Number:	6506289
Patent Number:	6827826
Patent Number:	6533907
Application Number:	09903081

CH \$560.00 10101341

CORRESPONDENCE DATA

Fax Number: (720)566-4099
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
Phone: 720-566-4000
Email: lkling@cooley.com
Correspondent Name: Cooley Godward Kronish LLP
Address Line 1: 380 Interlocken Crescent
Address Line 2: Suite 900
Address Line 4: Broomfield, COLORADO 80021-8023

ATTORNEY DOCKET NUMBER:	307396-101
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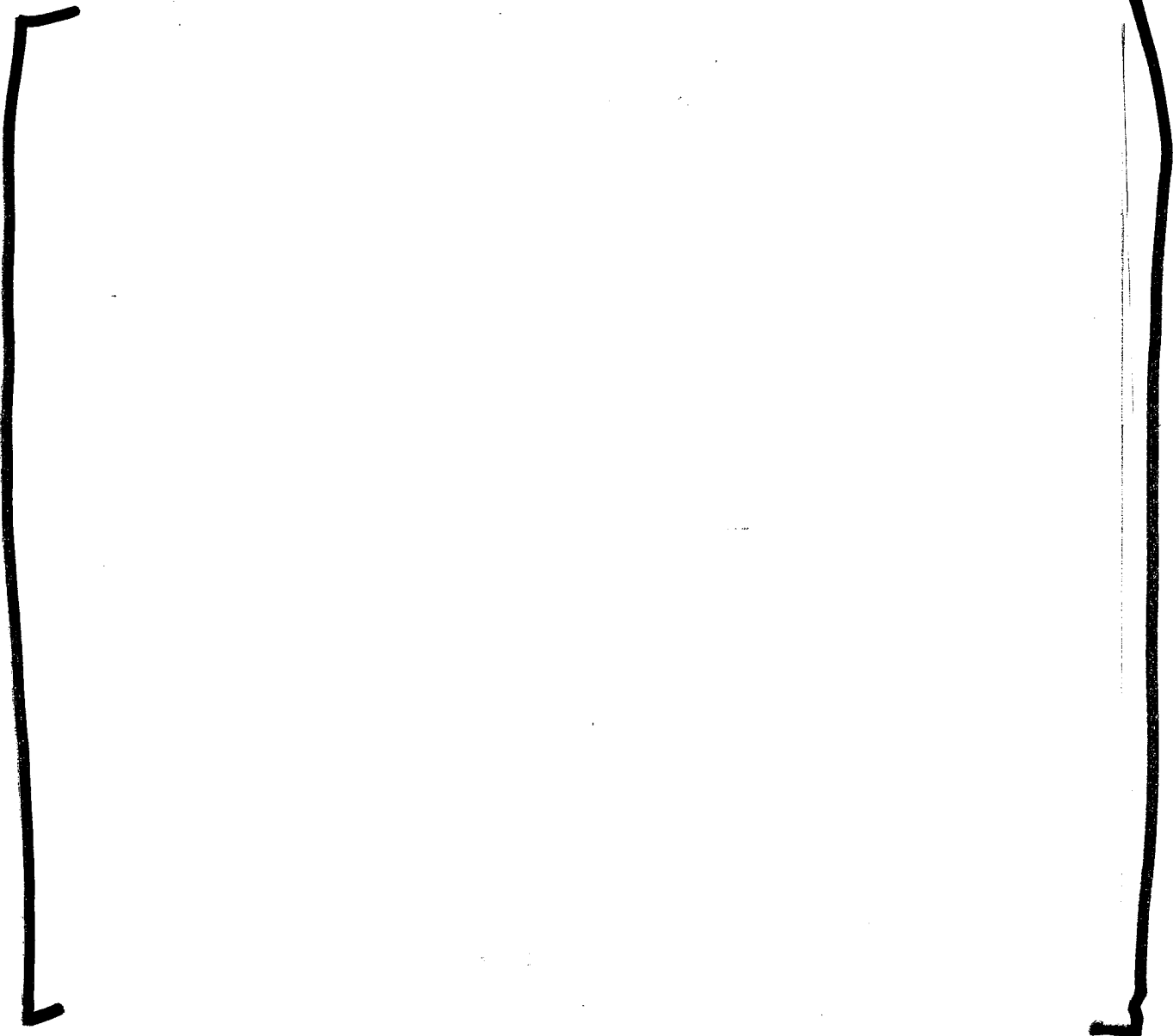
NAME OF SUBMITTER:	Wayne O. Stacy
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Total Attachments: 13
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AMENDED AND RESTATED LICENSE AGREEMENT

This Amended and Restated License Agreement (the "*Agreement*") takes effect as of July __, 2006 (the "*Amendment Date*") between Symmorphix, Inc. ("*Symmorphix*"), a Delaware corporation; and Infinite Power Solutions, Inc., a Delaware corporation ("*IPS*"). As used in this Agreement, each of Symmorphix and IPS is a "*Party*" and together they are the "*Parties*."

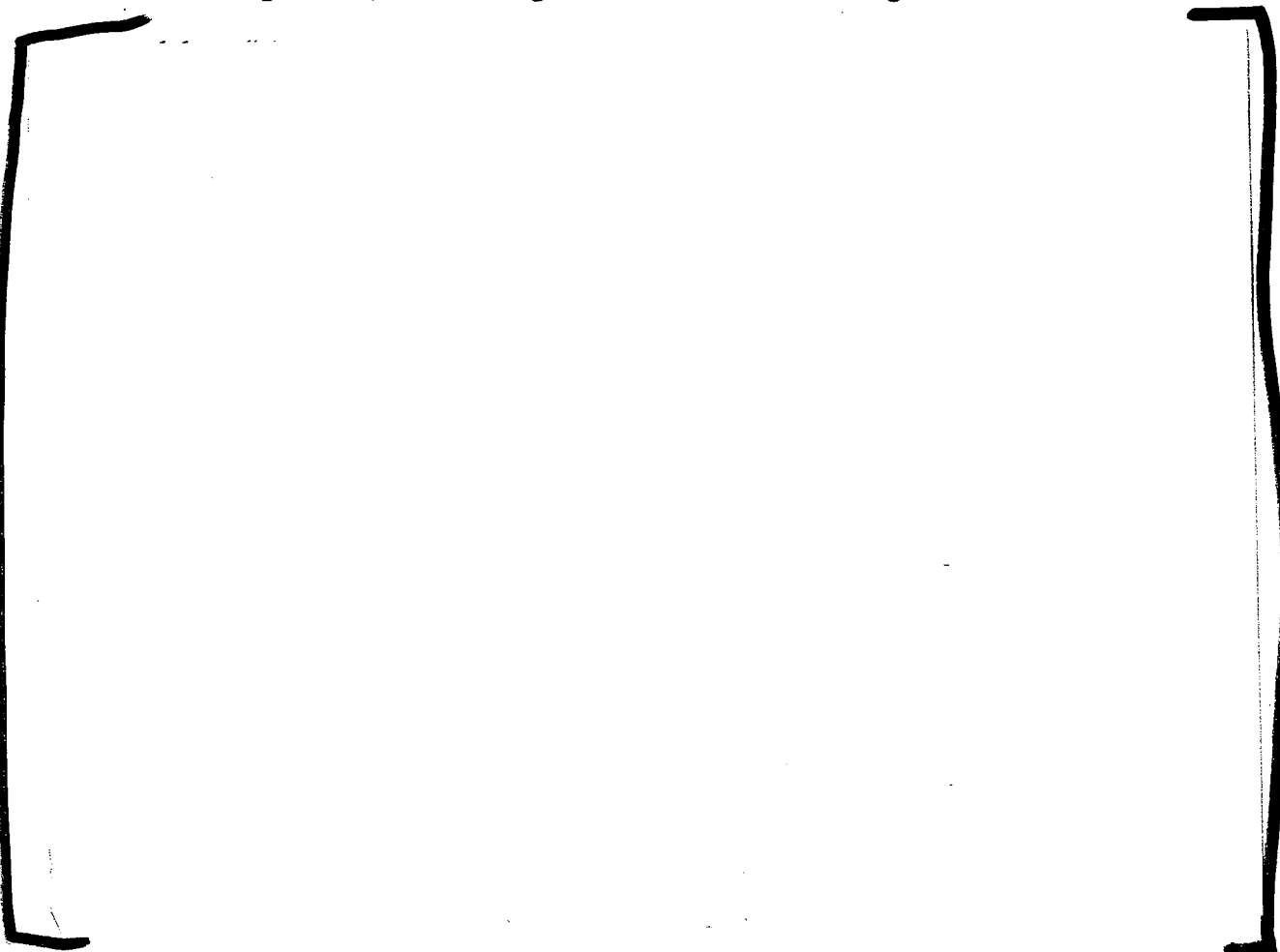
BACKGROUND



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ARTICLE 1
DEFINITIONS

In this Agreement, the following terms shall have the meaning set forth in this Article 1.



1.7 ***“Existing Know-How”*** means any and all unpatented, proprietary technology including, without limitation, know-how, trade secrets, technical data, inventions (whether or not patentable), methods, processes, designs and drawings that are in the possession or control of Symmorphix as of the Effective Date, that are either owned by Symmorphix, licensed to and sublicensable by Symmorphix or otherwise transferable by Symmorphix and that are related to and/or have application to the research, development, design, manufacture or use of Batteries or the equipment for the manufacture of Batteries.

1.8 ***“Existing Patent Rights”*** means all of Symmorphix’s right, title and interest in:

1.8.1 the patents and patent applications listed on Exhibit A hereto;

1.8.2 all other patents and patent applications claiming any portion of the Existing Know-How, whether filed before or after the Effective Date;

1.8.3 all divisionals, continuation-in part applications (to the extent claiming the same subject matter as the priority application or Existing Know-How), continuations, foreign counterparts or otherwise claiming priority to any of the foregoing patents and patent applications;

1.8.4 all patents issuing on the preceding applications, and any re-issues, re-examinations or extensions of any kind with respect to any of the foregoing; and

1.8.5 all patents and patent applications that claim a relationship to or the benefit of the filing of any of the foregoing patents and patent applications (to the extent claiming the same subject matter as the priority application or Existing Know-How).

1.9 "**Existing Technology**" means all Existing Know-How and Existing Patent Rights.

1.10 "**Future Know-How**" means any and all unpatented, proprietary technology including, without limitation, know-how, trade secrets, technical data, inventions (whether or not patentable), methods, processes, designs, drawings, and modifications and enhancements of any of the foregoing or modifications or enhancements of the Existing Know-How that first become in the possession or control of Symmorphix after the Effective Date, that are owned by Symmorphix, licensed to and sublicensable by Symmorphix or otherwise transferable by Symmorphix other than pursuant to the Engineering Services Agreements and that are related to and/or have application to the research, development, design, manufacture or use of Batteries or the Symmorphix Equipment in the manufacture of Batteries.

1.11 "**Future Patent Rights**" means all of Symmorphix's right, title and interest in the following to the extent not otherwise an Existing Patent Right:

1.11.1 all patents and patent applications claiming any portion of the Future Know-How;

1.11.2 all divisionals, continuation-in part applications (to the extent claiming the same subject matter as the priority application or Future Know-How), continuations, foreign counterparts or otherwise claiming priority to any of the foregoing patents and patent applications;

1.11.3 all patents issuing on the preceding applications, and any re-issues, re-examinations or extensions of any kind with respect to any of the foregoing; and

1.11.4 all patents and patent applications that claim a relationship to or the benefit of the filing of any of the foregoing patents and patent applications.

1.12 "**Future Technology**" means all Future Know-How and Future Patent Rights.

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1.25 *"Licensed Technology"* means (a) the Existing Technology, and (b) the Future Technology.

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ARTICLE 2
LICENSE

2.1 Grants To IPS.

2.1.1 Subject to the terms and conditions of this Agreement and the Supply Agreement, Symmorphix hereby grants IPS and its Affiliates a perpetual, irrevocable (except as provided in Section 8.4.4), non-transferable (except as provided in Section 10.2), exclusive (as set forth in and subject to Section 2.2), worldwide license, under the Licensed Technology to use Symmorphix Equipment and Acquired Equipment to make Batteries, to practice any method or process involved in operation of the Symmorphix Equipment and Acquired Equipment to make and have made Batteries, to make and have made Batteries using Symmorphix Equipment and Acquired Equipment, and to use, offer for sale, sell, import, export and otherwise dispose of Batteries so made directly or through multiple tiers of distribution.

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**ARTICLE 10
MISCELLANEOUS PROVISIONS**

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10.5 Notices. All notices, requests and other communications hereunder shall be in writing and shall be personally delivered or sent by telecopy or other electronic facsimile transmission or by registered or certified mail, return receipt requested, postage prepaid, in each case to the respective address specified below, or such other address as may be specified in writing to the other hereto:

IPS: 14998 West 6th Avenue
Bldg E, Suite 60
Golden, CO 80401
Attn: CEO
Fax: _____

Symmorphix: 1278 Reamwood Avenue
Sunnyvale, CA 94089
Attn: CEO
Fax: _____

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By *Ajit Rode*
Ajit Rode
Chief Executive Officer
for Ajit Rode
7-31-06

By *Raymond R. Johnson*
Raymond R. Johnson
Chief Executive Officer

**EXHIBIT A
EXISTING PATENTS**

<u>FH Atty No.</u> <i>09140</i>	<u>Patent/Serial No.</u>	<u>Filing Date</u>	<u>Title</u>	<u>Inventor(s)</u>	<u>Status</u>
0001-00000	10/291,179	11/08/02	Low temperature zirconia based thermal barrier layer by PVD	Richard E. Demaray Vassiliki Milonopoulou	Pending
0002-01000	6,506,289	07/10/01	Planar optical devices and methods for their manufacture	Richard E. Demaray Kai-A Want Ravi B. Mullapudi Douglas P. Stadler Hongmei Zhang Rajiv Pethe	Issued
0002-02000	6,827,826	11/04/00	Planar optical devices and methods for their manufacture	Richard E. Demaray Kai-An Wang Ravi B. Mullapudi Douglas P. Stadler Hongmei Zhang Rajiv Pethe	Issued
0004-00000	6,533,907	01/19/01	Method of Producing amorphous silicon for hard mask and waveguide applications	Richard Demaray Jesse Shan Kai-An Wang Ravi Mullapudi	Issued
0014-00000	09/903,081	07/10/01	As-deposited planar optical waveguides with low scattering loss and methods for their manufacture	Richard E. Demaray Kai-An Wang Ravi B. Mullapudi Qing Zhu Hongmei Zhang Harold D. Ackler John C. Egermeier Rajiv Pethe	Pending
0015-00000	10/101,492	03/16/02	Mode size converter for a planar waveguide	Tao Pan Richard E. Demaray Yu Chen* Yong Jin Xie* Rajiv Pethe*	Allowed
0016-00000	10/101,863	03/16/02	Biased pulse DC reactive sputtering of oxide films	Hongmei Zhang Mukundan Narasimhan Ravi B. Mullapudi Richard E. Demaray	Pending
0016-01000	10/954,182	10/01/04	Biased pulse DC reactive sputtering of oxide films	Hongmei Zhang Mukundan Narasimhan Ravi B. Mullapudi Richard E. Demaray	Pending

<u>FH Atty No.</u> 09140	<u>Patent/Serial No.</u>	<u>Filing Date</u>	<u>Title</u>	<u>Inventor(s)</u>	<u>Status</u>
0017-00000	10/101,341	03/16/02	Rare-earth pre-alloyed PVD targets for dielectric planar applications	Vassiliki Milonopoulou Richard E. Demaray Ravi B. Mullapudi	Pending
0025-00000	10/650,461	08/27/03	Optical Coupling into Highly Uniform Waveguides	David Dawes	Pending
0025-00270	TW 92123625	08/27/03	Optical Coupling into Highly Uniform Waveguides	David Dawes	Pending
0025-00304	PCT/US03/24809	08/27/03	Optical Coupling into Highly Uniform Waveguides	David Dawes	Pending
0030-00000	10/789,953	02/26/04	Dielectric Barrier Films	Mukundan Narasimhan Peter Brooks Richard Demaray	Pending
0030-00304	PCT/US04/05531	02/26/04	Dielectric Barrier Films	Mukundan Narasimhan Peter Brooks Richard Demaray	Pending
0030-00270	TW 93114493	5/21/04	Dielectric Barrier Films	Mukundan Narasimhan Peter Brooks Richard Demaray	Pending
0031-00270	TW 93105204	02/27/04	A Dielectric Barrier Film	Mukundan Narasimhan Richard Demaray	Pending
0033-00000	10/851,542	05/20/04	Energy Conversion and Storage Devices by Physical Vapor Deposition of Titanium and Titanium Oxides and Sub-Oxides	Richard E. Demaray Hong Mei Zhang Mukundan Narasimhan Vassiliki Milonopoulou	Pending
0033-00270	TW 93114518	5/21/04	Energy Conversion and Storage Devices ...	Richard E. Demaray Hong Mei Zhang Mukundan Narasimhan Vassiliki Milonopoulou	Pending
0033-00304	PCT/US04/14524	5/21/04	Energy Conversion and Storage Devices ...	Richard E. Demaray Hong Mei Zhang Mukundan Narasimhan Vassiliki Milonopoulou	Pending
0034-00000	10/850,968	05/20/04	Transparent Conductive Oxides from a Metallic Target	Richard E. Demaray Mukundan Narasimhan	Pending
0034-00270	TW 93114517	05/21/04	Transparent Conductive Oxides from a Metallic Target	Richard E. Demaray Mukundan Narasimhan	Pending
0034-00304	PCT/US04/14523	5/21/04	Transparent Conductive Oxides from a Metallic Target	Richard E. Demaray Mukundan Narasimhan	Pending
6010-00000	60/634,818	12/08/04	Deposition of LiCoO ₂	Hongmai Zhang Richard E. Demaray	Pending
6011-00000		02/08/05	Deposition of LiCoO ₂	Hongmai Zhang Richard E. Demaray	Pending

SCHEDULE A - REDACTED