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UT-BATTELLE, LLC

Additional name(s) of conveying party(ies) attached?  Yes  No

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Name: U.S. Department of Energy

Internal Address: GC-62 6F-067

Street Address: 1000 Independence Avenue, S.W.

City: Washington

State: D.C.

Country: \_\_\_\_\_ Zip: 20585-0162

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**3. Nature of conveyance/Execution Date(s):**

Execution Date(s) 5/21/2008

- Assignment  Merger
- Security Agreement  Change of Name
- Joint Research Agreement
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- Executive Order 9424, Confirmatory License
- Other \_\_\_\_\_

**4. Application or patent number(s):**

This document is being filed together with a new application.

A. Patent Application No.(s)  
12/052,992

B. Patent No.(s)

Additional numbers attached?  Yes  No

**5. Name and address to whom correspondence concerning document should be mailed:**

Name: Brenda K. Banks

Internal Address: GC-62 6F-067

U.S. Department of Energy

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Email Address: brenda.banks@hq.doe.gov

**6. Total number of applications and patents involved:**

**7. Total fee (37 CFR 1.21(h) & 3.41) \$ \_\_\_\_\_**

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed
- None required (government interest not affecting title)

**8. Payment Information**

a. Credit Card Last 4 Numbers \_\_\_\_\_

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**9. Signature:** Brenda K. Banks Signature

Aug 8, 2008 Date

Brenda K. Banks  
Name of Person Signing

Total number of pages including cover

2

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:  
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12/052,992

DOE Docket ID1572.0  
S-105,174

## CONFIRMATORY LICENSE

Title: Retinal Instrument  
Inventor(s): Charles L. Britton, Brian R. D'Urso, John T. Simpson, Justin S. Baba, M. Nance  
Ericson, and Robert J. Warmack  
Serial No.: 12/052,992  
Filing Date (U.S.): March 21, 2008  
Contractor: UT-Battelle, LLC  
DOE Contract No.: DE-AC05-00OR22725

The invention identified above is a "Subject Invention" under the above-numbered contract. A copy of the provision of the above-numbered contract (certified on 04-13-00) governing patent rights in the Subject Invention at the time the invention was made, has been submitted to the U. S. Department of Energy.

The Contractor hereby confirms that under the provisions of the above-numbered contract governing patent rights, it has granted to the Government a nonexclusive, nontransferable, irrevocable, paid-up license to practice or have practiced for or on behalf of the United States the subject invention throughout the world. This license applies to the invention in the above-identified patent application and any and all divisions or continuations thereof and any resulting patent or reissue patent which may be granted thereon.

It is understood and agreed that this document does not preclude the Government from asserting rights under the provisions of said contract or any other agent between the Government and the Contractor, or any other rights of the Government with respect to the above-identified invention.

The Contractor hereby grants the Government an irrevocable power to inspect and make copies of the above-identified application.

Signed this 21<sup>st</sup> day of May, 2008.

UT-Battelle, LLC

By Casey Porto  
Director, Office of Technology Transfer