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

This document is being filed together with a new application.

A. Patent Application No.(s)  
12/118571

B. Patent No.(s)

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

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

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

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Signature

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## CONFIRMATORY LICENSE

**Title: Aerogels and Xerogels Composites for use as Carbon Anodes****Inventor(s): Thomas M. Tillotson, John F. Cooper, Lawrence W. Hrubesh****DOE Docket No.:** S-114406**Docket No./Sub:** IL-11267/B**Contract Number:** DE-AC52-07NA27344**U.S. Patent Application S.N.:** 12118571**Contractor:** Lawrence Livermore National Security, LLC**Filing Date:** 05/09/08**Lawrence Livermore National Laboratory****Waiver No.:** W(C) 92-002**Foreign patent applications filed or intended to be filed at contractor's expense in (countries):****The Contractor certifies that a true copy of the provisions which govern patent rights in "subject inventions" under the above-identified contract is herewith submitted or has been submitted to the U.S. Department of Energy by certification dated June 15, 1999.****WHEREAS, the above-identified invention is a subject invention under the above-identified contract:****WHEREAS, the above-identified Class Waiver of Government rights in certain identified inventions and the above-identified contract provides the Contractor with the right to elect to retain title in certain subject inventions and the Contractor has elected to retain title in the above-identified subject invention, EXCEPT FOR a paid-up license under the above-identified contract and the above-identified waiver.****ACCORDINGLY, the Contractor hereby confirms that under the provisions of the above-identified 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 above-identified invention, the above-identified patent application(s), and any and all divisions or continuations thereof and any resulting patent or reissue patent which may be granted thereon.****The Government reserves for itself, and is hereby granted by the Contractor, the irrevocable power to inspect and make copies of the file wrapper(s) of the above-identified U.S. patent application and of any related or continuation patent application(s), whether domestic or foreign, for the above-identified invention.****It is understood and agreed that this instrument does not preclude the Government from asserting rights under the provisions of the above-identified 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.****Signed on behalf of:** LAWRENCE LIVERMORE NATIONAL SECURITY, LLC*(Contractor)***Witness:***Peter Murray*  
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