

Form PTO-1595 (Rev. 08/08)  
OMB No. 0651-0027 (exp. 9/30/2008)

S-111,441

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### RECORDATION FORM COVER SHEET PATENTS ONLY

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UT-BATTELLE, LLC

**2. Name and address of receiving party(ies)**

Name: U.S. Department of Energy

Internal Address: GC-62 6F-067

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

Street Address: 1000 Independence Avenue, S.W.

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

Execution Date(s) 09/08/2008

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

City: Washington

State: D.C.

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

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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)

12/217,224

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

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

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

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

**8. Payment Information**

Deposit Account Number \_\_\_\_\_

Authorized User Name \_\_\_\_\_

**9. Signature:**

Brenda K. Banks  
Signature

10/9/08  
Date

Brenda K. Banks

Name of Person Signing

Total number of pages including cover sheet, attachments, and documents:

2

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140; or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

DOE Docket ID1833.0  
S-111,441

### CONFIRMATORY LICENSE

Title: Control of the Positional Relationship Between a Sample Collection Instrument and a Surface to be Analyzed During a Sampling Procedure with Image Analysis  
Inventor(s): Gary J. Van Berkel and Vilmos Kertesz  
Serial No.: 12/217,224  
Filing Date (U.S.): July 2, 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 8<sup>th</sup> day of September, 2008.

UT-Battelle, LLC

By 

Mark Reeves

Interim Director, Office of Technology Transfer