

Form PTO-1595 (Rev. 07/05)  
OMB No. 0651-0027 (exp. 6/30/2008)

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S-119,754

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)

Battelle Energy Alliance, LLC

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

2. Name and address of receiving party(ies)

Name: United States Department of Energy

Internal Address: \_\_\_\_\_

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

City: Washington

State: D.C.

Country: USA Zip: 20585

Additional name(s) & address(es) attached?  Yes  No

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

Execution Date(s) March 16, 2010

- Assignment  Merger
- Security Agreement  Change of Name
- Joint Research Agreement
- Government Interest Assignment
- 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)

Serial No. 12/571,253

B. Patent No.(s)

Additional numbers attached?  Yes  No

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) \$ \_\_\_\_\_

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

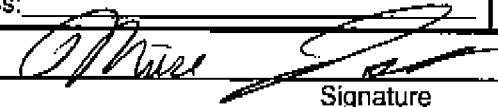
8. Payment Information

a. Credit Card Last 4 Numbers \_\_\_\_\_  
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9. Signature:

  
Signature

5/24/2010  
Date

Michael J. Dobbs #58,093  
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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:  
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DOE Case No.: S-119,754  
BA-437

**CONFIRMATORY LICENSE**

Application for: SYSTEMS, METHODS AND COMPUTER READABLE MEDIA FOR  
ESTIMATING CAPACITY LOSS IN RECHARGEABLE  
ELECTROCHEMICAL CELLS  
Inventor(s): Kevin Leslie Gering  
Serial No.: 12/571,253  
Filing Date (U.S.): 09/30/2009  
DOE Contract No.: DE-AC07-05ID14517  
Contractor: Battelle Energy Alliance, LLC

The invention identified above is a "Subject Invention" under the above-numbered contract with Battelle Energy Alliance, LLC. A copy of the provisions of the above-numbered contract 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 to 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 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 Contractor hereby grants the Government an irrevocable power to inspect and make copies of the above-identified application.

Signed this 16 day of March, 2010.

BATTELLE ENERGY ALLIANCE, LLC

By:   
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