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ied original documents or copy thereof.

1. Name of conveying party(ies):  
EM Photonics, Inc.  
Additional name(s) of conveying party(ies) attached?  Yes  No

2. Name and address of receiving party(ies)  
Name: NASA  
Internal Address: \_\_\_\_\_  
Street Address: 300 E Street, SW  
City: Washington State: DC Zip: 20546  
Additional name(s) & address(es) attached?  Yes  No



3. Nature of conveyance:  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other Confirmatory License  
Execution Date: 02/09/09

4. Application number(s) or patent number(s):  
If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_  
A. Patent Application No.(s) 11/875,298  
B. Patent No.(s) \_\_\_\_\_  
Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: Kathy Bayer  
Internal Address: Suite 9T39  
Office of the General Counsel  
Street Address: 300 E Street, SW  
City: Washington State: DC Zip: 20546

6. Total number of applications and patents involved: **01**  
7. Total fee (37 CFR 3.41).....\$ \_\_\_\_\_  
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8. Deposit account number: \_\_\_\_\_

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9. Signature.  
Kathy Bayer  
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Mail documents to be recorded with required cover sheet information to:  
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National Aeronautics and Space Administration

Patent Application

License to the Government (by Small Entity Contractor)

In accordance with a contract set forth below between the Government of the United States of America, as represented by the Administrator of the National Aeronautics and Space Administration (NASA) and the below-named Contractor, the invention cited below is a SUBJECT INVENTION made in the performance of work under the contract, and [X] the Contractor has elected to retain title to the SUBJECT INVENTION; or [ ] the Contractor has elected not to retain title to the SUBJECT INVENTION, and NASA, after consultation with the Contractor, has granted the request for retention of rights by the Inventor, an employee of the Contractor, subject to the provisions of 35 U.S.C. §202(d) and FAR 52.227-11; Patent Rights-Retention by the contractor, but subject to a License to the Government, as described below.

NOW THEREFORE, pursuant to the terms and conditions of the contract, the Contractor/Inventor does hereby grant to the Government of the United States a nonexclusive, nontransferable, irrevocable, paid-up license to practice or have practiced for or on behalf of the United States this SUBJECT INVENTION and any patents which may issue thereon throughout the world.

NASA Case No.: KSC-13013

Title: A method and system for enabling real-time spectr... processing using hardware platforms

Contractor: EM Photonics, Inc.

Contract No.: NNK06OM14C

Contractor Case No.:

This Contractor is a (check one): [X] small business, [ ] college or university, [ ] other nonprofit organization.

Inventor(s): Fernando E Ortiz, Eric J Kelmelis, James P Durbando

At this time at least the following U.S. Patent application has been filed on the SUBJECT INVENTION.

Application Serial No.: 11/875,238

Filing Date: Oct 19/2009

Patent No.:

Issue Date:

The Contractor/Inventor agrees to include, within the specification of any United States patent applications and any patents issuing thereon covering this SUBJECT INVENTION, the following statement as in FAR 52.227-11(f)(4):

"This invention was made with Government support under contract NNK06OM14C awarded by NASA. The Government has certain rights in this invention."

The Contractor/Inventor further agrees to notify NASA of any decision not to continue prosecution of the application(s), pay maintenance fees, or defend in a reexamination or opposition proceeding on a patent, in any country, not less than 30 days before the expiration period required by the U.S. Patent and Trademark Office.

Title to this invention is subject to the March-In-Rights by NASA as stated in 35 U.S.C. §203 and FAR 52.227-11(j).

The Contractor/Inventor shall furnish a copy of the patent application cited above and a listing of each country in which applications have been and are filed. Whenever a patent issues on the SUBJECT INVENTION, the patent number, the issue date, and the country shall be made known to the Government as soon as this information is available to the Contractor/Inventor.

Fernando Ortiz, Program Manager (Typed name and title (if applicable) of: (1) Corporate Officer, if Contractor has elected to retain title; or (2) Inventor(s), if Contractor has elected not to retain title.)

[Signature] Feb 9/09 (Signature and Date)

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