

RECEIVED MAR 13 2000

ASSIGNMENT AGREEMENT

This Agreement, by and between the Government of the United States of America, as represented by the Secretary of the Air Force, (hereinafter referred to as "AIR FORCE"), and Conceptual MindWorks, Inc., a small business firm located in San Antonio, Texas, (hereinafter referred to as "CONTRACTOR").

WITNESSETH THAT:

WHEREAS, Johnathan Kiel, John Bruno, Jill Parker and John Ails while employed by the AIR FORCE, Charles Batishko while employed by Battelle, Pacific Northwest National Laboratory, and Eric Holwitt while employed by CONTRACTOR under AIR FORCE contract F41622-96-D-0008, Delivery Order 0008, jointly made an invention entitled *Artificial Immune System and Method* described in Provisional Application for Patent Docket Number 032731-001, Registration No. 42,766, and filed on 2 July 1999.

WHEREAS, the entire right, title, and interest of Johnathan Kiel, John Bruno, Jill Parker and John Ails in and to said invention including foreign rights is assigned to the AIR FORCE;

WHEREAS, the entire right, title, and interest of Eric Holwitt in and to said invention including foreign rights is assigned to the CONTRACTOR;

WHEREAS, pursuant to the terms and conditions of contract F41622-96-D-0008, CONTRACTOR elected to retain title in and to said invention, and to the interest of Eric Holwitt;

WHEREAS, it is the goal of AIR FORCE and CONTRACTOR to promote the utilization of inventions arising from federally supported research or development;

WHEREAS, to achieve the mutual goal of AIR FORCE and CONTRACTOR, AIR FORCE desires to assign and CONTRACTOR desires to acquire the entire right, title, and interest of AIR FORCE in and to said invention; and

WHEREAS this Agreement is authorized by law including P.L. 96-517, P.L. 98-620, P.L. 99-502 and 35 USC § 202(e).

NOW, THEREFORE, in consideration of the premises, and the agreements, covenants, and conditions herein contained, the parties agree as follows:

I. DEFINITIONS

a. "THE ASSIGNED INVENTION" means the invention entitled *Artificial Immune System and Method* which is described in Provisional Application for Patent Docket Number 032731-001, Registration No. 42,766, and filed on 2 July 1999, and any U.S. or foreign patent or patents issued thereon, including all divisions, continuations, continuations-in-part (subject to any intervening rights), if any, reissues or extensions thereof.

b. "Effective date of the Agreement" means the later of the dates of execution by the authorized representative of the AIR FORCE and the CONTRACTOR.

c. "Royalty Base Product" means any product defined by any claim of THE ASSIGNED INVENTION, or any product fabricated, produced or assembled in accordance with any method claimed in THE ASSIGNED INVENTION.