

Canada PCT National Phase Entry Instructions

<p style="text-align: center;">TO:</p> <p>Oyen Wiggs Green & Mutala LLP 480 - The Station 601 West Cordova Street Vancouver BC Canada V6B 1G1</p> <p>Fax: 604-681-4081 Tel.: 604-669-3432</p> <p>E-mail: owgm@patentable.com</p> <p>Web: http://www.patentable.com</p>	<p style="text-align: center;">FROM:</p> <p>Name: _____</p> <p>Address: _____ _____ _____ _____</p> <p>Fax: _____</p> <p>Tel.: _____ _____</p> <p>E-mail: _____</p> <p>Ref. No.: _____</p>
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I. Application Particulars

International Application No.:	International Filing Date:

Title of Invention: _____

Canadian National Phase Entry required under:

PCT Chapter I

PCT Chapter II

Convention priority claim(s) is based on

Country	Application Serial Number	Filing Date (Day / Month / Year)

additional Convention priority claim(s) is attached

II. Inventor Information

Inventor #1: Name: _____ Address: _____ _____ _____ _____	Inventor #2 (if applicable): Name: _____ Address: _____ _____ _____ _____
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Inventor #3 (if applicable): Name: _____ Address: _____ _____ _____ _____	Inventor #4 (if applicable): Name: _____ Address: _____ _____ _____ _____
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Information on additional inventor(s) is attached.

III. Applicant Information

Applicant(s) is the inventor(s)

Applicant(s) is listed below

Applicant #1: Name: _____ Address: _____ _____ _____ _____	Applicant #2 (if applicable): Name: _____ Address: _____ _____ _____ _____
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Information on additional applicant(s) is attached.

IV. Request for Examination

Canada uses a deferred examination system for patent applications. This requires the applicant to file a request for examination and pay the government examination fee within 5 years of the Canadian filing date. Please indicate whether we should request examination when we file the application, or defer such request for the time being.

Request examination at time of filing

Defer request for examination

The CIPO currently has a 2-3 year backlog of cases awaiting examination. One reason for the backlog is the

large number of cases which have been granted expedited examination pursuant to s. 28 of the Canadian Patent Rules. Such requests do not currently require any supporting affidavit; the primary requirement is payment of a CA\$500 statutory fee and an assertion that failure to advance the application is likely to prejudice the applicant's rights. Many applicants are routinely obtaining orders for expedited examination of their Canadian patent applications. Examination in such cases typically follows within a matter of months.

Request expedited examination

V. Entity Size

<p>A "small entity" is an entity that employs 50 or fewer employees, or a university. Small entity status does not apply to an entity which has transferred or licensed, or is obliged to transfer or license, any right in the invention to</p> <p>(a) a third party which does not itself qualify as a small entity; or, (b) a third party which does qualify as a small entity if the transferor, etc. has knowledge of any subsequent transfer or license of, or of any subsisting obligation to transfer or license, any right in the invention to another party which does not itself qualify as a small entity.</p> <p>Please note that if an applicant incorrectly claims small entity status and makes a payment on the small entity scale, the application may be deemed abandoned. If the incorrect payment is not corrected within the one-year grace period provided for reinstatement of abandoned applications, the Commissioner currently has no jurisdiction to accept corrective maintenance fee payments. Accordingly if there is any doubt as to entity status, we strongly recommend that the application be filed on a large entity basis.</p>	<p><input type="checkbox"/> Applicant(s) does not claim small entity status</p> <p><input type="checkbox"/> Applicant(s) claims small entity status and acknowledges and accepts the risks of incorrectly claiming small entity status.</p>
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VI. Accompanying Documents

PCT Request	Enclosed <input type="checkbox"/>	To Follow <input type="checkbox"/>
International Application as originally filed	Enclosed <input type="checkbox"/>	To Follow <input type="checkbox"/>
Cover page of International Application as published by WIPO ¹	Enclosed <input type="checkbox"/>	To Follow <input type="checkbox"/>
English or French translation of International Application (unless WIPO published in English or French)	Enclosed <input type="checkbox"/>	To Follow <input type="checkbox"/>
International Search Report	Enclosed <input type="checkbox"/>	To Follow <input type="checkbox"/>
Article 19 Amendments (if any)	Enclosed <input type="checkbox"/>	To Follow <input type="checkbox"/>
Demand for International Preliminary Examination (Chapter II only)	Enclosed <input type="checkbox"/>	To Follow <input type="checkbox"/>
International Preliminary Examination Report (Chapter II only)	Enclosed <input type="checkbox"/>	To Follow <input type="checkbox"/>
Article 34 Amendments (if any)	Enclosed <input type="checkbox"/>	To Follow <input type="checkbox"/>
Assignment(s) (if any) ²	Enclosed <input type="checkbox"/>	To Follow <input type="checkbox"/>
File Copies	Enclosed <input type="checkbox"/>	To Follow <input type="checkbox"/>

¹ A copy of the cover sheet (not the full application) is all we require to enter the national phase in Canada.

² Canada does not require a certified, notarized or original copy of an assignment — a photocopy or a fax copy will suffice. Title documents do not require legalization or notarization, but CIPO will not record unwitnessed title documents. USPTO recordation particulars are accepted by CIPO in lieu of witnessing.

We can request National Entry **without** a signed Power of Attorney. A certified copy of the priority document(s) is not ordinarily required.

VII. Special Instructions

Filing deadline: _____

Additional instructions:

Further additional instructions are attached.

Signature: _____
Name of Signatory: _____

Date dispatched: _____

form revision v.1.1: Feb 2005



Please send completed form and attachments to
Oyen Wiggs Green & Mutala LLP via
(1) e-mail to owgm@patentable.com;
(2) fax to 604-681-4081; **or**
(3) courier to address above.