

File No. : _____

PCT/CA

Form for Request of Entry into National Phase under Articles 22 or 39
of the Patent Cooperation Treaty

IN THE MATTER OF PCT INTERNATIONAL APPLICATION

_____ filed _____ in the
(international application number) (international filing date)

name of _____
(full name of applicant)

1. The above-identified applicant, whose full post office address is,

owns the entire right in Canada to an invention entitled _____

made by

(a) _____
(inventor's name & address)

(b) _____
(inventor's name & address)

(c) _____
(inventor's name & address)

as described and claimed in the said international application and any amendments thereto.

2. The applicant claims the protection afforded by Section 28.4 (amended October 1996) of the Patent Act in relation to the following prior filed applications:

Country : _____ Date of filing : _____ Application No. : _____

NOTE : Paragraph 2 should be omitted if no prior application has been filed.

3. The applicant hereby appoints **LESPERANCE & MARTINEAU** whose full post office address is *1440 Ste-Catherine Street West, Room 700, Montréal, Québec, Canada, H3G 1R8*, as

- (a) its representative for service of any proceedings taken under the Patent Act; and
- (b) its agent with full power to appoint an associate agent when required to do so by Section 21 (amended October 1996) of the Patent Rules and to revoke such appointment, to sign this request and drawings, to amend the specification and drawings, to prosecute the application and to receive the patent granted on said application, and the applicant hereby ratifies any act done by the said appointees in respect of the said application.

4. Applicant believes it is entitled to claim status as a small entity as defined under Section 2 of the Patent Rules.

5. The applicant accordingly hereby requests commencement of national phase procedure consequent to the designation of Canada in such international application and prays that a patent may be granted to him for the said invention.

Signed at _____ this _____ day of _____, 20__ .
(city or town)

Signature

NOTE: Paragraph 3 should be omitted if the applicant intends to prosecute the application himself.
Paragraph 4 should be omitted if he applicant is not a small entity.

PETITE ENTITÉ – Définition – Canada

« Le propriétaire de la demande de brevet ou du brevet sera considéré comme étant une "petite entité" s'il s'agit d'une université, ou d'une personne (physique ou morale) ayant 50 employés ou moins.

Sont toutefois exclues de la définition de "petite entité" les personnes physiques ou morales ayant directement ou indirectement transféré un droit sur l'invention ou octroyé une licence à l'égard de ce droit à une entité dotée de plus de 50 employés (autre qu'une université), ou ayant l'obligation de le faire. »

DÉCLARATION DE PETITE ENTITÉ - TAXE DE DÉPÔT

Je (nous) déclare (déclarons) par les présentes que je (nous) crois (croyons) avoir le droit de payer la taxe de dépôt en vigueur en tant que petite entité au sens de l'article 2 des Règles sur les Brevets.

Fait à _____, ce ____ jour de _____ 20____.

(signature)

SMALL ENTITY – Definition – Canada

« The owner of the patent application or patent will be considered as a "small entity" if it is either a university, or an individual or a company employing fifty (50) employees or less.

Are however excluded from the definition of a "small entity", individuals or companies that have directly or indirectly transferred a right on the invention or granted a license related to this right to an entity employing more than 50 employees (other than a university), or are under an obligation to do so. »

SMALL ENTITY DECLARATION - FILING FEE

I (We) hereby declare that I (we) are entitled to pay the filing fee as a small entity as defined in section 2 of the Patent Rules.

Signed at _____, this ____ day of _____ 20____.

(signature)