

SMALL ENTITY VERIFICATION FORM
(Regular Application with Filing Date Before October 1, 1996)

Owner: _____
Application/Patent No. _____
Filing Date: _____ (Pre-October 1, 1996)
Title: _____

We hereby declare that we have read and understood the Definition of a Small Entity as set out below. We hereby confirm that as of the Canadian filing date, we were a small entity in accordance with the definition. We verily believe, therefore, that we are qualified as a small entity under Canadian practice as defined in Section 2 of the Patent Rules.

EXECUTED

at _____ this _____ day
(place)
of _____, 20____.

By: _____
(signature)

(name)

(title/position)

PRE-OCTOBER 1, 1996 DEFINITION OF SMALL ENTITY

"small entity" means an **'independent inventor'** or a **'small business concern'**;

"independent inventor", in relation to an invention, means an individual, but does not include:

- (a) an individual who has assigned, or is under a contractual or other legal obligation to assign, any right in the invention to a person who is neither an individual nor a small business concern, or
- (b) an individual who has assigned, or is under a contractual or other legal obligation to assign, any right in the invention to another individual or a small business concern if the individual has knowledge of any subsequent assignment of, or of any subsisting contractual or other legal obligation to assign, any right in the invention to a person described in paragraph (a).

"small business concern", in relation to an invention, means a person who is not an individual and whose gross annual revenue is not more than two million dollars (in this definition referred to as a "business concern"), but does not include a business concern that

- (a) is engaged in manufacturing and employs more than 100 employees,
- (b) is engaged in other than manufacturing and employs more than 50 persons,
- (c) has assigned, or is under a contractual or other legal obligation to assign, any right in the invention to a person who is neither an individual nor a person who qualifies as a small business concern under the portion of this definition that precedes this paragraph, or
- (d) has assigned, or is under a contractual or other legal obligation to assign, any right in the invention to an individual or to a person who qualifies as a small business concern under the portion of this definition that precedes paragraph (c) if the business concern has knowledge of any subsequent assignment of, or of any subsisting contractual or other legal obligation to assign, any right in the invention to a person who is neither an individual nor a person who qualifies as described in this paragraph.

Please note that the onus of correctly determining small entity status is ultimately the responsibility of the owner. An incorrect claim to small entity status, regardless of whether it was inadvertent or intended, will result in an invalid and unenforceable patent.