



Instructions for Filing a Canadian Patent Application

I. Client Information

Name: _____
Address: _____
Tel.: _____
Fax: _____
E-mail: _____
Ref. No.: _____

II. Application Particulars

Title of Invention: _____

III. Inventor Information

Inventor #1:

Name: _____
Address: _____

Inventor #2 (if applicable):

Name: _____
Address: _____

Inventor #3 (if applicable):

Name: _____
Address: _____

information on additional inventor(s) is attached

IV. Applicant Information

Applicant(s) is the inventor(s)

Applicant #1 (if applicable):

Name: _____

Address: _____

Applicant #2 (if applicable):

Name: _____

Address: _____

information on additional applicant(s) is attached

V. Convention Priority Claims

Convention priority claim(s) is based on:

Country	Application Serial Number	Filing Date

additional Convention priority claim(s) is attached

VI. Request for Examination¹

Request examination at time of filing

Defer request for examination

¹Canada uses a deferred examination system. The applicant must file a request for examination and pay the government examination fee within 5 years of the filing date. Please indicate whether we should request examination when we file the application, or defer such request for the time being.

VII. Entity Size²

- Applicant(s) does not claim small entity status
- Applicant(s) claims small entity status and acknowledges and accepts the risks of incorrectly claiming small entity status. Please forward a small entity declaration for signature by the Applicant(s).

²A “small entity” for fee purposes is an entity that employs 50 or fewer employees or that is a university. Small entity status does not apply to an entity that (a) is controlled directly or indirectly by an entity, other than a university, that employs more than 50 employees; or (b) has transferred or licensed or has an obligation, other than a contingent obligation, to transfer or license any right in the invention to an entity, other than a university, that employs more than 50 employees.

A Canadian patent can potentially be invalidated if any fee is improperly paid on the small entity scale. If there is any doubt as to entity status, we recommend against claiming small entity status.

VIII. Accompanying Documents

Abstract	Enclosed <input type="checkbox"/> To Follow <input type="checkbox"/>
Disclosure (Word format)	Enclosed <input type="checkbox"/> To Follow <input type="checkbox"/>
Claims (Word format)	Enclosed <input type="checkbox"/> To Follow <input type="checkbox"/>
Drawing(s)	Enclosed <input type="checkbox"/> To Follow <input type="checkbox"/> N/A <input type="checkbox"/>
Sequence Listing in Electronic Form ³	Enclosed <input type="checkbox"/> To Follow <input type="checkbox"/> N/A <input type="checkbox"/>
Assignment(s) ⁴	Enclosed <input type="checkbox"/> To Follow <input type="checkbox"/> N/A <input type="checkbox"/>
Other Documents (if any)	Enclosed <input type="checkbox"/> To Follow <input type="checkbox"/> N/A <input type="checkbox"/>

³ An application which discloses nucleotide or amino acid sequences, that do not form part of the prior art, must contain a sequence listing in computer-readable form containing the actual sequence(s). The computer-readable sequence listing must be filed within 15 months of the application’s priority date, or within 15 months of the application’s filing date if priority is not claimed, failing which a completion fee will be required.

⁴ The CIPO no longer requires an applicant to record assignments or other title documents to substantiate the applicant’s entitlement to apply for a patent. However, we recommend recordation of all assignments or other title documents which establish the chain of title from the inventor(s) to the applicant. An assignment affecting a Canadian patent is void against a subsequent assignee unless the assignment is both filed and recorded before the CIPO records an assignment to the subsequent assignee. The applicant’s title is therefore not secure as against any subsequent assignee unless the assignment is recorded. Even though the CIPO will not require us to do so, we recommend that you provide and instruct us to file copies of any relevant assignments or other title documents which establish the chain of title from the inventor(s) to the applicant. We also recommend that any future changes in ownership of the patent rights (e.g. assignments, mergers, name changes, etc.) be recorded in the CIPO.

IX. Documents Not Required for Canada

A certified copy of the priority document(s) is not ordinarily required. A filing date can be obtained by filing abstract, disclosure, claims and drawings. Retyping, if necessary, can frequently be deferred until allowance.

There is no need for the Applicant to sign a Power of Attorney or other formal document.

X. Special Instructions

Figure No. ____ of the drawings is to accompany the abstract when the application is laid open to public inspection.

Filing deadline: _____

Additional instructions: _____

further additional instructions are attached

XI. Mailing Instructions

Please send completed form and attachments to Oyen Wiggs Green & Mutala LLP via

- a) E-mail to mail@patentable.com, or
- b) Fax to 604.681.4081, or
- c) Courier to address below