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**SUBSTITUTE STATEMENT IN LIEU OF AN OATH OR DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION(35 U.S.C. 115(d) AND 37 CFR 1.64)**

|   |       |         |         |
|---|-------|---------|---------|
| <b>Title of Invention</b>   |       |         |         |
| This statement is directed to:  |       |         |         |
| <input type="checkbox"/> The attached application,  |       |         |         |
| OR  |       |         |         |
| <input type="checkbox"/> United States application or PCT international application number _____ filed on _____.  |       |         |         |
| <b>LEGAL NAME of inventor to whom this substitute statement applies:</b>  |       |         |         |
| (E.g., Given Name (first and middle (if any)) and Family Name or Surname)   |       |         |         |
| Residence (except for a deceased or legally incapacitated inventor):  |       |         |         |
| City  | State | Country |         |
| Mailing Address (except for a deceased or legally incapacitated inventor):  |       |         |         |
| City  | State | Zip     | Country |
| I believe the above-named inventor or joint inventor to be the original inventor or an original joint inventor of a claimed invention in the application.                         |       |         |         |
| The above-identified application was made or authorized to be made by me.   |       |         |         |
| I hereby acknowledge that any willful false statement made in this statement is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both. |       |         |         |
| Relationship to the inventor to whom this substitute statement applies:   |       |         |         |
| <input type="checkbox"/> Legal Representative (for deceased or legally incapacitated inventor only),  |       |         |         |
| <input type="checkbox"/> Assignee,  |       |         |         |
| <input type="checkbox"/> Person to whom the inventor is under an obligation to assign,  |       |         |         |
| <input type="checkbox"/> Person who otherwise shows a sufficient proprietary interest in the matter (petition under 37 CFR 1.46 is required), or                                  |       |         |         |
| <input type="checkbox"/> Joint Inventor.  |       |         |         |

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Administrative Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO

THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

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## SUBSTITUTE STATEMENT

Circumstances permitting execution of this substitute statement:

- Inventor is deceased,
- Inventor is under legal incapacity,
- Inventor cannot be found or reached after diligent effort, or
- Inventor has refused to execute the oath or declaration under 37 CFR 1.63.

If there are joint inventors, please check the appropriate box below:

- An application data sheet under 37 CFR 1.76 (PTO/SB/14 or equivalent) naming the entire inventive entity has been or is currently submitted.

OR

- An application data sheet under 37 CFR 1.76 (PTO/SB/14 or equivalent) has not been submitted. Thus, a Substitute Statement Supplemental Sheet (PTO/SB/AIA11 or equivalent) naming the entire inventive entity and providing inventor information is attached. See 37 CFR 1.64(b).

### WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

#### PERSON EXECUTING THIS SUBSTITUTE STATEMENT:

|   |       |                  |         |
|---|-------|------------------|---------|
| Name:   |       | Date (Optional): |         |
| Signature:  |       |                  |         |
| Residence (unless provided in an application data sheet, PTO/SB/14 or equivalent):      |       |                  |         |
| City  | State | Country          |         |
| Mailing Address (unless provided in an application data sheet, PTO/SB/14 or equivalent) |       |                  |         |
| City  | State | Zip              | Country |

Note: Use an additional PTO/SB/AIA02 form for each inventor who is deceased, legally incapacitated, cannot be found or reached after diligent effort, or has refused to execute the oath or declaration under 37 CFR 1.63.

## OMB Clearance and PRA Burden Statement for PTO/SB/AIA02

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This form is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Administration Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

### Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. The United States Patent and Trademark Office (USPTO) collects this information under authority of 5 CFR 339.205. The information in this system of records is used to manage all records of applicant including name, citizenship, residence, post office address and other information pertaining to the applicant's activities in connection with the invention for which a patent is sought. Statements containing various kinds of information with respect to inventors who are deceased or incapacitated, or who are unavailable or unwilling to make application for patent. The information obtain is protected from disclosure to third parties in accordance with the Privacy Act.

However, routine uses of this information may include disclosure to the following: to law enforcement and investigation in the event that the system of records indicates a violation or potential violation of law; to a Federal, state, local, or international agency, in response to its request; to an agency, organization, or individual for the purpose of performing audit or oversight operations as authorized by law; to non-federal personnel under contract to the agency; to a court for adjudication and litigation; to the Department of Justice for Freedom of Information Act (FOIA) assistance; to members of congress working on behalf of an individual; to the Office of Personnel Management (OPM) for personnel research purposes; to National Archives and Records Administration for inspection of records; and to the Office of Management and Budget (OMB) for legislative coordination and clearance. Failure to provide any part of the requested information may result in an inability to process requests for access and information. The applicable Privacy Act System of Records Notice for this information is COMMERCE/PAT-TM-7 Patent Application Files, available at Federal Register /Vol. 78, No. 61 / Friday, March 29, 2013 /Notices 19243. <https://www.govinfo.gov/content/pkg/FR-2013-03-29/pdf/2013-07341.pdf>