



## TRANSFER OF BRAND BY OWNER

T-1 Version 2010-01-22

### INFORMATION AND INSTRUCTIONS

This form is used by the owner or owners of a brand to transfer the brand to one of the other owners or to another person. This form cannot be used if the owner or one of the owners is deceased or under 18 years of age or for the transfer of an honorary brand. If any of these situations apply, please contact LIS for the appropriate forms to be used.

#### IMPORTANT NOTICE

- By completing and submitting this Transfer to the Brand Registrar only the brand is being transferred. This Transfer does not transfer title to livestock bearing the brand.
- The transfer of a brand does not affect the status of the ownership of the livestock or the livestock security interest in the livestock on which the brand was applied prior to the date on which the brand transfer was registered.
- If the Transferor sells livestock bearing the brand after the Transfer is registered, the livestock inspectors may put a hold on the livestock or the sale proceeds.
- If the Transferee sells the Transferor's livestock bearing the brand after the Transfer is registered, the livestock inspectors will not put a hold on the livestock or on the sale proceeds.

<b>Status of Transferee(s)</b>
--------------------------------

Brands can be transferred to individuals, partnerships or corporations.

#### **Co-ownership and Joint Ownership**

Up to January 1, 2009, all brands owned by more than one person were co-owned. The Brand Registry now recognizes joint ownership of brands.

If two or more persons are **joint owners** of a brand, each person owns an undivided interest in the brand and has a "right of survivorship". Upon the death of one joint owner, the other owner(s) has ownership of the brand. On the death of one joint owner, the brand can be transferred to the survivor(s) by the surviving joint owner(s) filing with the Brand Registrar a Statutory Declaration of Surviving Joint Brand Owner along with satisfactory proof of death of the deceased joint owner. If the transferees do not want title to the brand and, potentially, the livestock bearing the brand to pass to the survivor(s), then joint ownership should not be used.

If two or more persons are **co-owners** of a brand, each person owns an undivided interest in the brand and, upon the death of one of the co-owners, the legal requirements governing wills and estates must be followed to transfer the deceased's interest (ownership) in the brand. Whether the deceased's interest in the brand will go to the co-owner or to another person will be determined by any Designation of Beneficiary Form filed with the Brand Registrar, the deceased's Will or, if there is no Designation of Beneficiary Form or Will, on the laws governing intestate succession.

If either Joint Owners or Co-Owners is not checked off on the Transfer, any brand transferred to two or more owners will be co-owned. The election of joint ownership or co-ownership can be changed by the new owners at any time.

Regardless of how two or more individuals own a brand, whether as joint owners or as co-owners:

- Any livestock bearing the above brand must be sold in the names of, or on behalf of, all of the owners of the brand. If not, the livestock or the sale proceeds may be held pending the livestock inspector being satisfied that the person in possession of the livestock is the owner of the livestock, the owner's agent or otherwise lawfully entitled to be in possession of the livestock or entitled to the sale proceeds.
- The sale proceeds must be payable to all of the owners of the brand and the holder of any livestock security interest in the livestock or the dam of the livestock being sold.
- If the livestock is being transported for sale and the livestock manifest does not direct payment to all of the owners of the brand, the livestock inspector will hold the livestock or the sale proceeds until all of the owners of the brand sign the livestock manifest.

The ability to own a brand jointly or as co-owners was implemented for the sole purpose of simplifying the transfer of the brand on death of one of the brand owners. If all of the individuals owning the brand will not or do not own the livestock being branded then do not register the brand in the names of more than one individual.

### **Trade names**

If the brand is being transferred to an individual, not associated in partnership with any other person, in a name other than his or her own name, he or she will be operating under a "trade name" and will be required to provide a copy of a *Declaration of Trade Name* that has been filed with the Registrar of Corporations under section 110 of the *Partnership Act*. The Declaration of Trade Name form can be obtained from Service Alberta at <http://www.servicealberta.gov.ab.ca> under Corporate Registries, Business names. If a brand is owned by two or more individuals under a name other than their own names, they are deemed to be a partnership for the purposes of owning the brand.

### **Partnerships**

If the brand is being transferred to two or more persons in a name other than their own names, they will be operating as a partnership and will be required to provide a copy of a *Declaration of Partnership* that has been filed with the Registrar of Corporations under section 106 of the *Partnership Act*. The Declaration of Partnership form can be obtained from Service Alberta at <http://www.servicealberta.gov.ab.ca> under Corporate Registries, Business names. All of the names of the partners must be provided on the Transfer.

### **Corporations**

Proof of registration as a corporation in Alberta and a copy of the last annual return filed are required in order to transfer a brand into the name of a corporation.

If the brand being transferred to a corporation, not associated in partnership with any other person, and in a name other than its legal corporate name, the company is operating under a "trade name" and will be required to provide a copy of a *Declaration of Trade Name* that has been filed with the Registrar of Corporations under section 110 of the *Partnership Act*. The Declaration of Trade Name form can be obtained from Service Alberta at <http://www.servicealberta.gov.ab.ca> under Corporate Registries, Business names.

### **Transferees under 18 years of age**

When a brand is transferred to a person under 18 years of age, the parent or guardian of the child is required to sign a Guardian's Acknowledgment of Responsibility under the *Minors' Property Act*. If the

minor transferee is 14 to 17 years of age, the minor transferee will be required to sign the brand Transfer and consent to the guardian receiving the brand certificate on the minor's behalf.

### Documents to be submitted with the Transfer

Please ensure that the documents required to be submitted with the Transfer by both the Transferor(s) and the Transferee(s) are included when the Transfer is submitted to LIS.

Each Transferor must appear before a Commissioner for Oaths (if the form is signed in Alberta) or before a Notary Public (if the form is signed outside Alberta) to sign the *Transfer of Brand by Owner* form and to have the Certificate of Verification of Identity of Transferor completed. One Certificate must be completed for each Transferor.

To verify each Transferor's identity, the Commissioner for Oaths or Notary Public must examine an original piece of valid government issued identification (the identity document). Information and instructions with respect to the Certificate of Verification of Identity are attached. If you do not have one of the listed identity documents please contact LIS.

### Transfer Fee

Please ensure that the transfer fee of \$52.50 (includes GST) accompanies the Transfer.

The transfer fee can be paid by cheque, VISA or MasterCard. Please note that the transfer fee is **not refundable** once the Brand Registrar has issued a Brand Certificate in the name of the transferee(s).

### Other Information

#### Publication of brand information

Livestock Identification Services Ltd. maintains a registry of brands and honorary brands. The information provided on the Transfer is entered in the registry. Any person may, on payment of \$25.00, have the registry searched and obtain an extract from the registry. Livestock Identification Services Ltd. publishes a Brand Book containing all of the registered brands and honorary brands and also posts all brands and honorary brands on its website. The name of the owner of the brand and the owner's town/city along with a picture of the brand and the description of the brand is published in the Brand Book and on the website.

#### Change of Address and contact information

In order for LIS to keep its brand registry up to date, owners of brands are required to notify LIS, in writing, of any change in their address and contact information.

#### Brand Registrar Contact Information

Livestock Identification Services Ltd.  
#109, 264 Midpark Way SE  
Calgary, AB T2X 1J6  
www.lis-alberta.com

Phone: 403-740-4105  
Toll Free: 866-740-4105  
Fax: 403-740-4124  
E-mail: [brands@lis-alberta.com](mailto:brands@lis-alberta.com)



LIVESTOCK  
IDENTIFICATION  
SERVICES LTD.

Livestock Identification and Commerce Act

**TRANSFER OF BRAND  
BY OWNER**

T-1 Version 2010-01-22

<b>For office use only</b>	<b>TRANSFEROR</b>	<b>Client No.</b>	<b>File No</b>
----------------------------	-------------------	-------------------	----------------

Please read attached instruction sheet before completing this Brand Application form.

- If the brand is owned by more than one person, the names of all of the owners must be listed in Part A1 as Transferors
- If one or some of the existing owners will be retaining ownership of the brand, the names of those owners must also be listed in Part B2 as Transferees in addition to the person(s) to whom the brand is being transferred

**Part A1 – Name(s) of Brand Owner(s) transferring the Brand – the Transferor(s)**

If an **individual(s)** (if more than 4 owners attach *Additional Brand Transferor/Transferee* form)

**Over 18 years old\***

Transferor 1	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Last Name                      First Name                      Middle Name		
Transferor 2	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Last Name                      First Name                      Middle Name		
Transferor 3	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Last Name                      First Name                      Middle Name		
Transferor 4	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Last Name                      First Name                      Middle Name		

Trade name, if any: \_\_\_\_\_

**Note:** Please contact the Brand Registrar is if any of the Transferors are under 18 years of age.

If a **partnership or corporation:** (if more than one company or partnership attach *Additional Brand Transferor/Transferee* form)

Partnership or Company Name \_\_\_\_\_

Corporate Access Number \_\_\_\_\_ on top R corner of Certificate of Incorporation

Trade name, if any: \_\_\_\_\_

**Part A2 – BRAND being transferred**

Brand Design	Location	Type
		<input type="checkbox"/> Cattle <input type="checkbox"/> Horse

do hereby for valuable consideration, the receipt and sufficiency is hereby acknowledged, transfer the above described brand to:



**Part C – TRANSFEROR - Contact Information and Signature**

The undersigned hereby declare that all of the above information pertaining to the transferors is/are true and correct.

- Each individual transferor and each partner must sign below as transferor.
- The authorized officer of a corporation must sign on behalf of the corporate transferor in one of the sections provided
- The authorized officer of a corporation must complete the information for the corporation below.

**Print name** \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Town/City, Prov \_\_\_\_\_ Postal \_\_\_\_\_  
Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_  
Fax \_\_\_\_\_ E-mail \_\_\_\_\_  
**Date** \_\_\_\_\_ **Signature** \_\_\_\_\_

**Print name** \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Town/City, Prov \_\_\_\_\_ Postal \_\_\_\_\_  
Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_  
Fax \_\_\_\_\_ E-mail \_\_\_\_\_  
**Date** \_\_\_\_\_ **Signature** \_\_\_\_\_

**Print name** \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Town/City, Prov \_\_\_\_\_ Postal \_\_\_\_\_  
Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_  
Fax \_\_\_\_\_ E-mail \_\_\_\_\_  
**Date** \_\_\_\_\_ **Signature** \_\_\_\_\_

**Print name** \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Town/City, Prov \_\_\_\_\_ Postal \_\_\_\_\_  
Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_  
Fax \_\_\_\_\_ E-mail \_\_\_\_\_  
**Date** \_\_\_\_\_ **Signature** \_\_\_\_\_

**Note:** If there are more than four transferors signing the transfer please complete and attach the *Additional Brand Transferor/Transferee Form*

**Additional Information for Corporate Transferor**

**If signing on behalf of a corporation**

Position in the corporation \_\_\_\_\_

**Contact Information of Corporation (if different from above person signing above)**

Mailing Address \_\_\_\_\_

Town/City, Prov \_\_\_\_\_ Postal \_\_\_\_\_

Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

Fax \_\_\_\_\_ E-mail \_\_\_\_\_

**PART D – TRANSFEEE - Contact Information and Signature**

The undersigned hereby declare that all of the above information pertaining to the transferee(s) is/are true and correct.

- Each individual transferee and each partner must sign below as transferee.
- The authorized officer of a corporation must sign on behalf of the corporate transferee
- The authorized officer of a corporation must complete the information for the corporation below.

**Note:** If a Transferee is a Transferor listed on page 3 the contact information does not have to be repeated. Enter "same as above" where appropriate. Each Transferee must enter his/her name, date and sign this page.

**Print name** \_\_\_\_\_

Mailing Address \_\_\_\_\_

Town/City, Prov \_\_\_\_\_ Postal \_\_\_\_\_

Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

Fax \_\_\_\_\_ E-mail \_\_\_\_\_

**Date** \_\_\_\_\_ **Signature** \_\_\_\_\_

**Print name** \_\_\_\_\_

Mailing Address \_\_\_\_\_

Town/City, Prov \_\_\_\_\_ Postal \_\_\_\_\_

Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

Fax \_\_\_\_\_ E-mail \_\_\_\_\_

**Date** \_\_\_\_\_ **Signature** \_\_\_\_\_

**Print name** \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Town/City, Prov \_\_\_\_\_ Postal \_\_\_\_\_  
Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_  
Fax \_\_\_\_\_ E-mail \_\_\_\_\_  
**Date** \_\_\_\_\_ **Signature** \_\_\_\_\_

**Print name** \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Town/City, Prov \_\_\_\_\_ Postal \_\_\_\_\_  
Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_  
Fax \_\_\_\_\_ E-mail \_\_\_\_\_  
**Date** \_\_\_\_\_ **Signature** \_\_\_\_\_

**Note:** If there are more than four transferees signing the transfer please complete and attach the *Additional Brand Transferor/Transferee* Form

**Additional Information for Corporate Transferee**

**If signing on behalf of a corporation**

Position in the corporation \_\_\_\_\_

**Contact Information of Corporation if different from above**

Mailing Address \_\_\_\_\_  
Town/City, Prov \_\_\_\_\_ Postal \_\_\_\_\_  
Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_  
Fax \_\_\_\_\_ E-mail \_\_\_\_\_

**CERTIFICATE OF VERIFICATION OF IDENTITY OF TRANSFEROR**

I, \_\_\_\_\_ of the Town/City of \_\_\_\_\_  
in the Province/State of \_\_\_\_\_, HEREBY CERTIFY THAT:

1. I met \_\_\_\_\_ on \_\_\_\_\_, 20 \_\_\_\_ and  
verified his/her identity by examining his/her \_\_\_\_\_ (identity document)  
issued by \_\_\_\_\_ on \_\_\_\_\_, 20 \_\_\_\_  
as number \_\_\_\_\_.
2. The photograph on the identity document was a true likeness of the person named in paragraph 1 and  
confirmed that he/she is at least 18 years of age.

SIGNED by me at \_\_\_\_\_, \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_

\_\_\_\_\_  
A Commission for Oaths in and for the Province of Alberta  
or a Notary Public in and for the Prov/State of \_\_\_\_\_

\_\_\_\_\_  
Address

\_\_\_\_\_  
Print name

\_\_\_\_\_  
City/Town – Prov/State – Postal/Zip Code

\_\_\_\_\_  
Date appointment expires

\_\_\_\_\_  
Phone

**CERTIFICATE OF VERIFICATION OF IDENTITY OF TRANSFEROR**

I, \_\_\_\_\_ of the Town/City of \_\_\_\_\_  
in the Province/State of \_\_\_\_\_, HEREBY CERTIFY THAT:

1. I met \_\_\_\_\_ on \_\_\_\_\_, 20 \_\_\_\_ and  
verified his/her identity by examining his/her \_\_\_\_\_ (identity document)  
issued by \_\_\_\_\_ on \_\_\_\_\_, 20 \_\_\_\_  
as number \_\_\_\_\_.
2. The photograph on the identity document was a true likeness of the person named in paragraph 1 and  
confirmed that he/she is at least 18 years of age.

SIGNED by me at \_\_\_\_\_, \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_

\_\_\_\_\_  
A Commission for Oaths in and for the Province of Alberta  
or a Notary Public in and for the Prov/State of \_\_\_\_\_

\_\_\_\_\_  
Address

\_\_\_\_\_  
Print name

\_\_\_\_\_  
City/Town – Prov/State – Postal/Zip Code

\_\_\_\_\_  
Date appointment expires

\_\_\_\_\_  
Phone

**Collection of Information**

This information is being collected for the purposes of brand registry records in accordance with the *Livestock Identification and Commence Act* and the *Freedom of Information and Protection of Privacy Act*. Questions about the collection of this information can be directed to the Privacy Coordinator for the brand registry at LIS at 109, 264 Midpark Way SE Calgary Alberta, T2X 1J6. Phone (403) 509-2088 or (866) 509-2088

**Transfer Fee**

**Payment Method – Transfer Fee for each brand being transferred - \$52.50 (GST included)**

**Number of brands being transferred** \_\_\_\_\_ **Total transfer fees plus GST** \$ \_\_\_\_\_

Cheque enclosed payable to “Livestock Identification Services Ltd.”

Charge to credit card  Mastercard  VISA

Card Number \_\_\_\_\_ Expiry Date \_\_\_\_\_

Name on Card \_\_\_\_\_

Signature \_\_\_\_\_

Please mail the original Transfer, the relevant supporting documents and cheque, if applicable, to

Livestock Identification Services Ltd.  
#109, 264 Midpark Way S.E.  
Calgary, AB, Canada T2X 1J6

If you have any questions, please phone the Brand Registrar at **1-866-740-4105**

**PLEASE NOTE** The transferee(s) **does/do not** have the right to use the brand until the Transfer of Brand has been approved and the transferee(s) has/have been issued a Brand Certificate by the Brand Registrar.

## **INFORMATION AND INSTRUCTIONS FOR COMPLETING THE CERTIFICATE OF VERIFICATION OF IDENTITY**

### **Information**

The person registered with the Brand Registry as the owner of the brand has the exclusive right to use the brand for the purposes of denoting ownership of the livestock or a livestock security interest in the livestock, as the case may be, until the registration of the brand is cancelled or transferred.

Identification is required to ensure that documentation affecting the rights of a registered brand owner is completed by the proper person to protect the registered brand owner.

Livestock Identification Services Ltd. (LIS) is subject to the *Freedom of Information and Protection of Privacy Act* and the collection, use, disclosure, retention and destruction of personal information by LIS are done in compliance with this Act.

### **Acceptable identity documents**

Acceptable personal identification documents must

- include a photograph
- be government issued
- be original, not a copy of the document
- indicate a unique identifier
- be valid (current) – not expired.

Acceptable forms of personal identification documents include

- a driver's license
- an identification card
- passport
- citizenship card
- Permanent Resident card
- Certificate of Indian Status card

Note If a brand owner does not have one of the listed identity documents please contact LIS and an alternate form will be provided.

### **Instructions to Commissioner for Oaths or Notary Public**

To complete the Certificate of Verification of Identity do the following

- Print your full name, town or city and province or state in the initial paragraph.
- Print the name of the person in paragraph 1 and the date the person appeared before you to complete this form.
- Request the original identity document from the person and compare the information on the identity document to the information on the form and to the person appearing before you.
- If the information and photograph match the information on the form and the person appearing before you, complete paragraph 2 by printing the name of the government entity that issued the identity document, the date the identity document was issued, the number of the identity document, the date it expires and the name of the person appearing before you.
- Print the day, month and year the Certificate is signed.
- Sign your name on the line provided and strike out which of the two capacities does not apply to you.
- Print your name on the line provided
- Print your phone number and full address on the lines provided.