



Application for Certification of a Qualified Emerging Technology Company

Tax Law – Articles 9-A and 22

This application is for the certification period:

| | | | |
|-----------|--|--------|--|
| beginning | | ending | |
|-----------|--|--------|--|

| | |
|---|----------------------------|
| Part 1 – Business information <i>(all applicants must complete this section)</i> | Department use only |
|---|----------------------------|

Print or type

| | | | |
|--|--|--|----------|
| 1 Legal name <i>(see instructions)</i> | | | |
| 2 Trade name/DBA <i>(if different from line 1; see instructions)</i> | | | |
| 3 Address of business in New York State <i>(number and street; see instructions)</i> | | City | State |
| | | | ZIP code |
| 4 Mailing address <i>(if different from business address; see instructions)</i> | | City | State |
| | | | ZIP code |
| 5 County <i>(place of business in New York State)</i> | 6 Business telephone number <i>(include area code)</i> | 7 Date business began or will begin in NYS | |
| 8 Federal employer identification number <i>(see instructions)</i> | 9 Type of organization: <i>(mark an X in one box)</i> | | |
| | Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> LLC <input type="checkbox"/> Other <i>(specify)</i> <input type="checkbox"/> _____ | | |

10 I authorize the Commissioner of Taxation and Finance to disclose publicly that the above company is a certified qualified emerging technology company (QETC) for the certification period shown on this application, if the company so qualifies. The disclosure of information may include the information shown on lines 1, 2, 3, and 4 of this application *(mark an X in one box)*..... Yes No

Part 2 – Eligibility requirements *(mark an X in the appropriate box)*

11 Is the company located in New York State? *(see instructions)*..... Yes No

12 Are the total annual product sales of the company \$10,000,000 or less? *(see instructions)* Yes No

If you answered Yes to questions 11 and 12, continue with line 13 to see if you are eligible to be certified as a QETC under Category 1. If you answered No to either question 11 or 12, you are **not** eligible to be certified as a QETC and should not complete this application.

Category 1 – Primary products or services

13 Does the company develop or create products or services that are classified as emerging technologies? Yes No

If Yes, enter a description of the company's emerging technology products or services: _____

14 Enter gross receipts or sales from the company's emerging technology products or services described on line 13 14. _____

15 Enter total gross receipts or sales from all the company's products or services..... 15. _____

If line 15 is zero, skip lines 16 and 17 and continue with line 18.
If line 15 is greater than zero, continue with line 16.

16 Divide line 14 by line 15 *(enter the result as a percentage)* 16. _____ %

17 Is the percentage on line 16 greater than 50%? Yes No

If you answered Yes to questions 13 and 17, you **are** eligible to be certified as a QETC under Category 1. Sign the application in the certification area and mail it to the address shown on page 2. If you answered No to either question 13 or 17, continue with line 18.

18 Enter the total expenditures attributable to the development or creation of emerging technology products or services included on your federal return..... 18. _____

19 Enter the total expenditures included on your federal return..... 19. _____

20 Divide line 18 by line 19 (enter the result as a percentage) 20. _____ %

21 Is the percentage on line 20 greater than 50%? Yes No

If you answered Yes, you are eligible to be certified as a QETC under Category 1. Sign the application in the certification area and mail it to the address shown below. If you answered No, complete lines 22 through 26 to determine if you are eligible to be certified under Category 2.

Category 2 – Research and development (R&D) activities

22 Does the company have R&D activities in New York State?..... Yes No

23 Enter the amount of R&D funds (see instructions) 23. _____

24 Enter the amount of net sales (if you have any amount of R&D funds, but zero net sales, you are a QETC; skip line 25 and mark the Yes box on line 26; see instructions) 24. _____

25 R&D funds percentage (divide line 23 by line 24; enter the result as a percentage) 25. _____ %

26 Does the percentage on line 25 equal or exceed the applicable percentage for the certification period for which you are applying (see instructions)?..... Yes No

If you answered Yes to questions 22 and 26, you are eligible to be certified as a QETC under Category 2. Sign the application in the certification area and mail it to the address shown below.

If you failed to qualify under Category 1, and answered No to either question 22 or 26 in Category 2, you are not eligible to be certified as a QETC and should not file this application.

Certification

I declare that to the best of my knowledge and belief this application is correct and complete. I understand that a willfully false representation is a crime punishable under section 1801 of the New York State Tax Law and sections 175.35 and 210.45 of the Penal Law.

| | | |
|--------------------------------|-------|------|
| Signature of authorized person | Title | Date |
|--------------------------------|-------|------|

Mail the application to: **NYS TAX DEPARTMENT
PSSB ACCOUNT UPDATE UNIT
W A HARRIMAN CAMPUS
ALBANY NY 12227-0866**

If not using U.S. Mail, see Publication 55, *Designated Private Delivery Services*.