



## **APPLICATION FOR PARTICIPATION IN THE INVEST IN OKLAHOMA PROGRAM**

### **PURPOSE:**

This application is to allow a venture capital fund, growth fund or private equity fund which is either Oklahoma Based, or which makes substantial investments in the State to participate in the Invest in Oklahoma Program set forth in the Section 2400 et. seq. of Title 62 of the Oklahoma Statutes.

### **RELEVANT STATUTES AND ADMINISTRATIVE RULES:**

The statutory authority for the program can be found at Section 2400 et. seq. of Title 62 of the Oklahoma Statutes. This can be located online at [this website](#).

Administrative rules for the program can be found on the Oklahoma Department Commerce webpage devoted to the Invest in Oklahoma program.

### **INSTRUCTIONS:**

1. This application must be completed and returned with all required attachments to the Oklahoma Department of Commerce. This can be done by submitting the application and all required attachments through the online application portal located at the Oklahoma Department of Commerce website, or by submitting the application and attachment via e-mail at [InvestInOK@okcommerce.gov](mailto:InvestInOK@okcommerce.gov), or via US Mail, First Class, postage prepaid to the following address:

Oklahoma Department of Commerce  
Attn: Invest in Oklahoma Program  
900 N. Stiles Ave.  
Oklahoma City, OK 73104.

2. The completed application must be typed using the online form. If there is insufficient room to answer a question on the typewritten application, please attach to the application form the full answer(s) with the accompanying question number(s) on a typewritten or legibly printed sheet.
3. All submitted documentation shall be submitted to the Department as a one-sided photocopy document and submitted as part of the Firm's online application.



6. Is the Firm "Oklahoma Based"?  Yes  No

If yes:

Primary Oklahoma street address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Mailing address (if different than above): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. If the answer to the previous question is "no", has the Firm invested at least One Million Dollars (\$1,000,000) in Oklahoma Based businesses within the three years prior to completing the application?

Yes  No

*(Note: If the answer to questions six and seven are "no", the Firm will not qualify for participation in the program)*

ATTACHMENT 1: If the answer to the previous question is "yes", please attach proof of investment of at least one million dollars (\$1,000,000) in Oklahoma Based businesses to this application as "Attachment A".

8. Telephone number of Firm: \_\_\_\_\_

9. Firm Federal Employer Identification Number (FEIN): \_\_\_\_\_

10. Firm website: \_\_\_\_\_

11. How long has the Firm been continuously active prior to this application? \_\_\_\_\_

12. How many investors does the Firm currently have? \_\_\_\_\_

13. Is this Firm required to be registered with the Federal Securities and Exchange Commission (SEC)?

Yes  No

14. If the answer to the previous question is “no”, please explain why the Firm is not required to be registered with the SEC including all citations to exemptions or other legal reasons why the Firm is not required to be registered with the SEC as appropriate

15. If the answer to question 13 is “yes”, is the Firm registered and in good standing with the SEC?

Yes                       No                       N/A

ATTACHMENT 2: If the answer to the previous question is “Yes”, please attach documentation of such to your application as “Attachment 2” indicating that the firm is registered and in good standing with the SEC. This documentation may include, but is not necessarily limited to, an SEC form ADV or other appropriate documentation.

16. Is the Firm required to be registered with the Oklahoma Department of Securities (ODOS) or the Oklahoma Securities Commission (OSC)?

Yes                                       No

17. If the answer to the previous question is “no” please explain why the Firm is not required to be registered with the ODOS/OSC including all citations to exemptions or other legal reasons why the Firm is not required to be registered as appropriate.

18. If the answer to question 16 is “yes”, is the Firm registered and in good standing with ODOS/OSC?

Yes                                       No                                       N/A

ATTACHMENT 3: If the answer to the question above is "yes", please provide documentation indicating the Firm is registered and in good standing with ODOS/OSC as "Attachment 3"

19. Is the Firm in good standing with all taxing and regulatory bodies in the United States?

Yes  No

If the answer to this question is no, please briefly explain:

20. Please identify the name and title of all Principals associated with the Firm that have investment decision making authority (*attach additional sheets as necessary*):

Principal 1: Name: \_\_\_\_\_

Title: \_\_\_\_\_

Principal 2: Name: \_\_\_\_\_

Title: \_\_\_\_\_

Principal 3: Name: \_\_\_\_\_

Title: \_\_\_\_\_

Principal 4: Name: \_\_\_\_\_

Title: \_\_\_\_\_

Principal 5: Name: \_\_\_\_\_

Title: \_\_\_\_\_

ATTACHMENT 4: Attach resumes or other similar brief document detailing the educational background and employment experience relating to institutional investment, executive level management and investment of all principals with the Firm that have investment decision making authority and submit with your application as "Attachment 4".

21. Have any of the principals associated with the Firm who have investment decision making authority ever been convicted of or received a deferred sentence for a felony offense or for a misdemeanor offense involving a financial related crime?

Yes                       No

22. Please identify each Fund that the Firm currently manages and provide information as requested (*attach additional sheets as necessary*):

Fund 1:

Name of Fund: \_\_\_\_\_

Type of Fund:         Private Equity/Growth                       Venture Capital

Investment Focus: \_\_\_\_\_  
\_\_\_\_\_

Identity of Principals with investment decision making authority over the fund:

Current annual internal rate of return for the fund: \_\_\_\_\_

Fund 2:

Name of Fund: \_\_\_\_\_

Type of Fund:         Private Equity/Growth                       Venture Capital

Investment Focus: \_\_\_\_\_  
\_\_\_\_\_

Identity of Principals with investment decision making authority over the fund:

Current annual internal rate of return for the fund since inception: \_\_\_\_\_

Fund 3:

Name of Fund: \_\_\_\_\_

Type of Fund:            Private Equity/Growth            Venture Capital

Investment Focus: \_\_\_\_\_

\_\_\_\_\_

Identity of Principals with investment decision making authority over the fund:

Current annual internal rate of return for the fund since inception: \_\_\_\_\_

Fund 4:

Name of Fund: \_\_\_\_\_

Type of Fund:            Private Equity/Growth            Venture Capital

Investment Focus: \_\_\_\_\_

\_\_\_\_\_

Identity of Principals with investment decision making authority over the fund:

Current annual internal rate of return for the fund since inception: \_\_\_\_\_

Fund 5:

Name of Fund: \_\_\_\_\_

Type of Fund:       Private Equity/Growth       Venture Capital

Investment Focus: \_\_\_\_\_

Identity of Principals with investment decision making authority over the fund:

Current annual internal rate of return for the fund since inception: \_\_\_\_\_

ATTACHMENT 5: Please attach brief documentation indicating the internal rate of return, including realized and unrealized gains, for the Funds listed above since the Firm's inception and label as "Attachment 5".

23. Does the Firm have at least Five Million Dollars (\$5,000,000) under management over the last year prior to application?  
 Yes       No

ATTACHMENT 6: Please attach brief documentation establishing that the Firm has at least Five Million Dollars (\$5,000,000) under management over the last year prior to application and label as "Attachment 6".

24. Please briefly describe the Firm's fee structure: \_\_\_\_\_

25. Does the Firm charge 2.5% or less of its capital as a management fee?  
 Yes       No

26. Does the Firm collect less than thirty percent (30%) of carried interest?  
 Yes       No

27. Is the Firm registered and in good standing with the Oklahoma Secretary of State's Office?  
 Yes       No



28. Please describe the Firm's risk appetite and risk control measures utilized by the Firm.

29. Please identify the amount of the Firm's net tangible assets: \_\_\_\_\_  
\_\_\_\_\_

30. Briefly describe the Firm's use of leverage:

31. Does the Firm use any written marketing materials, other than a website, to attract investment to funds managed by the Firm?

Yes       No

ATTACHMENT 7: If the answer to the previous question is "yes", please attach any marketing materials the Firm uses to attract investment to your application.

32. Do you agree, on behalf of the Firm, to invest at least ten percent (10%) of any investment funding received from a Public Entity into Oklahoma Based businesses?

Yes       No

By submitting this document to the Department of Commerce, I hereby acknowledge and agree that:

- I am authorized by the Firm to share the information in this document and the associated attachments with the Oklahoma Department of Commerce and to make the representations and agreements contained within.
- Information contained in this document and the attachments thereto are true and complete to the best of my knowledge.
- Information shared in this application and its attachments may be shared with the public and with Public Entities to the extent required by applicable State and Federal Law without the need for further consent.
- Information shared in this application and its attachments may be shared with Public Entities and the public to facilitate the intents and purposes of the Invest in Oklahoma Act without need for further consent.
- Information shared in this application and its attachments may be retained by the Oklahoma Department of Commerce in accordance with State law.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_