



Bloomberg
BNA

CITE

7th Annual **U.S. TAXATION OF INTELLECTUAL PROPERTY**

June 11 & 12, 2012
Bloomberg LP, New York

October 15 & 16, 2012
Chicago
Allerton Hotel

CO-CHAIRS:

Rob Bossart
Law Offices of Rob Bossart
New York

Paulus Merks
DLA Piper
New York

FACULTY:

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Baker & McKenzie
New York

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Silicon Valley

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Harmen van Dam
Loyens & Loeff
Rotterdam

Art Walker
Mayer Brown LLP
Washington, DC

Additional speakers
to be announced

From our Experienced Faculty You will Learn How to...

- Maximize the value & potential of your IP assets.
- Benefit from internal IP restructuring & migration of IP offshore.
- Utilize beneficial transfer pricing strategies in relation to IP licensing.
- Plan IP tax strategies for software, JVs and M&A transactions.
- Understand the latest IRS cost-sharing regs.
- Deal effectively with IP tax controversies.
- Determine the role of valuation techniques in regard to IP assets.
- Network with other professionals to improve IP tax strategies.
- Insight into European jurisdictions with favorable IP tax regimes

... and much more



Join us for a two-day technical update with group live instruction featuring the latest tax planning strategies and opportunities using intellectual property intangible assets.

**Register Early
and Save \$200!**

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CPE/CLE Credits



**Agenda
Updated
for 2012!**

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MONDAY, DAY ONE

- 8:00 AM **Registration and Continental Breakfast**
- 8:45 AM **Introduction and Co-Chairs Welcome**
- 9:00 AM **Increasing Importance of IP-Related Tax Issues**
- How and why IP planning optimizes your effective tax rate
 - What are IP and intangible assets and how are they different
 - Integrating IP/IA planning with global tax planning
- 9:45 AM **Internal IP Restructuring and Migration of IP Offshore**
- Making effective Use of IP restructuring
 - Examples of effective IP restructuring
 - The seven types of IP migration
 - Migration consequences and planning examples
- 11:00 AM **Break for Refreshments**
- 11:15 AM **How to Manage Corporate Tax & IP Considerations**
- Identifying critical and overlapping IP& tax considerations
 - Tax & IP coordination for IP placed in foreign affiliates
 - Strategies for legal relationship between parent and foreign IP owning sub
 - Litigation issues in protecting IP values
 - Recovering lost profits when IP ownership is separated from sales
 - Improving communications to avoid problems between tax and IP departments
- 12:30 PM **Luncheon**
- 1:45 PM **IP Licensing and Sec. 482 Transfer Pricing Issues**
- Finding the "best method" for establishing US licensing fees in today's economic environment
 - Identifying comparable uncontrolled transactions and profit level indicators
 - Creative use of comparable profits method (CPM)
 - Testing the range, and the consequence of failure
 - Comparison to OECD transfer pricing rules
- 3:00 PM **Break for Refreshments**
- 3:15 PM **European Jurisdictions with Favorable IP Tax Regimes – What They Offer to Attract IP Assets (Countries Covered Include: The Netherlands, Ireland, and Luxembourg)**
- Definition of IP that qualifies-patents, brands, brand names, trade names, copyrights, etc as well as associated rights and goodwill
 - Applicable corporate tax rates
 - Interest and tax depreciation issues
 - Clawback of allowances depending how long IP assets are held
 - Achieving tax free exit
 - Tax benefits available for software and other specific kinds of IP
 - Tax credits and grants available for R&D activities and expenditures
 - Legal requirements to qualify
- 4:15 PM **Valuation of Intellectual Property & Intangible Assets**
- Valuation principles and techniques
 - Market & cost approaches – comparable licensing/royalty rates
 - Income forecast approach – selecting the proper discount rate
 - Valuation in relation to migrating or transferring IP abroad
 - Tax and accounting issues in relation to IP valuation
 - Valuation of IP in relation to M&A and business combinations
- 5:15 PM **Conference Adjourns for the Day**

TUESDAY, DAY TWO

- 8:00 AM **Continental Breakfast**
- 8:45 AM **Mergers, Acquisitions & Dispositions Involving IP Assets**
- Sec. 197 – what's covered and what's excluded
 - Uncertain scope of the anti-churning rules
 - Measuring Sec. 1245 recapture on disposition of acquired IP
 - Recognizing loss on disposition of acquired IP
- 9:45 AM **Break for Refreshments**
- 10:00 AM **The Brave New World of Cost Sharing**
- The Basics for totally new research
 - Transfer pricing methods for basic cost sharing
 - Second generation research – the "buy-in" concept
 - New methods for the "buy-in"
 - What to do now?
- 11:30 AM **Handling IP Tax Controversies**
- Data sources and reasonableness tests
 - Valuation issues and approaches
 - Tax consequences in regard to IP when litigation or problems arise in joint ventures
 - Advance pricing agreements – pros and cons
 - A time to settle and a time to litigate
- 12:30 PM **Luncheon**
- 1:30 PM **IP Tax Consequences When Structuring Joint Ventures**
- Joint venture formation – US tax consequences of transferring IA/IP to a JV entity
 - IP transfer and valuation issues
 - Transfer pricing issues for IP in foreign vs. domestic joint ventures
 - IP license provisions in joint venture agreements
 - Special issues relating to IP and joint venture structuring: traps for the unwary
- 2:30 PM **Break for Refreshments**
- 2:45 PM **Special Tax Planning Considerations for Software, Electronic Commerce & Internet Based Activities**
- Federal – Capitalization, start-up expenses, dispositions
 - International - income characterization using Treas. Reg. 1.861-18
 - Tax rules and issues related to the transfer of software
 - Planning opportunities
- 3:45 PM **Domestic IP Management Companies: State and Local Tax Planning**
- State challenges of IP management company structures
 - State and local nexus issues
 - State transfer pricing issues
 - Planning for the future in a challenging environment
- 4:45 PM **Summary and Q&A**
- 5:00 PM **Conference Ends**

Times/topics/speakers subject to change
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Who Should Attend:

- Corporate tax counsel
- International tax executives and managers
- Tax directors, controllers and CFOs
- Tax attorneys, IP attorneys
- IP and licensing executives
- CPAs and accountants
- Executives with companies with strong IP assets
- Service providers to the IP industry

A basic knowledge of IP taxation is suggested before attending this intermediate level conference. This program is nontransitional which is appropriate for experienced attorneys.

Conference Locations:

New York:

Bloomberg LP, New York
731 Lexington Avenue, New York, N.Y.
Hotel accommodations are at your own discretion.

Chicago:

Allerton Hotel Tel.: 312.274.6437
701 North Michigan Avenue, Chicago, IL 60611
TheAllertonHotel.com
Limited Time Reduced Rate: \$199.00 per night

Our block of discounted sleeping rooms is limited, so please reserve your sleeping room early! We cannot guarantee rates or availability. Please contact the hotel and mention that you are attending the course listed under CITE. This limited-time discounted rate will be available up to 30 days prior to the meeting, or until the group block is sold-out, whichever comes first. Please note: your sleeping room is not included in the registration fee.

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CITE is an approved sponsor (# 702) of CPE courses for enrolled agents.

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Register Early and Save \$200!

Why You Should Attend This Conference:

Managing the tax issues and transactional consequences relating to your intellectual property assets is a critical part of realizing your company's full IP potential. The objective of this conference is to help you understand the increasing importance of IP related tax issues and how through effective tax planning you can lower your company's effective tax rate while maximizing the full value of your IP assets. Bloomberg BNA | CITE has brought together leading tax experts in this field who will provide you with a comprehensive analysis of the issues, developments and skills required for successful IP tax planning. The conference will address specific tax issues in relation to various IP asset classes and transactions that should be considered to ensure that your company and/or your client obtains the optimum tax results possible.

Attendees will receive written materials provided by speakers.

We look forward to welcoming you at the conference.

Substitutions/Cancellations:

Cancellations received more than 72 business hours prior to the meeting will be issued a credit. A \$350 fee will apply to cancellations received within 72 business hours of the event. No credit card or cash refunds will be issued at any time. For more information regarding administrative policies, such as complaints and refunds, please contact us at 914.328.5656, or e-mail info@citeusa.org. Credits will not be issued for "no shows."

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P.O. Box 1012
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10602

U.S. TAXATION OF INTELLECTUAL PROPERTY

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| 2. E-Mail:
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U.S. Taxation Of Intellectual Property Fee Includes:

Continental breakfasts, lunches, refreshment breaks, course materials.

Choose a location:

- June 11 & 12, New York October 15 & 16, Chicago

Name _____

Title _____

Organization _____

Address _____

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Telephone _____ Fax _____

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Fees:

- \$1295** Early Registration (up to 1 month prior to course)
 \$1495 Registration (within 1 month of course)

Special Discounts: (Applies to registrations only)

- \$100** Discount for Bloomberg BNA | CITE Members ID# _____

Bloomberg BNA | CITE Membership:

- \$325** Individual **\$625** Corporate (Up to 3 Individuals)

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