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BNA
Tax & Accounting

CITE

BNA | CITE (Council for International Tax Education) presents its Seventh Annual

U.S. TAXATION of INTELLECTUAL PROPERTY

A two-day technical update with group live instruction featuring the latest tax planning strategies and opportunities using intellectual property intangible assets

**Up to 16
CPE/CLE
Credits
Available**

March 19 & 20, 2012 • San Francisco • Marriott Union Square
June 11 & 12, 2012 • New York • Hotel to be Determined
October 15 & 16, 2012 • Chicago • Hotel to be Determined

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

- **Devise** tax planning techniques to maximize the value and potential of your intellectual property assets
 - **Understand** the increasing importance of IP-related tax issues
 - **Benefit** from internal IP restructuring & migration of IP offshore
 - **Utilize** beneficial transfer pricing strategies in relation to IP licensing
 - **Structure** tax planning strategies for software, licensing IP to JVs and M&A tax planning in regard to IP assets
 - **Understand** the latest IRS cost - sharing regulations and ways to deal with challenges to contract manufacturing
 - **Deal** effectively with IP tax controversies
 - **Determine** the role of valuation techniques in regard to IP assets
 - **Network** with other professionals to improve tax strategies and maximize benefits from your intellectual property assets
- ... and much more!**

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

Co-Chairs:

Rob Bossart

Law Offices of Rob Bossart
New York, NY

Ivan Morales

Baker & McKenzie LLP
Palo Alto, CA

Ted Grove

Ernst & Young LLP
Palo Alto, CA

Ivan Humphreys

Wilson Sonsini
Palo Alto, CA

Pat Powers

Baker & McKenzie LLP
Palo Alto, CA

Eric Ryan

DLA Piper LLP
Palo Alto, CA

Faculty:

Eric Christenson

Baker & McKenzie LLP
Palo Alto, CA

David Forst

Fenwick & West LLP
Mountain View, CA

Pau Dau

McDermott, Will & Emery
Menlo Park, CA

Kash Mansori

Experis
New York, NY

Victor Miesel

Experis
New York, NY

Gene Tien

Baker & McKenzie Consulting
Palo Alto, CA

Joy Dasgupta

DLA Piper LLP
Palo Alto, CA

James Ferguson

Mayer Brown LLP
Chicago, IL

Art Walker

Mayer Brown LLP
Chicago, IL

TO REGISTER: Web: www.citeusa.org • Fax: (914) 328-5757 • Phone: (914) 328-5656 or 800-207-4432

U.S. TAXATION of INTELLECTUAL PROPERTY

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Monday, Day One**8:00 am Registration and Continental Breakfast****8:45 am CITE 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 controversy environment
- Recognizing potential comparable uncontrolled transactions and comparability considerations
- Applying profit-based approaches to IP licensing
- Testing the range and the consequence of failure
- Comparison to OECD and other tax jurisdiction guidelines

3:00 pm Break for Refreshments**3:15 pm Use of Domestic IP Management Companies: State and Local Tax Planning**

- Formation and operation of IP management companies
- Tax issues in moving the IP into the management company
- State and local nexus issues
- State challenges of IP management company structures
- International planning issues
- Planning for the future in a challenging environment

4:15 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

5:15 pm Conference Adjourns for the Day

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Times/topics program schedule subject to change

Tuesday, Day Two**8:00 am Continental Breakfast****8:45 am Mergers, Acquisitions & Dispositions Involving IP Assets**

- Section 197--what's covered and what's excluded
- Uncertain scope of the anti-churning rules
- Measuring section 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

- IRS re-organizations to address 482 IP issues
- Settlement approaches with IRS auditors
- Advance pricing agreements - pros and cons
- Challenging IRS regulations after the Mayo Foundation case
- 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 Financial Accounting Aspects of Software and Intangibles**

- When is R&D deductible?
- FAS 109 impacts of method differences
- APB 23 decisions regarding reinvestment
- Fin 48 reserve decisions
- FAS- 141 business combination considerations
- FAS -142 goodwill and other intangible assets rules

3:45 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

4:45 pm Summary and Q&A**5:00 pm Conference Ends**

Educational Course Credit: CITE is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor (#103164) of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417. Web site: www.nasba.org

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

For information on CITE's hardship and financial aid policy, please contact us or visit our website. www.citeusa.org A basic knowledge of IP taxation is suggested before attending this intermediate level conference. This program is non-transitional which is appropriate for experienced attorneys.

Seventh Annual

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featuring the latest tax planning strategies and opportunities
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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. 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.

Rob Bossart

Law Offices of Rob Bossart

Ivan Morales

Baker & McKenzie LLP

Robert H. Ross

Program Director

What Past Attendees Have Said About This Conference

- "Well run seminar with great topics and excellent speakers"
- "Conference exceeded my expectations"
- "All the presentations were great"
- "Materials contained valuable information on new developments"
- "Enhanced (my) understanding of intangible assets and intellectual property"
- "Well organized"
- "I learned a lot about a new field"
- "If you work with or for a technology company this course is a must"

Sponsorship Opportunities are Available:

For more information contact BNA/CITE at
info@citeusa.org or (914) 328-5656

EARN UP TO 16 CLE/CPE CREDITS

Early Bird Special!

Register one month
before program

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Hotel Accommodations:

CITE's block of discounted sleeping rooms is limited - reserve your sleeping room early! We cannot guarantee rates or availability. A very limited block of rooms at a reduced rate has been set aside for CITE attendees.

Marriott Union Square

Tel: (415) 398-8900

480 Sutter Street

San Francisco, CA. 94108

Limited Time Reduced CITE rate:

\$209.00 per night

Please contact the Marriott Union Square hotel and mention that you are attending the course listed under CITE. The CITE rate will be available up to approximately 30 days prior to the meeting or until the group block is sold-out, whichever comes first so make your reservation as soon as possible. Your sleeping room is not included in the registration fee.

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 1-914-328-5656, or e-mail info@citeusa.org Credits will not be issued for "no shows"

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BNA ICITE The Council for International Tax Education
P.O. Box 1012
White Plains, NY 10602

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EARLY BIRD SPECIAL!

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Registration Form: (Please copy this form for additional attendees)

Registration Fee Includes: conference sessions, continental breakfast, lunch, refreshment breaks and materials

Name _____

Title _____

Organization _____

Address _____ (Mail Stop) _____

City _____ State _____ Zip _____

Tel. () _____ Fax () _____

Email _____

CONTACT BNA/CITE ABOUT DISCOUNTS FOR 3 OR MORE REGISTRANTS FROM THE SAME COMPANY!

Please check your choice:

- Early Bird** (up to one month before conference) **\$1295**
- Regular Registration** (within one month of conference) . . . **\$1495**
- \$100 Discount** for CITE Members - ID# _____
- Materials Only for Those Who Cannot Attend** **\$345**

Add \$75 for shipments outside the U.S. (one location only)

Fax: Fax completed order form with credit card information to (914)328-5757 (or fax form with company check to follow).
Mail: Mail completed form with your check or credit card information to BNA ICITE, P.O. Box 1012, White Plains, NY 10602
Phone: Call (914) 328-5656 or 800-207-4432 to register by phone.
E-Mail: info@citeusa.org
Website: www.citeusa.org

Three Convenient Locations: March 19 & 20, San Francisco
 June 11 & 12, New York October 15 & 16, Chicago

Please indicate method of payment:

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