



**Navigating the Storm:
The Impact of US Tax Reform on
Corporate Tax Planning and Transfer Pricing**

JULY 25, 2019

Hotel Fairmont Copley Plaza
138 St. James Avenue
Boston, Massachusetts

ABOUT THE EVENT

NAVIGATING THE STORM: THE IMPACT OF US TAX REFORM ON CORPORATE TAX PLANNING AND TRANSFER PRICING

Now more than ever, significant global tax changes are impacting multinational companies in new and challenging ways. Additionally, Congress may introduce new tax legislation this year to further muddy the waters and complicate things further. In light of these developments, Baker McKenzie's tax practice group has combined its annual Transfer Pricing and Tax Planning and Transactions seminars to provide our clients with an opportunity to discuss their most critical tax questions at a single event. We are pleased to invite you to this all-day seminar, which will be held on Thursday, July 25 in Boston, and will provide an overview of relevant changes to the law, their effects on multinational corporations, and potential responses to consider.

Plenary sessions will cover tax updates to a variety of traditional planning alternatives as well as Congress's current tax policy goals and their potential effects. A variety of break-out sessions will give attendees a chance to personalize their conference experience and focus on key areas most relevant to their particular situation. The seminar will conclude with a panel that will feature corporate representatives from various industries who will share their insights into the challenges and opportunities global tax reform is bringing to their tax planning and transfer pricing strategies.

We hope you will be able to join us. There is no fee to attend, but registration is required and accepted on a first-come, first-served basis. CLE and CPE credit will be available for attendees.

Thursday, July 25, 2019

Hotel Fairmont Copley Plaza

138 St. James Avenue
Boston, Massachusetts

AGENDA - THURSDAY, JULY 25, 2019

NAVIGATING THE STORM: THE IMPACT OF US TAX REFORM ON CORPORATE TAX PLANNING AND TRANSFER PRICING

8:30 am – 9:00 am Registration and Continental Breakfast

9:00 am Opening Remarks

9:00 am - 10:00 am Tax Planning in an Age of Global Reform

With global tax rates converging, BEPS implementation in full swing, US tax reform, and disputes on the rise, companies are facing new tax challenges. This session will discuss potential pitfalls and opportunities the new rules provide.

10:00 am – 11:00 am Fireside Chat: Understanding Congress's Current Tax Policy Goals

This session will explore Congress's current tax policy priorities, including potential new legislation and what that could mean for taxpayers. They will also review Congress's non-tax priorities — like the budget and renewing government funding in September — and how those priorities may affect tax legislation.

11:00 am - 11:15 am Refreshment Break

11:15 am - 12:15 pm Workshop Session I

Option A: IP Planning Post-BEPS and Post-TCJA

Companies continue to analyze ownership of intangible assets and new rules globally often require a change in strategy. This session will discuss rules applicable to IP ownership models and strategies for optimizing IP ownership in the current environment.

Option B: Profit Splits, One-Sided Methods, and the Changing Approach to the Arm's-Length Principle

Taxing authorities around the globe have been sending signals that the profit split method may become the preferred method for resolving APAs, MAPs, and local transfer pricing audits. Oftentimes, however, the result of a profit split method is no different from the one-sided methods traditionally relied upon to allocate nearly 100% of the profit to the adjusting country. This session will analyze different methods and their potential impact on the arm's-length principle.

Option C: Efforts to Modernize Taxation: Transfer Pricing and the Digital Economy

While business is becoming increasingly digital, the tax system has largely remained reflective of a brick and mortar economy. The OECD, European Commission, and several countries have recently focused their attention on the challenges of taxing the digital economy and have proposed related reforms. This session will focus on how individual countries as well as international organizations are issuing tax measures to address the digital economy, and how companies can manage the uncertainty and risk resulting from these efforts.

Option D: M&A Update

This session will discuss current tax trends in M&A and explore the impact of various US tax reform provisions on M&A activity and deal documentation. This panel will also address opportunities to structure and finance acquisitions efficiently and how to avoid potential pitfalls.

12:15 pm – 1:30 pm Lunch

For participants who are interested in carrying the discussion into lunch, a selection of lunch tables will offer table topics to allow attendees to break into small groups and take a deeper dive into key issues with Baker McKenzie transfer pricing and tax planning practitioners. Attendees interested in participating can note their table preference upon registering for the event.

1:30 pm – 1:45 pm Networking Break

1:45 pm - 2:45 pm Workshop Session II

Option A: Around the World in 60 Minutes. Recent Local Country Experience on Transfer Pricing (India, UK, Netherlands, EU, Ireland, Mexico, Australia, Canada, APAC)

Transfer pricing compliance and dispute management are becoming increasingly burdensome for taxpayers worldwide. This panel will go around the world with the latest updates from Canada, Mexico, the UK, and India to compare trends, the impact of CbCR and increased information sharing between taxing authorities and the current environment with regard to audits and dispute resolution.

Option B: The Foreign Tax Credits and GILTI

The new foreign tax credit limitation rules and their interaction with the GILTI provisions have created unexpected costs for many taxpayers. This session will review the new foreign tax credit provisions and explore how companies are addressing the impact of these new rules.

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Option C: Managing PE Risk Post-BEPS

As a result of BEPS, countries and multilateral organizations have taken steps to update traditional permanent establishment concepts. These efforts have included broadening the definition of permanent establishment while narrowing certain PE exclusions. This session will analyze these recent trends and help companies navigate these uncertain waters.

Option D: Financing Strategies for Multi-National Companies

The TCJA had significant impact on how companies structure their external borrowings and intercompany financing. This session will examine the impact of the rules on existing structures and discuss strategies to change financing structures in a way that is more efficient.

2:45 pm – 3:00 pm Networking Break

3:00 pm – 4:00 pm Workshop Session III

Option A: Optimizing the Benefits of FDII

The FDII regime is beneficial to companies exporting US-based services, intangibles and products. This session will discuss the FDII rules and opportunities that may exist to optimize the benefits FDII provides and its future viability.

Option B: Privilege in the Era of Transfer Pricing Transparency

In an era of increased transparency, companies need to pay careful attention to ways confidential information could potentially end up in the hands of the government if a dispute arises. This session will analyze the transfer pricing lifecycle and discuss how best to protect any sensitive information.

Option C: Defending Your Services: High-Value and Headquarters/Management Services Transactions

High-value and headquarters/management services continue to be a hot transfer pricing topic, as companies continue to get pressure on the pricing of these services and the deductibility of the payments made for them. This session will explore options to analyze, price, and defend services transactions and potential opportunities related to those surveys.

Option D: No Choice But to Pay Attention to SALT---Wayfair and Other Key Developments

Taxpayers have entered a new era in state and local taxation in light of the recent *Wayfair* decision coupled with state reactions to federal tax reform. This session will analyze state and taxpayer responses to the *Wayfair* decision as well as new state-level tax legislation in response to federal tax reform.

4:00 pm – 4:15 pm Refreshment Break

4:15 pm – 5:15 pm

Managing and Implementing a Global Tax and Transfer Pricing Strategy

Focusing in on the key issues companies are dealing with in today's environment, this session will offer attendees the opportunity to hear from their peers as corporate panellists address the key challenges their tax departments are facing as businesses adapt to new legislation. The panel will offer an in-depth discussion on how companies respond to commercial needs and changes, tax modelling and the ability to rely (or not) upon projections in tax planning and transfer pricing, audit behavior among jurisdictions, and how tax reform has changed the interaction of companies with their auditors.

5:15 pm

Closing Remarks

Cocktail Reception

REGISTRATION

NAVIGATING THE STORM: THE IMPACT OF US TAX REFORM ON CORPORATE TAX PLANNING AND TRANSFER PRICING

Attendee Name: _____

Title: _____

Company: _____

Address: _____

Phone Number: _____

Email: _____

Breakout Selections:

To help us plan our Workshop, please designate which breakout sessions you wish to attend

11:15 am - 12:15 pm Workshop Session I

- A:** IP Planning Post-BEPS and Post-TCJA
- B:** Profit Splits, One-Sided Methods, and the Changing Approach to the Arm's-Length Principle
- C:** Efforts to Modernize Taxation: Transfer Pricing and the Digital Economy
- D:** M&A Update

1:45 pm - 2:45 pm Workshop Session II

- A:** Around the World in 60 Minutes. Recent Local Country Experience on Transfer Pricing (India, UK, Netherlands, EU, Ireland, Mexico, Australia, Canada, APAC)
- B:** The Foreign Tax Credits and GILTI
- C:** Managing PE Risk Post-BEPS
- D:** Financing Strategies for Multi-National Companies

3:00 pm - 4:00 pm Workshop Session III

- A:** Optimizing the Benefits of FDII
- B:** Privilege in the Era of Transfer Pricing Transparency
- C:** Defending Your Services: High-Value and Headquarters/Management Services Transactions
- D:** No Choice But to Pay Attention to SALT---*Wayfair* and Other Key Developments

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■ BOSTON

JULY 25, 2019

Registration and additional Information:

To register for the seminar, visit our [event registration website](#). For additional program information or to cancel your registration, please send a note to taxnews@bakermckenzie.com.

There is no fee to attend, but registration is required and will be accepted on a first come, first served basis. This seminar is not open to other professional service providers.

Overnight Accommodations:

We have secured a discounted group rate on a limited number of guest rooms at the Fairmont Copley Plaza. Rooms will be reserved on a first-come first-served basis. Please [click here](#) to book your room online. If you would like to secure your room by phone, please call the hotel directly at +1 800 441 1414 and mention "Baker McKenzie Tax Meeting" to receive the discounted rate.

For additional hotel accommodations information, see the [event registration website](#).

Application has been made for Minimum Continuing Legal & Professional Education Credit for this activity. Baker McKenzie is an approved CLE provider in California, Illinois, New York and Texas. This program is appropriate for both experienced and newly admitted attorneys. Participants requesting CLE will receive Uniform CLE Certificates.



This program can be applied towards the 9 Substantive Hours of Continuing Professional Development (CPD) required by the Law Society of Ontario. Please note that this program is not accredited for Professionalism hours

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