



# **IBFD Webinar**

## **Transfer Pricing, R&D and Intangibles Under Attack**

10 September 2020 – 15:00 (Amsterdam local time)

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## Summary

Intangibles are more important than ever before. They are an essential value driver for MNEs. The OECD, EU and UN have been implementing guidance related to transfer pricing and intangibles. The OECD will present the blueprints for Pillar I and Pillar II in October 2020. Legislators in many jurisdictions have implemented the DEMPE approach in their transfer pricing guidance. Further, the EU General Court decided on the tax rulings in the *Apple* case and the European Commission decided to widen the scope of its investigation into the Netherlands' tax treatment of an IKEA subsidiary. At the same time, we see an increase in tax audits and litigation related to transfer pricing and intangibles. Often these cases relate to royalty rates, cost sharing or intangibles being transferred within the group. Last but not least, due to COVID-19, many MNEs will need to restructure their businesses. Since, these restructurings often concern intangibles, these will trigger the attention of the tax authorities of the countries involved.

This webinar provides an overview of the latest developments on transfer pricing and intangibles. The presenters will share their expertise and give us insight into the key risks related to aforementioned developments and how organizations may deal with them.

## Overview and Learning Objectives

Topics to be discussed in this webinar include the practical implications for the latest developments with respect to transfer pricing and intangibles.

After following this webinar, participants will be able to:

- identify the key challenges MNEs face in setting the arm's length price for R&D activities and the exploitation of intangibles;
- learn about the latest policy and legislative developments on transfer pricing and intangibles; and
- learn about the latest TP case law concerning intangibles.

## Field of study

Taxes

## Who should participate?

The webinar is suitable for all tax and transfer pricing professionals, including in-house tax and accounting personnel (e.g. directors, managers and CFOs), lawyers and tax advisers who deal with cross-border transactions, structures or cases and wish to understand the risks, challenges and controversies related to R&D activities and intangibles.

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## Course level and prerequisites

This is an intermediate-level webinar. Participants in this webinar are expected to be aware of the common issues regarding the transfer pricing of intangibles and the practical problems related to them.

## Advance preparation

Participation in this webinar does not require any preparation.

## Interactive Webinar - "Group Internet Based" (live webinar only)

To safeguard the interactive nature of the webinar, a limited number of participants will be accepted. Early registration is therefore recommended. During live webinars, it is possible to interact with the presenters via a chat message function. Please note that questions are answered based on relevance, order of receipt and available time. Additionally, participants in the live webinar are invited to answer poll questions or complete short tests. Participants will also have access to the on-demand version for a further 12 months from the live date.

*Date of live broadcast: 10 September 2020*

## On-Demand webinar

On-demand webinars are intended for individual self-study only. Unlike live webinars, they are not open to interactive participation or assistance from a real-time instructor. Access to on-demand webinars is granted for a period of 12 months from the date of registration and/or live broadcast.

## Continuing Professional Education

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## Webinar registration details

If you have any questions with regard to following the webinar, technical requirements, payments or cancellations, please consult our [FAQ](#).

## Agenda

- ▶ Setting the scene
  - ▶ Status Pillars I and II
  - ▶ COVID-19 IP-related issues:
    - ▶ Restructuring
    - ▶ Valuation
- ▶ TP legislation/regulation developments
  - ▶ Which countries have implemented new TP legislation and how is IP dealt with?
  - ▶ Proposed changes to the German transfer pricing law
- ▶ Case law: among others:
  - ▶ *Apple*
  - ▶ *Perrigo*
  - ▶ *IKEA*
  - ▶ *Altera*
  - ▶ *Medtronic*
  - ▶ Case law Scandinavian countries a.o. *PUMA Nordic* and *Colombia Sportswear*
- ▶ Closing