

USC Leventhal

School of Accounting

ACCT 568T – International Taxation

This course provides a foundation for understanding the basic principles of international taxation utilizing the U.S. tax law as a basis for establishing a level of expertise in how most countries approach the taxation of international commerce.

Syllabus Fall 2019 / August 26 – December 18

Section 14232R ONLINE MEETING – Tuesday 5:30 – 7:00 p.m. PST via ZOOM

Section 14233R – BRI 202 Tuesday 7:30 – 9:00 p.m. PST

COURSE STRUCTURE:

Both sections of this course are taught in a flipped classroom format using videos and self-assessment exercises that are available on Blackboard. In the flipped classroom format, students do the assigned readings, view the assigned videos, and complete the self-assessment exercises PRIOR to attending the class session.

Students who register for Section 14232R will attend their class session through a weekly Zoom meeting at the time and date indicated on the syllabus. These online class sessions allow students to discuss the topics covered in the reading, videos, and assessments, ask questions, and cover homework with faculty and peers. Attendance is required each week.

Students who register for Section 14233R will attend their class session on campus once a week at the time and place indicated on the syllabus. These on-campus class sessions allow students to discuss the topics covered in the reading, videos, and assessments, ask questions, and cover homework with faculty and peers. Attendance is required each week.

Students are asked not to switch sections once the semester has started so that each section may function as a cohesive unit, allowing for team projects and study groups. All materials and recordings, however, will be available on the same Blackboard course pages.

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EMERGENCY: USC Emergencies: 213-740-4321
NUMBERS: USC Public Safety- Non Emergencies: 213-740-6000
USC Emergency Information Line: 213-740-9233
USC Information Line 213-740-2311
KUSC Radio 91.5

TEXTS: **See Blackboard for instructions to access these materials online (no cost to the student):**

1. Herzfeld & Doernberg; International Taxation in a nutshell; 11th Edition ISBN 978-1-64020-905-3
2. Applicable Internal Revenue Code and Regulation Sections (Available on-line through RIA Checkpoint or CCH IntelliConnect)

PowerPoint slides will be posted weekly on the Friday before the week you will be studying a particular module (i.e. the PowerPoint slides for Module 3 will be posted by Friday September 13).

Additional reading material will be posted to Blackboard during the semester

PREREQUISITE: ACCT 561T

COURSE LEARNING OUTCOMES:

Upon successfully completing this course, the student will be able to:

1. Explain the objectives, challenges, policy considerations and taxpayer responses of international tax provisions common to most countries;
2. Determine the fundamental income tax issues that non-U.S. resident companies should consider when investing into the United States;
3. Apply the U.S. income tax laws that are intended to address double taxation and double non taxation of U.S. tax resident companies;
4. Identify common intercompany transactions and determine the benefits and risks of the alternate approaches available to establish an arm's length price;
5. Explain how anti base erosion policies have evolved on a global basis and how to apply the specific U.S. base erosion provisions;
6. Interpret the basic provisions of income tax treaties that apply to multinational corporations;
7. Apply course knowledge to developing basic international tax planning options and how to address the unique challenges of the digital economy

PROGRAM LEARNING OUTCOMES:

The following are the five Student Learning Outcomes developed for this program by the USC Leventhal faculty and administration and filed with the AACSB, the accrediting body for accounting and business schools. This course will deal primarily with learning outcomes #1, #2 and #3, and to a lesser extent with learning outcomes #4 and #5.

1. Technical, Conceptual, Problem-Solving

Students will be competent in and be able to apply discipline-specific knowledge and skills in the fields of accounting or taxation. This learning outcome includes the development of critical thinking and problem-solving skills, as well as an understanding of the strategic role of accounting and taxation in business organizations and society.

- MBT specific—Apply critical thinking and problem-solving skills related to taxation of individuals, flow-through entities, and corporations. Recognize potential opportunities for tax savings and tax planning.

2. Professional Development

Students will be able to communicate clearly and strategically, after considering the relevant audience, situation, and purpose of the communication. Students will demonstrate the ability to work productively with others to accomplish established goals.

- MBT specific—Convert complex and technical tax terminology into language that translates to non-technical audiences. Demonstrate strong interpersonal communication skills that build relationships with clients over time. Document exchanges with careful attention to word choice, tone, and accuracy.

3. Research/Life-Long Learning

Students will be able to use relevant research databases and academic/professional literature to gain new knowledge and analyze business situations.

- MBT specific—Use computer-based and paper-based systems to thoroughly research tax codes, tax law, rulings and interpretations. Use knowledge to be able to adjust to changes in tax law over time.

4. Ethical Principles and Professional Standards

Students will be able to apply ethical principles and professional standards in analyzing situations and making informed decisions.

- MBT specific—Demonstrate understanding of and apply consistently the ethical principles and professional standards related to the profession. Show the ability to express and follow rules of independence and the highest sense of professional ethics.

5. Globalization and Diversity

Students will be able to demonstrate an international perspective and appreciation for diversity and cultural differences, along with their significance in global business.

- MBT specific—Explain key differences in taxing policies related to expatriates and the countries they live and work in. Reflect on cultural and ethnic differences in approaches to business and taxation policies.

GRADES:

Preparation and Participation	15%
Case Study #1 and #2	20%
Midterm Exam (Modules 1 – 7)	20%
Current Development Presentation	15%
Final Exam (cumulative)	<u>30%</u>
Total	100%

COURSE FORMAT:

All of the course materials can be found in Blackboard (<https://blackboard.usc.edu>). This course is divided into modules, and each module is intended to cover one week. Module activities may include reading assignments, video recordings, interactive exercises, homework assignments, case studies, Blackboard discussion forums, attending class sessions, and quizzes or exams. **It is expected that students will have completed all required activities and assignments before attending their class session each week.**

Students should ensure that they can access all of the online tools via Blackboard prior to the start of classes.

OVERVIEW OF TOOLSETS:

Blackboard (Bb). Blackboard is the primary learning management system currently used at USC and may be accessed at [USC Blackboard Home Page](#). From the Blackboard Course Home Page, students can access their course syllabus, identify readings, participate in discussion forums, submit assignments, take quizzes and exams, and review grades at any time. They can also access links to the other platforms used in this course.

Zoom. Zoom is the platform used for all online sessions and online office hours. A link and instructions to join the Zoom sessions will be posted in the Bb Course Home Page under the “MarshallTALK” tab. For more information about Zoom, go to: [Zoom Support Tutorials](#)

COURSE POLICIES:

1. Your preparation and participation grade involve the timely (i.e., before class that week) completion of the pre-recorded videos and self-assessment exercises for the Module, as well as general participation in the class sessions.
 - a. Self-assessment exercises are graded for completion only – not for correctness. You can try these exercises as often as necessary to learn the material although only one attempt is necessary for full preparation credit.
 - b. Discussion problems (posted with Course Materials) are for your practice and learning and are not submitted for a grade. However, these discussion problems will be covered in the class sessions. Each student is expected to present the solution to at least one discussion problem during the semester in the class session as part of your participation grade.
 - c. Students are expected to attend all weekly class sessions with the session for which they registered (campus or online MarshallTALK Zoom meeting). **Students who miss these synchronous class sessions consistently or frequently will not be allowed to pass the course.** Class sessions and Zoom sessions will be recorded

and posted for student viewing. These recordings are intended for review purposes only.

2. Two case studies will be assigned as individual homework problems, and must be submitted as an Excel file under the "Assignments" tab in Blackboard by the noted due date. Cooperation with other students is **not** allowed on these individual case studies. Due dates are indicated in the syllabus.
3. The final two sessions of the course will cover current developments. The current development presentations will be made by student groups. A list of available topics will be provided early in the semester. The specific dates related to these presentations are included in the schedule section of this syllabus.
4. Exams will be given online and are open book. Instructions will be posted on Blackboard and the due dates are indicated in the syllabus. Exams will be timed but students have a flexible window in which to take the exam. Make up examinations will generally not be given, except in the case of a well-documented emergency, and arranged for in advance with the instructor. Extra credit assignments will not be available.
5. Please feel free to contact me for individual office hours (live or Zoom) if you have questions or need assistance with the material. I will generally reply to emails within 24 hours. Graded assessments will be returned with feedback prior to the due date of the next graded assessment.

GRADING POLICY

This course adheres to the USC Leventhal School of Accounting and Marshall School of Business grading standards for graduate programs. In general, final course grades at the graduate level in a core course average approximately B+ (3.3) but may vary based on class performance. For elective courses, the class average is usually higher (approximately 3.5), which is between a B+ and an A-. You must receive a C or better to pass a required class, and you must have an *overall* B average (3.0 minimum) from all your courses in order to graduate from USC. The graded elements of this course are listed in this syllabus along with information about how they will be evaluated.

ACADEMIC CONDUCT

Students enrolled in any class offered by the Leventhal School of Accounting are expected to uphold and adhere to the standards of academic integrity established by the Leventhal School of Accounting Student Honor Code. Students are responsible for obtaining, reading, and understanding the Honor Code System handbook. Students who are found to have violated the Code will be subject to disciplinary action as described in the handbook. For more specific information, please refer to the Student Honor Code System handbook, available in class or from the receptionist in ACC 101. Also see the links posted in Blackboard.

STUDENTS WITH DISABILITIES

USC is committed to making reasonable accommodations to assist individuals with disabilities in reaching their academic potential. If you have a disability which may impact your performance, attendance, or grades in this course and require accommodations, you must first register with the Office of Disability Services and Programs (www.usc.edu/disability). DSP provides certification for students with disabilities and helps arrange the relevant accommodations. **Any student requesting academic accommodations based on a disability is required to register with Disability Services and Programs (DSP) each**

semester. A letter of verification for approved accommodations can be obtained from DSP. **Please be sure the letter is delivered to me as early in the semester as possible.** DSP is located in GFS (Grace Ford Salvatori Hall) 120 and is open 8:30 a.m. – 5:00 p.m. Monday through Friday. The phone number for DSP is (213) 740-076. Email: ability@usc.edu.

PLAGIARISM

Plagiarism – presenting someone else’s ideas as your own, either verbatim or recast in your own words – is a serious academic offense with serious consequences. Please familiarize yourself with the discussion of plagiarism in [SCampus in Section 11, Behavior Violating University Standards](#). Other forms of academic dishonesty are equally unacceptable. See additional information in [SCampus and university policies on scientific misconduct](#).

SUPPORT SYSTEMS

Student Counseling Services (SCS) - (213) 740-7711 – 24/7 on call

Free and confidential mental health treatment for students, including short-term psychotherapy, group counseling, stress fitness workshops, and crisis intervention. <https://engemannshc.usc.edu/counseling/>

National Suicide Prevention Lifeline - 1-800-273-8255

Provides free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, 7 days a week. <http://www.suicidepreventionlifeline.org>

Relationship & Sexual Violence Prevention Services (RSVP) - (213) 740-4900 - 24/7 on call

Free and confidential therapy services, workshops, and training for situations related to gender-based harm. <https://engemannshc.usc.edu/rsvp/>

Sexual Assault Resource Center

For more information about how to get help or help a survivor, rights, reporting options, and additional resources, visit the website: <http://sarc.usc.edu/>

Office of Equity and Diversity (OED)/Title IX compliance – (213) 740-5086

Works with faculty, staff, visitors, applicants, and students around issues of protected class. <https://equity.usc.edu/>

Bias Assessment Response and Support

Incidents of bias, hate crimes and microaggressions need to be reported allowing for appropriate investigation and response. <https://studentaffairs.usc.edu/bias-assessment-response-support/>

Student Support & Advocacy – (213) 821-4710

Assists students and families in resolving complex issues adversely affecting their success as a student EX: personal, financial, and academic. <https://studentaffairs.usc.edu/ssa/>

Diversity at USC – <https://diversity.usc.edu/>

Tab for Events, Programs and Training, Task Force (including representatives for each school), Chronology, Participate, Resources for Students

USC Emergency Information

Provides safety and other updates, including ways in which instruction will be continued if an officially declared emergency makes travel to campus infeasible. <https://Emergency.usc.edu>

USC Department of Public Safety – UPC: (213) 740-4321; HSC: (323) 442-1000 – 24-hour emergency or to report a crime. Provides overall safety to USC community. <https://dps.usc.edu>

Discrimination, sexual assault, and harassment are not tolerated by the university. You are encouraged to report any incidents to the Office of Equity and Diversity <http://equity.usc.edu> or to the Department of Public Safety, <http://capsnet.usc.edu/department/department-public-safety/online-fimrs/contact-us>

This is important for the safety of the whole USC community. Another member of the university community – such as a friend, classmate, advisor, or faculty member – can help initiate the report or can initiate the report on behalf of another person. The Center for Women and Men <http://www.usc.edu/student-affairs/cwm> provides 24/7 confidential support, and the sexual assault recourse center webpage <https://sarc.usc.edu/reporting-options/> describes reporting options and other resources.

STATEMENT ON RETENTION OF PAPERS FROM THE CURRICULUM OFFICE

According to the *Guidelines on Documents Retention*, University policy requires that final exams and all other grade work which affected the course grade be kept for one year. Other papers or work that instructors hand back but that students fail to pick up can be held for one month.

EQUIPMENT AND SYSTEM REQUIREMENTS

The following equipment and system requirements are required to successfully participate in the online section of this course:

- Computer with webcam (i.e. [Logitech webcam](#))
- Headset (i.e. [Logitech headset](#))
- High speed Internet connection
- Current operating system for Windows or Mac
- Current browser
 - Google Chrome
 - Firefox
 - Internet Explorer (not recommended)
 - Safari (Mac)

TECHNICAL SUPPORT

- **USC Systems** (Blackboard, USC Login, MyUSC, USC Gmail, GoogleApps)
For assistance with your USC login or other USC systems, please call +1 (213) 740-5555 or email Consult@usc.edu. They are open Mon – Fri 9:30am – 5pm and weekends from 8am - 5pm (all Pacific time).
- **Zoom Video Web Conferencing System** (MarshallTALK)
For assistance using Zoom, go to [Zoom Support Page](#). You may also call +1 (888) 799-9666 ext. 2 or +1 (650) 397-6096 ext. 2. They are available 24/7.
- **Marshall Systems** (MyMarshall, Marshall Outlook email)
For assistance with Marshall systems you can call +1 (213) 740-3000 Mon-Fri 8am-6pm (Pacific), email HelpDesk@marshall.usc.edu, or use our self-help service portal as shown below. The portal allows you to get immediate assistance by searching for the information you need. You can also use it to chat with a technician or input a request. To access the service portal follow these steps:
 - On a computer or mobile device, go to [MyMarshall Home Page](#) and click the “Help” link on the upper right.
 - Log in using your Marshall username and password.
(If you don't know your Marshall login please follow the onscreen instructions pertaining to login issues)

SCHEDULE – ACCT 568T – Fall 2019

	MODULE 1: Introduction to International Taxation
Learning Outcomes	<ol style="list-style-type: none"> 1. Explain the complexities (and limitations) of international taxation; 2. Analyze the issues and challenges facing a country when developing (or changing) their system of taxing global commerce; and 3. Identify the common graphics utilized to depict the various entities utilized in international taxation and the key global organizations that influence international tax policies.
Readings	<p>Nutshell: Chapter 1 (entire chapter) and Chapter 2 (pages 15-23, 27-29 and 31-32)</p> <p>Isenbergh, International Taxation: Chapter 1 (pages 3-18) This reading will be posted to Blackboard</p> <p>PowerPoint slides for Module 1</p>
Activities	Watch the pre-recorded lectures and complete the self-assessment exercises in Blackboard for Module 1
Assignments	Complete the student survey included in Module 1
Attend Class Tuesday August 27	<p>Section 14232R: ZOOM Meeting 5:30 – 7:00 p.m. PST</p> <p>Section 14233R: BRI 202 7:30 – 9:00 p.m. PST</p>

	MODULE 2: Source of Income
Learning Outcomes	<ol style="list-style-type: none"> 1. Describe why source of income is such a pervasive and important concept within the framework of most countries international tax regimes; 2. Compare the different approaches utilized by countries to assert their authority to tax international commerce; 3. Apply the specific U.S. source rules to commercial transactions; and 4. Identify how character and ownership impact the source of income.
Readings	<p>Nutshell: Chapter 3 (pages 33-55); Chapter 13 (pages 522-529)</p> <p>IRC: Sections 861(a), 862(a), 863(b), 865(a)-(d), 61(a)(1)-(7)</p> <p>Reg Section: Reg 1.861-1, 1.861-2(a), 1.861-3(a)(1), 1.861-4(a), 1.861-5, 1.861-6, 1.861-7, 1.861-18(a) and (b), 1.862-1</p> <p>Case Summaries: <u><i>Dupont, Pleasanton Gravel, Wodehouse, Kramer, Ingram, Boulez, Tobey, Container Corp., Atkinson, and Aiken Industries</i></u></p> <p>Rev Rule: 82-150</p> <p>Asia Pacific Journal of Taxation: Legal Ownership of Intangible Assets versus Economic Substance; Vol 21 No. 2-2017; pages 61-68</p> <p>PowerPoint slides for Module 2</p>
Activities	Watch the pre-recorded lectures and complete the self-assessment exercises in Blackboard for Module 2
Assignments	Complete Module 2 discussion problems to be discussed in the class session
Attend Class Tuesday September 3	<p>Section 14232R: ZOOM Meeting 5:30 – 7:00 p.m. PST</p> <p>Section 14233R: BRI 202 7:30 – 9:00 p.m. PST</p>

	MODULE 3: Foreign Investment in the U.S. (Part 1)
Learning Outcomes	<ol style="list-style-type: none"> 1. Distinguish the two approaches taken by the U.S. to assess tax on Foreign Corporation's (FC's) business and non-business income from sources within the U.S.; 2. Determine when a FC's presence in the U.S. creates a U.S. trade or business (USTB); 3. Calculate the effectively connected income (ECI) of an FC's USTB; and 4. Identify and apply the appropriate articles of a U.S. income tax treaty to determine if and how an FC's business investment in the U.S. will be taxed.
Readings	<p>Nutshell: Chapter 4 (pages 75-88); Chapter 5 (pages 142-150 and 153-157)</p> <p>IRC: Sections 882(a), 864(c), 864(e)(2), 865(e)(2), 873, 874(a), 882(b) and (c), 864(b), 864(c)(5), 875, and 871(d)(1)</p> <p>Reg Section: 1.864-4(b)</p> <p>Rev Rule: 70-424, 73-522</p> <p>Case Summaries: <u><i>Groetzinger, Higgins, Inverworld, Handfield, European Naval Stores, Tasei Fire and Marine Insurance Co., National Westminster Bank</i></u></p> <p>PWC: Article on Permanent Establishments 2.0</p> <p>Article on the U.S. Taxation of consignment sales</p> <p>Article on the Attribution of Income clause of income tax treaties</p> <p>PowerPoint slides for Module 3</p>
Activities	Watch the pre-recorded lectures and complete the self-assessment exercises in Blackboard for Module 3
Assignments	Complete Module 3 discussion problem to be discussed in the class session
Attend Class Tuesday September 10	<p>Section 14233R: ZOOM Meeting 5:30 – 7:00 p.m. PST</p> <p>Section 14232R: BRI 202 7:30 – 9:00 p.m. PST</p>

	MODULE 4: Foreign Investment into the U.S. (Part 2)
Learning Outcomes	<ol style="list-style-type: none"> 1. Describe what “FDAP” income is and how the primary type of FDAP income are sourced from a U.S. income tax perspective; 2. Identify the common situations when withholding taxes are required to be withheld on payments to non-U.S. businesses; 3. Calculate the Branch Profits Tax and the Branch Level Interest Tax; and 4. Apply the special U.S. income tax rules for investments in U.S. real property by non-U.S. businesses
Readings	<p>Nutshell: Chapter 4 (pages 88-112); Chapter 6 (pages 173-187)</p> <p>IRC: Sections 881(a)-(c), 871(j), 1441(a) and (b), 1441(c)(1) and (9) through (11), 1442(a) and (b), 1461(a), 1471-1474, 884(a)-(c), 884(f), 897(a)(a), 897(b) and (c)</p> <p>Reg Section: 1.441-2(b)(1)(ii) and (2)(i), 1.884-1(c)(2) and (d)(1), 1.1445(a) and (b)</p> <p>PowerPoint slides for Module 4</p>
Activities	Watch the pre-recorded lectures and complete the self-assessment exercises in Blackboard for Module 4
Assignments	Complete Module 4 discussion problems to be discussed in the class session
Attend Class Tuesday September 17	<p>Section 14232R: ZOOM Meeting 5:30 – 7:00 p.m. PST</p> <p>Section 14233R: BRI 202 7:30 – 9:00 p.m. PST</p>
	Case Study #1 Brazino Brands will be distributed on Tuesday September 17; Due Midnight Monday September 30

	MODULE 5: Avoiding Double Taxation Foreign Tax Credits and Foreign Subsidiary Dividend Received Deductions
Learning Outcomes	<ol style="list-style-type: none"> 1. Explain the conceptual framework for how the U.S. approaches preventing double taxation for U.S. tax resident companies; 2. Identify the critical components of the U.S. foreign tax credit calculation and calculate the FTC for a basic corporate fact pattern; and 3. Explain why the foreign subsidiary dividend received deduction (DRD) has a limited application to U.S. tax resident corporations
Readings	<p>Nutshell: Chapter 9 and Chapter 7 (pages 227-228) IRC: Sections 901, 903, 904 and 245A Case Summaries: <u><i>Guardian Industries, Bank of America and PPL</i></u> PowerPoint slides for Module 5</p>
Activities	Watch the pre-recorded lectures and complete the self-assessment exercises in Blackboard for Module 5
Assignments	Complete Module 5 discussion problems to be discussed in the class session
Attend Class Tuesday September 24	<p>Section 14232R: ZOOM Meeting 5:30 – 7:00 p.m. PST</p> <p>Section 14233R: BRI 202 7:30 – 9:00 p.m. PST</p>

	MODULE 6: Avoiding Double Non-Taxation Subpart F and GILTI Provisions
Learning Outcomes	<ol style="list-style-type: none"> 1. Explain the historical and current frameworks utilized by the U.S. to minimize double nontaxation; 2. Determine if a foreign subsidiary qualifies as a controlled foreign corporation (CFC); 3. Identify the primary types of Subpart F income; and 4. Calculate the Global Intangible Low Taxed Income (GILTI) annual inclusion for a U.S. tax resident corporation
Readings	<p>Nutshell: Chapter 8.01 through 8.03 (pages 229-260) IRC: Sections 951(b), 957(a), 958(a) and (b), 951(a), 952, 954(a) through (e), 951A and 250</p> <p>PowerPoint slides for Module 6</p>
Activities	Watch the pre-recorded lectures and complete the self-assessment exercises in Blackboard for Module 6
Assignments	Complete Module 6 discussion problems to be discussed in the class session
Attend Class Tuesday October 1	<p>Section 14232R: Zoom Meeting 5:30 – 7:00 p.m. PST</p> <p>Section 14233R: BRI 202 7:30 – 9:00 p.m. PST</p>
	<p>Brazino Brands case study #1 due Midnight Monday September 30</p> <p>Topics for Current Development Presentations on November 26 and December 3 will be posted on Monday September 30; Selections due October 15</p>

	MODULE 7: Transfer Pricing Part 1 Introduction and Basic Concepts
Learning Outcomes	<ol style="list-style-type: none"> 1. Explain what transfer pricing is and why it is the single largest source of global tax controversies; 2. Distinguish the arm's length principle from other potential approaches to address transfer pricing; 3. Apply the appropriate transfer pricing methodologies to the relevant intercompany transactions; and 4. Calculate the potential U.S. income tax penalties that can be applied to transfer pricing assessments.
Readings	<p>Nutshell: Chapter 10.01-10.04 (pages 357-386); 10.06 (pages 395-399)</p> <p>IRC: Sections 482, 6662(e),</p> <p>Reg Section: 1.482(a) through (d)(3)(ii)(B), 1.482(d)(3)(iii)(A) and (B), 1.482-3, 1.482-5(a) through (d), 1.482-6, 1.6662-6(d), 1.6038-4</p> <p>Case Studies: <u><i>DHL and Coca Cola</i></u></p> <p>IRS Form 8975 and Schedule A</p> <p>PowerPoint slides for Module 7</p>
Activities	Watch the pre-recorded lectures and complete the self-assessment exercises in Blackboard for Module 7
Assignments	Complete Module 7 discussion problems to be discussed in the class session
Attend Class Tuesday October 8	<p>Section 14232R: ZOOM Meeting 5:30 – 7:00 p.m. PST</p> <p>Section 14233R: BRI 202 7:30 – 9:00 p.m. PST</p>

	Module 8: Transfer Pricing Part 2 Intangible Assets
Learning Outcomes	<ol style="list-style-type: none"> 1. Explain what the term commensurate with income means; 2. Distinguish between legal and economic ownership of intangible property (IP); 3. Identify the key components of a qualified cost sharing arrangement (CSA); and 4. Apply the appropriate TP methodologies to the relevant intercompany transactions involving IP
Readings	<p>Nutshell: Chapter 10.05 (pages 386-395) Reg Section: 1.482-7(a) through (c)(4)(i), 1.482-7(d)(1) through (4), 1.482-4(a) through (f)(2)(ii) Case Summaries: <u>HCA, Amazon, Veritas, Alterra</u> Deloitte article on OECD guidelines for hard to value intangibles EY article on qualified cost sharing arrangements Baker McKenzie article on the impact of the 2017 TCJA on Section 482 PowerPoint slides for Module 8</p>
Activities	Watch the pre-recorded lectures and complete the self-assessment exercises in Blackboard for Module 8
Assignments	Complete Module 8 discussion problems to be discussed in the class session
Attend Class Tuesday October 15	<p>Section 14233R: Zoom Meeting 5:30 – 7:00 p.m. PST</p> <p>Section 14232R: BRI 202 7:30 – 9:00 p.m. PST</p>
	<p>Current Development Presentation Topics due by Midnight October 15</p> <p>Current Development assignments of topics and date of presentation will be posted by Midnight on Friday October 18</p>

	MODULE 9: Midterm Prep and Midterm Exam
Readings	PowerPoint slides for Module 9
Activities	Complete the review materials posted to Blackboard to be discussed in the class session
Attend Class Tuesday October 22	Section 14233R: ZOOM Meeting 5:30 – 7:00 p.m. PST Section 14232R: BRI 202 7:30 – 9:00 p.m. PST
	Midterm Exam available from noon on Wednesday October 23 to midnight on Monday October 28

	MODULE 10: Income Tax Treaties
Learning Outcomes	<ol style="list-style-type: none"> 1. Explain the role of income tax treaties in the context of global commerce; 2. Interpret the basic corporate articles/provisions of an income tax treaty; 3. Apply the limitations on benefits (LOB) articles/provisions contained in most income tax treaties to relevant fact patterns; and 4. Distinguish the traditional mutual assistance article/provisions (MAPs) with the U.S. favored binding arbitration article/provision
Readings	<p>Nutshell: Chapter 5.01 – 5.06 (pages 127-172) IRC: Sections 894, 884(e), 6103(k)(4) Reg Section: 1.7852(d)(1), 1.7701(l) Case Summary: <i><u>Aiken Industries</u></i> PWC Publication on Permanent Establishments 2016 U.S. Income Model Income Tax Treaty (skim) OECD publication on the multilateral instrument PowerPoint slides for Module 10</p>
Activities	Watch the pre-recorded lectures and complete the self-assessment exercises in Blackboard for Module 10
Assignments	Complete Module 10 discussion problems to be discussed in the class session
Attend Class Tuesday October 29	<p>Section 14232R: Zoom Meeting 5:30 – 7:00 p.m. PST</p> <p>Section 14233R: BRI 202 7:30-9:00 p.m. PST</p>
	AIM, Inc case study #2 will be distributed today; Due midnight Monday November 11

	Module 11: Base Erosion Provisions
Learning Outcomes	<ol style="list-style-type: none"> 1. Distinguish between base erosion and double nontaxation provisions; 2. Explain why the GILTI rules are considered a “stick” and the concepts behind the components of the GILTI calculation; 3. Explain why the FDII rules are considered a “carrot” and the concepts behind the components of the FDII calculation; 4. Identify why the BEAT provision is potentially inconsistent with the arm’s length principle and how to calculate the BEAT tax; and 5. Apply the anti-hybrid and limitation on interest expense provisions to a basic corporate taxpayer fact pattern.
Readings	<p>Nutshell: Chapter 13.01 (pages 497-501), Chapter 8.03 (B) (pages 260-266), Chapter 7.03 (pages 222-227), Chapter 4.08 (pages 120-123), Chapter 13.03 (A) through (C) (pages 504-526), Chapter 3.02(B)(3) (page 69), Chapter 4.04(A)(5) and (6) (pages 97-99)</p> <p>IRC: Sections 951A, 250, 59A, 267A, 163(j)</p> <p>OECD overview of BEPS initiative</p> <p>Baker McKenzie article on the 2017 TCJA</p> <p>EY PowerPoint on GILTI</p> <p>BDO PowerPoint on FDII</p> <p>Deloitte article on THE BEAT</p> <p>Grant Thornton article on anti-hybrid rules</p> <p>McDermott Will & Emery article on interest expense limitations</p> <p>PowerPoint slides for Module 11</p>
Activities	Watch the pre-recorded lectures and complete the self-assessment exercises in Blackboard for Module 11
Assignments	Complete Module 11 discussion problems to be discussed in the class session
Attend Class Tuesday November 5	<p>Section 14232R: ZOOM Meeting 5:30 – 7:00 p.m. PST</p> <p>Section 14233R: BRI 202 7:30 – 9:00 p.m. PST</p>

	MODULE 12: Basic Planning Concepts and the Digital Economy
Learning Outcomes	<ol style="list-style-type: none"> 1. Apply course knowledge to apply basic international tax planning options; 2. Explain the unique challenges of developing international tax policy to address the digital economy; and 3. Explain why mergers, acquisitions and dispositions can be critical opportunities to develop and implement international tax planning options
Readings	<p>The foundation for today’s MarshallTalk will be the AIM, Inc. case study</p> <p>Deloitte article on release of OECD document on Digital Economy</p> <p>PWC article: “Economic and Policy Aspects of Digital Services Turnover Taxes (December 2018) (skim)</p> <p>PowerPoint slides for Module 12</p>
Activities	Watch the pre-recorded lectures and complete the self-assessment exercises in Blackboard for Module 12
Assignments	Complete the AIM, Inc. case study
Attend Class Tuesday November 12	<p>Section 14232R: Zoom Meeting 5:30 – 7:00 p.m. PST</p> <p>Section 14233R: BRI 202 7:30 – 9:00 p.m. PST</p>
	AIM, Inc. case study is due Midnight Monday November 11

	MODULE 13: Global International Tax Controversy
Learning Outcomes	<ol style="list-style-type: none"> 1. Explain how the GAAR and Economic Substance doctrines create uncertainty with corporate taxpayers; 2. Identify the key reasons for the increase in global tax transparency; 3. Differentiate why certain BEP action items are likely to increase the risk of double taxation; 4. Identify the key international tax concepts which are most impacted by the digital economy; and 5. Explain why resolving transfer pricing controversies can be extremely complicated.
Readings	<p>Nutshell: Chapter 13.04 (pages 533-541), Chapter 6.06 and 6.07 (pages 202-211), Chapter 10.07 and 10.08 (pages 400-407)</p> <p>IRC: Section 7701(o)</p> <p>Case summaries: <u><i>BONY/Mellon Corp., BBT, and AIG</i></u></p> <p>Rev Proc: 2015-41 (skim)</p> <p>PWC article on GAARs</p> <p>KPMG article on Unstable Global Tax Environment</p> <p>Article on Apple EU State Aid Case</p> <p>PWC Article on Global Tax Transparency</p> <p>OECD/G20 Progress Report on BEPs</p> <p>ITR article on Transfer Pricing in 2019</p> <p>KPMG article on DPT</p> <p>Deloitte article on EU's CCCTB</p> <p>PowerPoint slides for Module 13</p>
Activities	Watch the pre-recorded lectures and complete the self-assessment exercises in Blackboard for Module 13
Assignments	Complete Module 13 discussion problems to be discussed in the class session
Attend Class Tuesday November 19	<p>Section 14232R: ZOOM Meeting 5:30 – 7:00 p.m. PST</p> <p>Section 14233R: BRI 202 7:30 – 9:00 p.m. PST</p>

	Module 14: Current Development Presentations
Learning Outcomes	1. Explain how recent developments in international taxation have impacted the topics discussed this semester
Readings	Brief summaries of the current developments to be discussed will be posted by Friday November 15
Activities	None
Assignments	Prepare group presentation on selected current development
Attend Class Tuesday November 26	Section 14232R: ZOOM Meeting 5:30 – 7:00 p.m. PST Section 14233R: BRI 202 7:30 – 9:00 p.m. PST

	Module 15: Current Development Presentations
Learning Outcomes	1. Explain how recent developments in international taxation have impacted the topics discussed this semester
Readings	Brief summaries of the current developments to be discussed will be posted by Friday November 15
Activities	None
Assignments	Prepare group presentation on selected current development
Attend Class Tuesday December 3	Section 14232: ZOOM Meeting 5:30-7:00 p.m. PST Section 14233: BRI 202 7:30 – 9:00 p.m. PST

FINAL EXAM – TBD

Note that while the Final Exam will focus on modules 8-13 it will include a few cumulative topics as well as material discussed in Modules 14 and 15 (the current development presentations)

SUMMARY OF DELIVERABLES:

Assignment	Module	Due Date
Brazino Brands case study #1 distributed September 17	Modules 1-4	Midnight September 30
Current Development Group Presentation topics distributed September 30	All	Selection of Current Development Topic due by October 15
Midterm	Modules 1-8	October 23-October 28
AIM, Inc case study #2 distributed October 29	Modules 5-12	Midnight November 11
Current Development Presentations	All	During MarshallTalk sessions on November 26 and December 3
Final Exam	All	TBD