

Elizabeth Stevens Comments: U.S. Seeks to Broaden Digital Tax Discussions

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The U.S. views discussions on taxing the digital economy as a chance to explore new rules for allocating taxing rights across all industries, not just develop rules aimed at digital companies, a U.S. Treasury official said Friday.

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Among the approaches the OECD has floated is one that wouldn't apply just to digital businesses, but would attribute additional income to a company on the basis of the notion that it deserves compensation for marketing intangibles.

Elizabeth Stevens at Caplin & Drysdale in Washington said some of her colleagues had expressed concern that a marketing intangibles approach could lead to arguments from market jurisdictions that companies there deserve compensation for other intangibles as well.

"Once we've done this for marketing intangibles, do arguments start to arise for attributing a share of profit on trade intangibles or other intangibles to market jurisdictions?" she asked.

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Excerpt taken from the article "U.S. Seeks to Broaden Digital Tax Discussions, Official Says" by Molly Moses for Law360 Tax Authority.

Attorneys

Elizabeth J. Stevens

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