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| Wednesday, August 11, 2021 | |
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| 11:00 – 11:15 a.m. ET | <p>Welcome and Introductions Douglas Lindholm, COST, Washington, DC Robert Tuinstra, COST Chair, Corteva Agriscience, Wilmington, DE Nikki Dobay, Eversheds-Sutherland (US)*, Sacramento, CA Charles Drury, COST, Washington, DC</p> |
| 11:15 a.m. – 12:20 p.m. ET | <p>Federal Tax Reform and Other National Trends and Issues Impacting Technology Companies The Biden administration has proposed two sweeping federal tax reform plans totaling nearly \$4 trillion in additional taxes on businesses and high-income households. Among the key proposals are a corporate tax rate increase, expanded taxes on GILTI, capital gains tax increases, and a minimum tax on book income. This panel will focus on the primary federal tax reform proposals and their state tax implications. The panelists will also identify other key national trends in state and local taxes that may have a significant impact on technology companies.</p> <p>Moderator: Karl Frieden, COST, Washington, DC</p> <p>Speakers: Karen Currie, EY*, Dallas, TX Ben Elliott, Deloitte*, Sacramento, CA Dana Lance, Grant Thornton*, San Jose, CA Ken Lee, PwC*, San Jose, CA</p> |
| 12:20 – 12:30 p.m. ET | <p>Break</p> |
| 12:30 – 1:35 p.m. ET | <p>Digital Services Taxes – Taxation of Social Media Digital Services Taxes on digital advertising and/or data collection have been introduced in 15 states over the last two years and enacted in one state (Maryland). This session will explore the roots of these targeted gross receipt taxes in European and other national-level DSTs. The panelists will critique some of the key justifications offered for DSTs and explore some of the primary implementation issues. Finally, the panelists will make predictions on the future direction of taxes that “ring-fence” the digital industry.</p> <p>Speakers: Nicole Bryant, Grant Thornton*, Seattle, WA Trevor Darling, EY*, Los Angeles, CA Stephen Kranz, McDermott Will & Emery*, Washington, DC Marc Simonetti, Pillsbury*, New York, NY</p> |

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| 1:35 – 1:45 p.m. ET | Break |
| 1:45 – 2:50 p.m. ET | <p>Transfer Pricing in the Technology Arena</p> <p>Already a hot topic in the EU as it relates to technology companies, this issue is a high visibility issue in the states as well. It will definitely impact your tech company if it hasn't already. In this session, the presenters will discuss the issue as it relates to technology transfers and how the issue can be best dealt with before, during and after audits and appeals.</p> <p>Speakers: Stefi George, Akerman*, New York, NY Maria Todorova, Eversheds Sutherland (US)*, Atlanta, GA Steven Wrappe, Grant Thornton*, Washington, DC</p> |
| 2:50 – 3:00 p.m. ET | Break |
| 3:00 – 4:05 p.m. ET | <p>Beware of the Locals—They Might Take You by Surprise</p> <p>San Francisco, Mountain View, Portland, Seattle—what are these cities thinking? Each has aggressively targeted businesses (and, in many situations, exclusively tech businesses) for new revenue. This panel will provide an overview of several of these new local taxes as well as some of the more established local taxes to beware of. They can sneak up on you if you don't keep an eye on them and can be especially important if your company is planning an IPO anytime soon!</p> <p>Speakers: David Dorner, Reed Smith*, Philadelphia, PA Timothy Gustafson, Eversheds Sutherland (US)*, Sacramento, CA Priscilla Parrett, Vallejo Antolin Agarwal Kanter *, Walnut Creek, CA</p> |
| 4:05 – 4:15 p.m. ET | Break |
| 4:15 – 5:20 p.m. ET | <p>Marketplace Facilitators – SALT Issues</p> <p>The NCSL has its model legislation and with the states starting to revisit their marketplace facilitator laws to include other taxes, this may create an opportunity for states to improve other aspects of their marketplace laws. This session will go over issues with the states' marketplace laws, potential issues with states attempting to expand it to other taxes and fees (including local taxes), along with discussing improvements that are needed to the NCSL's model legislation.</p> <p>Moderator: Fredrick Nicely, COST, Washington, DC</p> <p>Speakers: Michele Borens, Eversheds Sutherland (US)*, Washington, DC Sandra Jacobs, KPMG*, San Francisco, CA William Lasher, Deloitte*, San Jose, CA</p> |
| Thursday, August 12, 2021 | |
| 11:00 – 11:05 a.m. ET | Welcome and Introductions – Day 2 |
| 11:05 a.m. – 12:10 p.m. ET | <p>The Impact of the OECD Global Income Tax Reforms on State Taxation</p> <p>The OECD Pillar One and Two inclusive frameworks could radically transform the landscape of international income taxation. This session will focus on similarities and differences between the OECD Pillar One and Two proposals, TCJA provisions on foreign source income, and evolving state corporate income tax rules. The panelists will explore the federal and state tax antecedents of some of the OECD solutions and the similarities and differences between international, federal and state approaches to corporate income taxation.</p> <p>Moderator: Karl Frieden, COST, Washington, DC</p> <p>Speakers:</p> |

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| | James Besio, EY*, San Jose, CA David Blum, Akerman*, Chicago, IL Ligia Machado, PwC*, Sacramento, CA Brian Vincent, Ryan*, Washington, DC |
| 12:10 – 12:20 p.m. ET | Break |
| 12:20 – 1:25 p.m. ET | <p>Best Practices in Sourcing for Both Sales and Income Taxes</p> <p>Because tech companies use complex infrastructure and connect with multiple parties in cutting edge transactions, implementing new market sourcing rules presents unique questions in the technology space. During this session, the presenters will provide insight as to how states determine where a "customer" receives "benefits," where intangibles are "used," what constitutes "reasonable approximation" for identifying market locations, and more. This presentation is tailored to the tech industry and will provide essential insight to help tech companies maximize the chance of great apportionment results.</p> <p>Moderator: Fredrick Nicely, COST, Washington, DC</p> <p>Speakers: Trisha Fortune, Ryan*, San Jose, CA Annie Huang, Pillsbury*, San Francisco, CA Jodie Scott, KPMG*, San Francisco, CA Shail Shah, Reed Smith*, San Francisco, CA</p> |
| 1:25 – 1:35 p.m. ET | Break |
| 1:35 – 2:40 p.m. ET | <p>Audits, Audits Everywhere—How to Prepare for and Manage Them Successfully</p> <p>Managing audits can be burdensome in the best of circumstances, but the technology industry presents its own unique set of challenges. During this session, the panelists will discuss best practices for managing audits in this space, providing best practices as to how to drive and manage the audit from the start. Additionally, the panel will discuss how to demonstrate that your product/service are not taxable, how to properly substantiate that determination as well as the sourcing of your product/service, strategies for minimizing the audit sample, and how to successfully negotiate closing agreements.</p> <p>Speakers: Eric Anderson, Andersen*, San Francisco, CA Edwin Antolin, Vallejo Antolin Agarwal Kanter*, Walnut Creek, CA Oksana Jaffe, KPMG*, Sacramento, CA Carl Joseph, EY*, Irvine, CA</p> |
| 2:40 – 2:50 pm ET | Break |
| 2:50 – 3:55 p.m. ET | <p>Working at Home and Mobile Workforce – Creation of Issues</p> <p>While COVID-19 has accelerated the concerns with employee withholding issues from employees working at alternative work locations, this issue of employees working in other tax jurisdictions has existed since states began imposing employee withholding taxes. The issue is not limited to the states, states with local income taxes also have the issue with their local income taxes. The presenters will guide you through all the issues and provide excellent advice on how to successfully navigate these issues.</p> <p>Speakers: Charles Kearns, Eversheds Sutherland (US)*, Washington, DC Randy Pedersoli, Andersen*, San Mateo, CA Ravi Ramachandran, PwC*, Los Angeles, CA</p> |
| 3:55 – 4:05 p.m. ET | Break |
| 4:05 – 5:10 p.m. ET | <p>State and Local Tax Issues for Tech Start-Ups</p> <p>Technology companies, like all new businesses, face the daunting task of identifying the countless possible tax obligations their new business potentially faces and how to comply with those obligations. The burden on technology companies is even greater as their operations and goods/services often do not fit within the legislated descriptions of taxable operations or taxable goods. The panelists in this session will provide an overview of all</p> |

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| | <p>the different types of state and local taxes to lay the foundation that an emerging or pre-IPO company will need to determine where it has nexus and a potential filing obligation and will also discuss the options available to become properly compliant – especially if you need to “fix” several past tax periods. Many jurisdictions are understanding of a start-up’s failures to comply, others are not. Find out what the best methods are to bring your operations into full conformance with the laws of the various states.</p> <p>Speakers: Yoni Fix, Reed Smith*, San Francisco, CA Jeramie Hernandez, Andersen*, Los Angeles, CA Peter Larsen, Akerman*, Jacksonville, FL</p> |
| Friday, August 13, 2021 | |
| 11:00 – 11:05 a.m. ET | Welcome and Introductions – Day 3 |
| 11:05 a.m. – 12:10 p.m. ET | <p>IPOs, Mergers, Acquisitions, Divestitures, & Restructurings: A Deep Dive into Transactional SALT Issues for Tech Companies</p> <p>In the fast-paced technology landscape, businesses must change form and structure as fast as the ever-changing world around them. Technology companies need SALT strategies that can keep pace with their most important investments and purchases, align tax outcomes with operations, and maximize post-tax benefits for major sales and other shareholder transactions. This presentation will target technology company issues in mergers & acquisitions, spin-offs, split-ups, asset distributions, and internal restructuring and entity rationalization projects.</p> <p>Speakers: Daniella Caldwell, PwC*, San Francisco, CA Jon Saviet, Deloitte*, Seattle, WA Joseph Schmidt, Ryan*, Denver, CO</p> |
| 12:10 – 12:20 p.m. ET | Break |
| 12:20 – 1:25 p.m. ET | <p>Top 10 Cases Dealing with Technology Issues</p> <p>This session will present the cases and issues impacted that are most relevant to technology companies over the past year. The presenters will offer their perspectives on how those issues will continue to evolve and what other issues are ripe (or continuing to ripen) for litigation in the coming year.</p> <p>Speakers: Robert Merten, Pillsbury*, Sacramento, CA Diann Smith, McDermott Will & Emery*, Washington, DC Andres Vallejo, Vallejo Antolin Agarwal Kanter*, Walnut Creek, CA</p> |
| 1:25 – 1:35 p.m. ET | Break |
| 1:35 – 3:00 p.m. ET | <p>Ask The Experts</p> <p>Really, free advice from practitioners? That’s right! This is your chance to question practitioners and get their views on state and local tax issues related to your technology operations and issues. The panel will answer questions that have been submitted by attendees as well as discussions they’ve had with attendees during the Workshop that would be of interest to other attendees. Finally, the panel will address trends they expect to see in 2021 and beyond, as they apply to the technology industry as well as the use and impact of technology in general.</p> <p>Moderator: Douglas Lindholm, COST, Washington, DC</p> <p>Panelists: Edwin Antolin, Vallejo Antolin Agarwal Kanter*, Walnut Creek, CA Michele Borens, Eversheds Sutherland (US)*, Washington, DC</p> |

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| | <p>Todd Carper, EY*, Los Angeles, CA Yoni Fix, Reed Smith*, San Francisco, CA Trisha Fortune, Ryan*, San Jose, CA Richard Heller, Deloitte*, Parsippany, NJ Peter Larsen, Akerman*, Jacksonville, FL Jodie Scott, KPMG*, San Francisco, CA Christopher Sharpe, PwC*, Los Angeles, CA Diann Smith, McDermott Will & Emery*, Washington, D Jeffrey Vesely, Pillsbury*, San Francisco, CA</p> |
| 3:00 p.m. ET | Workshop Adjourns |

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