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Nota di contenuto	Chapter 1: Taxation of intellectual property (IP) in domestic tax law / Valta, M. ; p. 3-16. Chapter 10: Austria / Damberger, R. Gradwohl, H-P. ; p. 229-271. Chapter 11: Brazil / Castro, L. Freitas de Moraes e ; p. 273-320. Chapter 12: Canada / Scheuerman, J. ; p. 321-349. Chapter 13: China (People's Rep.) / Na, L. ; p. 351-381. Chapter 14: France / Daude, M. ; p. 383-418. Chapter 15: Germany / Schmid, F. ; p. 419-467. Chapter 16: Italy / Brazzalotto, A. ; p. 469-534. Chapter 17: Netherlands / Zalmai, Z. ; p. 535-593. Chapter 18: Spain / Gil Garcia, E. ; p. 595-637. Chapter 19: Switzerland / Hongler, P. Schlegel, L. ; p. 639-656. Chapter 2: Intellectual property (IP) income and tax treaty abuse : relevance of BEPS Actions 5 and 8-10 for the principal purpose test / Danon, R.J. ; p. 17-34. Chapter 20: United Kingdom / Fairpo, A. ; p. 657-694. Chapter 21: United States / Neumann, L.B. Ushakova-Stein, J. Ruig, D. N. de Knobler, M.D. McElroy, S.P. ; p. 695-729. Chapter 3: An EU free movement and State aid perspective on the development of IP in a foreign PE / Douma, S.C.W. ; p. 37-50. Chapter 4: Open issues in the application of Interest and Royalty

Directive in royalty payments / Arginelli, P. ; p. 51-94.

Chapter 5: Source vs residence taxation of royalties : a historical perspective / Sasseville, J. ; p. 97-115.

Chapter 6: Article 12 OECD/UN Models : definition of royalties and "overlapping" between articles 7, 12 and 13 / Martin Jimenez, A.J. ; p. 117-143.

Chapter 7: Royalties in the context of the multilateral instrument, the principle purpose test and the limitation on benefits provision / Chatel, S. ; p. 147-159.

Chapter 8: Transfers of intangibles under tax treaties (although all the fun stuff is in the Transfer Pricing Guidelines) / Brown, P.A. ; p. 161-182.

Chapter 9: Australia / Black, C.M. ; p. 185-228.

Sommario/riassunto

Taxation of Intellectual Property under Domestic Law, EU Law and Tax Treaties, comprising the proceedings and working documents of an annual seminar held in Milan in November 2017, is a detailed and comprehensive study on the taxation of intellectual property (IP). It begins with a comparative analysis of the domestic private law aspects of IP and the domestic tax regimes applicable to profits deriving from the utilization of IP. It next examines the taxation of IP under EU law, with a particular emphasis on (i) the EU fundamental freedoms and State aid, and (ii) the open issues in the implementation of the EU Interest and Royalty Directive. The book then moves to selected tax treaty issues. In particular, it analyses (i) the historical background and the policy of article 12 of the OECD Model Convention; (ii) the meaning of "royalties" and overlapping between articles 7, 12 and 13 of the OECD Model Convention; (iii) royalties in the context of the OECD Multilateral Instrument under the limitation on benefits (LoB) provision and the principal purpose test (PPT) clause; and (iv) certain selected issues on cross-border transfers of IP. Individual country surveys provide an in-depth analysis of the domestic tax regimes and actual tax treaty application and practices by various states, including Australia, Austria, Brazil, Canada, China (People's Rep.), France, Germany, Italy, the Netherlands, Spain, Switzerland, the United Kingdom and the United States.--
