Tax directors commonly identify transfer pricing as their companies’ biggest tax risk. Steptoe’s transfer pricing team helps US and foreign parented multinationals avoid or resolve transfer pricing disputes. Our team brings together the highest levels of technical transfer pricing knowledge, deep and practical experience, top-tier advocacy skills, and an extensive network of relationships to advance our clients’ positions.

Our transfer pricing clients and capabilities span all industries, including finance and investment, manufacturing, insurance, energy, consumer products, luxury goods, telecommunications and high-tech, and media and entertainment. The transfer pricing team is fully integrated with these industries to leverage our knowledge of clients’ business with our experience and capabilities on transfer pricing matters.

Transfer Pricing Examinations, Appeals, and Litigation

Transfer pricing disputes can put enormous sums at stake, stretching over many years. Winning these cases requires technical knowledge and top-level advocacy skills. Steptoe’s transfer pricing team has many years of experience representing multinationals in the examination, appeals, and litigation phases of transfer pricing disputes. We are accomplished trial lawyers and know how to handle a case at its earliest stages to steer it to resolution, usually in the examination phase, but with an eye to success in litigation if required.

Advance Pricing Agreement and Competent Authority Matters

APAs are a mechanism for taxpayers to seek agreement with tax authorities to resolve potential or ongoing transfer pricing disputes prospectively, often extending to prior years as well. APAs are particularly useful if the taxpayer has had, or anticipates, a transfer pricing dispute with the IRS or a foreign tax authority, bringing both tax authorities to the table to moderate the demands of each and to achieve a consensus result in advance. The Steptoe transfer pricing team has extensive experience working with the IRS and with other tax authorities to achieve successful resolutions of APA matters. This experience extends to the Competent Authority process generally as well.

Transfer Pricing Planning and Documentation

Designing and documenting a durable, tax efficient transfer pricing model is the key to securing tax benefits that avoid or withstand challenge. The Steptoe transfer pricing team has worked with major multinationals to put these models in place, including models that address global HQ cost and service fee charges, business restructurings, intercompany financial transactions (e.g., loans, guarantees, and factoring arrangements), IP and trademark royalties, and R&D operations. Having the right agreements in place, fashioned to meet a company’s needs today and for many years in the future, and having the right supporting materials in place are the key to minimizing ongoing maintenance and compliance costs and maximizing transfer pricing compliance and opportunities.

Government, ABA, and Academic Experience

Steptoe’s transfer pricing group includes two former directors of the US Advance Pricing Agreement Program and a former chair of the American Bar Association transfer pricing committee. Members of our transfer pricing team have led training sessions for the IRS on transfer pricing issues and have taught transfer pricing and international tax for many years as adjunct faculty members at Georgetown University Law Center, the University of Pennsylvania Law School, the University of Michigan Law School, and at the Chinese tax authority’s national training center in Yangzhou, China. As a result of our experience and reputation, we have excellent contacts and working relationships with top transfer pricing officials in the United States and abroad.
News & Publications

MEDIA MENTIONS
Law360 Quotes Matt Frank on Coke’s Transfer Pricing Loss
December 17, 2020

PRESS RELEASES
Steptoe Bolsters International Tax Group with Noted Transfer Pricing Lawyer Matt Frank
December 14, 2020

PUBLICATIONS
Eight Common Challenges to Trademark Royalty Deductions
Law360
July 30, 2019
By: Matthew Frank

PUBLICATIONS
The Problem with Prediction in Transfer Pricing
Law360
October 23, 2018
By: Matthew Frank

PUBLICATIONS
Proposed Regulations on Country-by-Country Reporting for Multinational Enterprise Parent Entities
ABA Section of Taxation
March 2016
By: Matthew Frank

PUBLICATIONS
Discussion Draft on Revisions to Chapter 1 of the Transfer Pricing Guidelines
Organisation for Economic Co-operation and Development
March 2015
By: Matthew Frank

PUBLICATIONS
Notice 2013-79 and Notice 2013-78: IRS Mutual Agreement and Advance Pricing Agreement Procedures
Internal Revenue Service
May 2014
By: Matthew Frank

PUBLICATIONS
Guidance Pertaining to the Transfer Pricing of Related Party Guarantees
ABA Section of Taxation
September 2012
By: Matthew Frank

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