

The Pike Law Firm, P.C.

Customs and International Trade



The Pike Law Firm Re-opens in Downtown Atlanta

February 2, 2009

After a brief stint with a fine old Atlanta law firm in 2008, I decided that my clients would be better served by returning to my “boutique” law firm which I began in 2006. With grim headlines of economic downturns that seem to worsen by the day, executives are keenly focused on cost-cutting and paring down expenses across the board – including expenses for outside professional services. By running a small firm with little overhead, I am able to reduce my hourly rate while still providing the same level of top-notch service (based on 20 years of experience) that my clients have come to expect – and appreciate, as I appreciate them. Thank you to all of my loyal clients who have stuck with me through the past several years! And for any prospective clients: please stop by for a visit when you're in town; my firm is located in a truly majestic and historic landmark in downtown Atlanta: the Candler Building, built in 1906 by Asa Candler, the founder of Coca-Cola.



U.S. Customs Addresses American Bar Association Meeting

February 2, 2009

In early January, I was pleased to participate in a panel presentation and discussion at the annual Tax Section meeting of the American Bar Association in New Orleans. Joining me on the panel were Monika Brenner, Chief of the Valuation and Special Programs Branch at U.S. Customs' Office of International Trade – Regulations and Rulings; Yulilya Gulis, Attorney-Advisor in the Value Branch at US Customs HQ; and Steven Wrappe, partner at Ernst & Young. The panel, entitled “Where Transfer Pricing and Customs Meet,” focused on the current issues relating to the use of transfer pricing rules and principles to meet the customs valuation requirements. While all panelists agreed that the rules between the IRS and Customs were different, there was general agreement that some overlap between the two disciplines could occur to help support the use of “transaction value.” In particular, Ms. Brenner noted that, as a matter of fairness to importers, CBP HQ was examining the applicability of “compensating adjustments,” with an eye towards allowing refunds for downward adjustments in the prices of imported goods – while also requiring payments

for upward adjustments – when adjustments are made to Cost of Goods Sold so that importers/taxpayers can bring their profit margins back into the IRS-mandated “interquartile range.” For a full write-up of the meeting, click here: (Thanks to BNA Transfer Pricing Report for permission to use [this link](#).)



AAEI's Winter Conference in Miami Beach a Big Success

February 2, 2009

While the rest of the country shivered in sub-zero temperatures, Miami Beach beckoned 200+ members of the American Association of Exporters and Importers to its sunny shores with 80-degree weather for the AAEI Winter Conference in mid-January. The theme of this year's conference was nicely represented by a panel which I moderated entitled “Riding the Waves of International Trade Challenges.” While Natascha Finnerty of DL Exports focused on how companies can avoid export penalties by being proactive up-front about compliance, Susie Hoeger of Abbott walked the audience through potential scenarios facing her company should the new proposed rules of origin be enacted. To round out the panel, Gail Hamill, Chief of the Tariff Classification and Marking Branch of US Customs' Office of International Trade – Regulations and Rulings, focused on the vexing problem of disparities in tariff classification of the same product by various members of the World Customs Organization. She explained the dispute resolution process at the WCO and World Trade Organization, and US Customs' role in those proceedings. For a copy of Ms. Hamill's presentation, [click here](#).

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