

Sheinberg, Samuel I.

From: [REDACTED]
Sent: Monday, June 8, 2020 1:25 PM
To: Walsh, Kathryn E.; Carson, Timothy; Sheinberg, Samuel I.; Six, Anne; Whitehead, Nora; Musick, Vesselina
Subject: FW: Item 5--US Operations

From: [REDACTED]
Sent: Monday, June 8, 2020 1:24:35 PM (UTC-05:00) Eastern Time (US & Canada)
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Item 5--US Operations

Revenues the client receives from sales of its product through the US-based platforms should be reported in Item 5a.

From: [REDACTED]
Sent: Thursday, June 4, 2020 1:42:21 PM (UTC-05:00) Eastern Time (US & Canada)
To: [REDACTED]
Subject: Item 5--US Operations

Dear PNO,

I hope all are doing well.

We have a clarification question related to Item 5. Are non-manufacturing revenues derived by a foreign person from U.S.-located customers through U.S. establishments operated by third parties considered "revenues derived from U.S. operations" reportable by the foreign person in response to Item 5(a)?

Our client relies on third-party run internet platforms to facilitate the sales of its products to U.S.-located customers. Our client uploads its products to the platforms, which invoice the users, receive payment, retain an agreed commission, and remit the remainder to our client. Our client's products are accessed electronically by their customers directly through the third-party internet platforms. Our client also advertises its products via digital ad networks that are accessible in the United States, but this advertising activity is coordinated and managed from outside the United States.

Thanks in advance for your consideration and response.

Best Regards,

[REDACTED]

