

AMCHAM NEWS

American Chamber of Commerce in New Zealand

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Volume 13 Issue 7

Email: amcham@amcham.co.nz



August / September 2014

TPP Negotiators Make Important Progress on Agreement

Hanoi – Trans-Pacific Partnership (TPP) chief negotiators completed 10 days of intensive meetings today, making important progress across a range of issues as they continue their drive toward a comprehensive, high-standard agreement.

"We have committed to a focused work plan, which will allow us to boost momentum and make continued progress," said Barbara Weisel, U.S. Chief Negotiator for TPP. **"All countries involved want to reach a conclusion to unlock the enormous opportunity TPP represents."**

Through the TPP, the United States is working to establish a trade and investment framework in the dynamic Asia-Pacific region that supports U.S. job creation by expanding trade, which accounted for about a third of U.S. economic growth in the past five years.

The United States is also taking steps to establish innovative rules that promote core U.S. values in the agreement, such as transparency and good governance and strong and enforceable labor and environmental standards.

During the session in Hanoi, Vietnam, the United States and its TPP partners – Australia, Brunei Darussalam, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, the United States and Vietnam – successfully resolved many issues and narrowed gaps in other areas. The teams made important progress on State-owned enterprises, intellectual property, investment, rules of origin, transparency and anti-corruption, and labor. They also continued to move forward with their work to construct ambitious packages for preferential access to each other's markets for goods, services/investment, financial services, and government procurement.

Having reduced the number of outstanding issues, the United States and the other 11 TPP countries share a commitment to resolve the remaining issues as quickly as possible, including both on the text and market access packages.

To advance this work, Ambassador Michael Froman will work bilaterally with many of his TPP counterparts in the coming weeks. Next week, he will meet with Vietnamese Deputy Prime Minister Ninh in Washington, DC and other meetings with TPP ministers are expected to follow.

Source: USTR

[The Strategic Importance of TPP - Remarks By Ambassador Michael Froman at the U.S. Chamber of Commerce and Center for Strategic and International Studies Symposium on the TPP](#)

[Key sees more TPP traction after US mid terms](#)

From Inside Trade

New Zealand Trade Minister Tim Groser has become the second minister from a Trans-Pacific Partnership (TPP) country to predict that the negotiations will not be concluded this year, even as President Obama has set a November deadline for producing a substantial outcome in the talks.

A visit this week by Vietnamese officials to Washington keeps the focus on the Trans-Pacific Partnership (TPP) talks just days after the latest round of negotiations concluded in Hanoi.

Japan trade negotiator Akira Amari is meeting with USTR Michael Froman to work out market-access issues before the next Trans-Pacific Trade Partnership talks in mid-October. Meanwhile, a newly issued Department of Labor report finds evidence of forced labor in Malaysia, a development that can impact TPP labor negotiations.

Trans-Pacific Partnership (TPP) talks between the U.S. and Japan in Washington this week spotlight new "flexibilities" in positions that could clear the way to a final trade deal.

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US Investor Migrant Events – San Francisco, New Your City and Chicago

Over the last 12 months the New Zealand Government had recorded as significant increase in investment based immigration applications from citizens of the SA. In response to this, New Zealand Government, like minded US/MZ investors, and professionals from New Zealand banking and legal sector are hosting a series of information events in the US that will, in a relaxed and uniquely way, promote the benefits of New Zealand as a place to visit, invest and reside.

Dates: San Francisco 27th Oct, New York City 29th Oct, Chicago 31st Oct and 1st Nov.

To reserve an invitation of for more info contact Pam Ford, VIP program Manger Tel: 1 650-276-9465

US | NZ Council to host a reception in Chicago on Friday October 31st

We are excited to announce the US | NZ Council will host a reception in Chicago on Friday October 31st -- the eve of the All Blacks vs. USA Rugby match. The reception will feature special guests such as Former All Blacks legend and AUT Ambassador Michael Jones and we have also invited Minister Murray McCully. For more information and details about the event, please contact Royal Kastens at rkastens@usnzcouncil.org or (202) 638-8601. This is the All Blacks' first visit to the United States since 1980 and only their fourth visit in history. USA Rugby expects a record crowd in Soldier Field

2015 ASEAN Business Outlook Survey of American Companies Shows Optimism Amid Challenges

U.S. companies remain optimistic about business prospects in the Association of Southeast Asian Nations (ASEAN), according to new survey results released today by the U.S. Chamber of Commerce and the American Chamber of Commerce in Singapore (AmCham Singapore). In a poll of 588 senior executives representing U.S. companies in all ten ASEAN countries, 74% reported that their company's level of trade and investment in ASEAN has increased over the past two years, and an overwhelming 89% of respondents expect it to increase over the next five years. The profit outlook is solid, with 63% of executives expecting profit increases this year, and 81% next year. Slightly over half (53%) of the respondents expect their companies' workforce to expand this year, while only 5% expect decreases.

Exit strategy: FATCA Tax Law keeps pushing Americans to give up citizenship

In the first six months of 2014, 1,577 Americans decided to expatriate; last year, nearly 3,000 called it quits, a record high number.

Mandatory Biennial Registration Renewal for Food Facilities will soon be required, on October 1, 2014 until December 31, 2014

If your facility is not re-registered with the FDA by December 31, 2014, FDA will cancel your Bioterrorism Act registration and your importations will be delayed. A FDA Registration number is mandatory to import food products into the U.S.

Second USA Universities Expo Reaches Over 1,000 Prospective Students

The U.S. Embassy in New Zealand successfully organized a second USA Universities Expo in Auckland to recruit promising candidates and advise potential students on admissions requirements, diverse fields of study, applications, campus culture and opportunities for financial aid.

Over twenty institutions were represented at the 2014 Expo including thirteen admissions officers and recruiters from distinguished institutions across America, ten locally-based alumni as well as representatives from EducationUSA, the U.S. Embassy's Consular Section and Fulbright New Zealand. The event was held Saturday, September 20, at AUT's Sir Paul Reeves Building and included breakout sessions on topics such as sport scholarships, financial assistance, and student visas throughout the day.

The Expo kicked off with a cultural greeting and welcome reception at the Waipapa Marae on the grounds of the University of Auckland which was graciously hosted by Ngati Whatua. This event allowed U.S. university representatives the opportunity to network and mingle with secondary school administrators and others from New Zealand's education sector as well as U.S. Consulate General staff.

The following Monday, nine institutions joined EducationUSA to conduct outreach at four secondary schools in the Auckland region. Recruiters relished the opportunity to engage with New Zealand students in their own environments at the Kristin School, ACG Senior School, Avondale College and Auckland International College.

SUCCESS STORIES WITH USA

[MediaPA, announces new Chicago based client - GM Scientific](#)

[Martin Aircraft completed pre-IPO raising](#)

[Beef prices surge to record on US demand for hamburgers](#)

[Data startup takes on giants of IT industry](#)

[ESPN appoints Multiscreen Media Ltd as Rep](#)

[US grants Pacific Edge patent for melanoma detection](#)

[GeoOP CEO Graham steps down to take US role with company](#)

[Serko secures US reseller contract for Serko Mobile](#)

[Silicon Valley expertise utilised in Kiwi Tech startup](#)

[US athletes compete for 'adventures of a lifetime' in NZ](#)

[GE Capital to sell New Zealand consumer finance business](#)

[US now top market for NZ chilled venison](#)

[Kiwi software leads US market in breast cancer imaging](#)

(Continued on page 3)



Supporting AmCham

SUCCESS STORIES (Continued from page 2)[Canterbury building connections with US rugby](#)[ARANZ Medical partners with Iron Brow Technologies to provide would surveillance solutions for US Government customers](#)[New Zealand-based animal health sciences company Simcro Ltd has selected Lawrence as its North American headquarters](#)[Ballance chooses CommVault to ensure data access.](#)[Kiwi tech firm ends search for CFO with Google exec hire](#)[New Zealand software Project Manager Online opens US headquarters in Austin](#)[PowerbyProxi to open US HQ in Texas](#)[Air NZ & Winegrowers partner with Whole Foods market to showcase NZ wine in the US Golden State Foods acquires NZ based Snap Fresh Foods](#)[EROAD extends partnership with Amazon](#)[US first port of call for Jade](#)[Westpac enters exclusive partnership with Moven](#)[Westpac NZ signs five-year agreement with IBM](#)[Unitec-IBM centre beats target](#)[Air Force stands by \\$150m US aircraft deal](#)**TRADE, BUSINESS and INVESTMENT OPPORTUNITIES****Commercial News USA**

The **September/October** issue of Export USA, the official export promotion magazine of the U.S. Department of Commerce, is currently online at <http://exusa.thinkglobal.us/092014/>

Trade-Leads for Importing and Exporting

You are invited to register your company at America's new online trade leads matchmaking platform for importers and exporters. ThinkGlobal is the world's first B2B matchmaking platform to integrate multimedia, localization, virtual trade show technology, and social media. Just register online at [ThinkGlobal](#)

International Buyer Program – Trade Show Schedule 1 Jan to 31 Dec 2014

For details and support contact Janet Coulthart: janet.coulthart@mail.doc.gov

US Govt appoints Commercial Specialist in Auckland

Mani Dhiraj has been appointed as Commercial Specialist, United States Commercial Service operating out of the US Consulate in Auckland. This reflects the importance of the Auckland market.

Mani has a background in business development and international trade. Special interest in innovation and new technology, commercial aviation, communications and complex networks.

Responsible for maximising the value of US business engagement with the NZ market for ICT, innovation, social media, franchising, consumer electronics, environmental systems and franchising.

Also responsible for the SelectUSA program, facilitating business investment and growth by NZ firms in the United States. Currently working on a shortlist of attendees to the SelectUSA Summit in Washington DC, March 2015.

Download and share the Kea App

Now you can find and chat with expats in every corner of the globe, and find New Zealand events and businesses near you. Using geo-locating software the Kea App connects you to other Kiwis, events and businesses in your region. Find out more on Kea's [website](#), and download the Kea App from the [App Store](#) or [Google Play](#). Please share the Kea App with your networks and help connect New Zealand offshore like never before.

From NZTE[NZ to highlight Kiwi experience leading up to All Blacks game in Chicago](#)[Jade Software provides solutions for US ports](#)[Microsoft backs NZ startup Wipster](#)**Do you export or import environmental goods?**

The Ministry of Foreign Affairs and Trade is inviting submissions from NZ exporters and businesses on specific products they would like to have covered in the negotiations towards a global Environmental Goods Agreement. Submissions are extremely valuable and will enable NZ trade negotiations to advance or protect the commercial interests of NZ business at an important juncture in the trade negotiation. [Submit](#)

Design for the times

Modlar creates 3D Smart BIM objects of building products for architects, engineers, contractors and designers. Founder Scott Barrington explains how an unmet need in the market prompted him to develop the software, which is now being used by more than 50,000 specifiers in 100 countries. [Read more](#)

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HOTELS AND RESORTS

AUCKLAND

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From ExportX

[Safe Eyes Signs with ExportX](#)

Masterton-based Safe Eyes has signed on for ExportX to sell its innovative mesh safety goggles in the USA.

[Gutter Whiskers on Amazon in the USA](#)

Gutter Whiskers gutter guards, which protect gutters (spoutings) from filling up with fallen leaves, are now available in the USA through ExportX

[Ascot Industries Joins ExportX](#)

Ascot Industries has signed on with ExportX to enter the American market.

From KEA

Can you help the All Blacks in the US?

We are currently assisting New Zealand Rugby to identify prospective international partners in the US as the All Blacks play the United States in Chicago later this year. New Zealand Rugby is interested in talking to US-based companies about opportunities around the team and the November test matches. If you are aware of US businesses who would value such an opportunity, please [email](#) us.

North American sustainability distribution contacts wanted

Do you have a good strategic perspective of how businesses can find partners and suppliers in North America and how to negotiate terms of payment and trade? Industries of interest are sustainable products made from 100% pure New Zealand materials or from a renewable resource. Please [email](#) us if you think you can help a Kiwi business break into the US.

FOR YOUR DIARY

- 14th October **Cyber Security briefing with Symantec, Auckland**
- 15th October **Reception with US Embassy Charge d’Affairs Candy Green, Auckland**
- 4th November **Maureen Dougherty, Boeing’s President of Australia & South Pacific, lunch, Auckland**
- 25th November **4th AmCham no frills Serious Golfers Day, Auckland**
- 26th November **New & Sustaining member reception, Auckland**

EVENTS

Select USA event attracts companies wanting to do business with the USA

AmCham in-conjunction with Select USA held a seminar on Doing business & Investing in the USA. A group of over 120 attended the event to hear from a number of speakers including Aaron Brickman, Deputy Executive Director at SelectUSA, U.S. Department of Commerce, Washington, D.C; Ian Smith, Founder & Managing Director of United States Connect; Paul Lo, Director, WTP Advisors in USA and Andrew Morrow, General Manager - PartsTrader Markets Ltd.

Copies of all the presentations are available on our website <http://amcham.co.nz/SelectUSA>

AmCham would like to thank Janet Coulthart and Natalie Scharf of the U.S. Department of Commerce for all their assistance in staging this event.

“Recognising our talent”

We are pleased to welcome one new Senior Associate and five new Associates to the Baldwins team. This growth reflects the firm’s commitment to excellence and expertise in intellectual property, and to continuing a tradition of what our clients rely on: strategic and commercially focused intellectual property advice tailored to their specific requirements.



Deborah Kessell-Haak Senior Associate, Wgtn	Claire McInnes Associate, Wgtn	Kate Giddens Associate, Wgtn	Thomas Huithwaite Associate, Wgtn	Vanessa Huppert Associate, Wgtn	Dr Katherine Hebditch Associate, Akl
Deborah specialises in trade marks and works with a wide range of local and international clients including the cosmetics, entertainment, clothing, and food and beverage industries.	Claire works mainly in the area of patents, but also advises on trade marks and designs.	Kate is a trade mark and branding specialist who works with a wide range of local and international clients, advising on all aspects of trade mark and related intellectual property law.	Thomas is a barrister and solicitor specialising in all areas of intellectual property litigation, dispute resolution and commercialisation.	Vanessa advises on trade mark availability, infringement issues, copyright, passing off and the Fair Trading Act.	Katherine specialises in drafting patent specifications, prosecuting applications, patent oppositions and advising local and international clients on patentability issues.

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BUSINESS TRAVEL & TRAVEL NEWS

News, views and information for Amcham business travellers from **Grant Bevin**, Managing Director Business World Travel.

Business World Travel is a member of GlobalStar Travel Management

Qantas Frequent Flyer has a new website address www.qantaspoints.com. New Zealand based Frequent Flyers can access an outstanding range of merchandise, David Jones Gift certificates and charitable donations. You can also use your points in the traditional way with free flights and up-grades. Qantas FF is free to join through Business World Travel over the next couple of months. Every Qantas airfare earns Frequent Flyer points.

Hawaiian Airlines enjoys the **lowest rate of complaints** from US Consumers of all the major US based airlines. The measurement is from June 2014 and ranks complaints per 100,000 passengers. Frontier Airlines takes the record for the most complaints from customers followed by United and American Airlines. Furthermore, **Hawaiian** holds the record for the **best on-time performance** amongst the same group of 12 US airlines. Alaska Airlines and then Virgin America and Delta follow behind. Of the three major network airlines **United, American and Delta** it is **Delta** with considerably less complaints and on-time performance!

The **Élan Hotel** in Los Angeles is a smart four star hotel in a great location at 8435 Beverly Blvd, crossroads of Beverly Hills and West Hollywood. It sits between two good shopping malls, **The Beverly Center and The Grove**. We like the reasonable price point which includes a complimentary **continental breakfast** and an **evening hosted wine reception** in addition to the **free wi-fi**. BWT clients are always well looked after in this property.

Considering **skiing** in the US in January or February? Then call any of our Leisure Consultants this week because the advance purchase deals for hotel and ski passes will conclude at the end of August for many ski resorts in the US and Canada.

Rugby World Cup England 18 Sep – 31 Oct 2015 Add a quick side – trip onto your US business trips in 2015 to England! Packages for a range of ticket and accommodation combinations are out now. **Moreover** the advance purchase **European seat sale airfares** which you buy from us separately (unless on a group tour) are all being launched in the coming weeks (in particular some Business Class discounted).

There are some very busy dates in **Melbourne** and **Brisbane** for our Tasman commuters to watch out for. Hotels are all heavily subscribed. **For Melbourne**, **Jehovah's Witnesses** Conference 13-20 October and then the **Melbourne Spring Carnival** week including Melbourne Cup (Tue 04 Nov) 01-08 November. For **Brisbane** also note the **G20 Leaders Summit 15-16 Nov** but most of Nov is full with pre-Summit delegations. If you are not involved with any of those events it will pay to steer clear.

NZ number one on US luxury travel agency 'hot list'

New Zealand has topped leading United States luxury travel agency Virtuoso's annual 'Hot List', winning the honour for the biggest year-on-year growth in luxury travel. New Zealand topped the list by a wide margin, with a staggering increase of 196 per cent growth year-on-year. This growth follows Tourism New Zealand's expansion in its partnership activity with the Virtuoso network in the US, resulting from the increase in investment to develop the premium sector.

Air New Zealand adds more flights to its North American routes

Air New Zealand is adding more flights to its North American schedule. The popularity of the airline's service between Auckland and Los Angeles will see the airline step up frequency next year from twice daily to three times a day on three days of the week.

To date Air New Zealand's Los Angeles service has predominantly run twice-daily but during the 2015 Northern Summer season (April – October) there will be a third flight departing Auckland on Monday, Thursday and Saturday, representing a 20% boost in total capacity.

The additional Los Angeles services will depart Auckland earlier than the current daily services arriving in Los Angeles around 0900 and enabling same day connections with Midwest and East Coast USA destinations. The earlier departure time will also suit Australian travellers heading to the USA, with convenient Melbourne and Sydney connections.

The additional services will depart Los Angeles later than current services accommodating later connections while still arriving into Auckland at 0700 in time for passengers to connect seamlessly to domestic New Zealand and Australia.

Chief Sales and Commercial Officer Cam Wallace says, "The extra flights are a good example of Air New Zealand listening and responding to customer feedback. Frequent LA travellers told us they wanted to be able to arrive earlier, particularly when connecting to the US East Coast. We're thrilled to now be able to offer this to our customers."

(Continued on page 6)

Check out our website at www.bwt.co.nz

Reviewing your Corporate Travel? Call our Team:

Jane Higgie Business World Travel Wellington 04-470 6044 jhiggie@bwt.co.nz

Grant Bevin Business World Travel Auckland 09-529 3700 gbevin@bwt.co.nz

**BUSINESS
WORLD TRAVEL**



TRAVEL NEWS (Continued from page 5)

Air New Zealand is also increasing capacity between Auckland and Vancouver by 10%. Next year it will operate five times per week from June to September (currently mid-July to late August). The airline operates three times per week outside of this period.

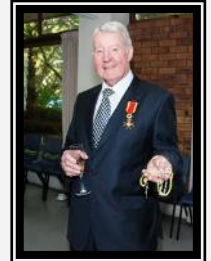
Both the Los Angeles and Vancouver routes will get an additional boost during the New Zealand school holidays. Air New Zealand will operate a third daily Los Angeles flight on Sundays in the July and October school holidays taking the weekly total to 18, and move from three to four flights per week to Vancouver during the October school holidays.

MEMBER NEWS**Maurice Boland**

AmCham was deeply saddened to hear of the passing of Maurice Boland. Maurice was made life member back in 1997 for several decades of support. Maurice worked for 3M for 37 years and was President of AmCham from late 1984 to 1987. He was also chair of our Education committee from the early 1990's to 2004. In 2005 Maurice was awarded an NZ order of Merit and in 2012 he was awarded a papal knighthood.

It was wonderful to see Maurice at our AGM back in July. He knew his time was limited but despite his failing health made a special effort to attend and interact with everyone.

Executive Director Mike Hearn and director Eric Mahoney represented AmCham at the funeral. Our sympathies go to Maurice's wife Helen and family.

**[AUT announce memorial scholarship for Eric and Kathy Hertz](#)**

AUT has announced that the lives of former 2degrees CEO Eric Hertz and his wife Kathy, will be memorialised in a \$140,000 (US) scholarship for Māori and Pacific Island students.

Endowed by the Trilogy International Foundation, established by the founders of Trilogy International Partners, the scholarship is a fitting legacy to a couple that invested personally in the lives of the communities they were part of.

The Eric and Kathy Hertz Scholarship fund will be used over the next three to five years to help Māori and Pasifika Business Students fully realise their potential and personal abilities. It will assist them to study at home and travel abroad to experience a different way of life.

One form of scholarship, worth \$5000 per student, will cover the cost of residential accommodation at AUT. A second scholarship, also worth \$5000 per award, will assist second and third year students with an academic exchange to a university in the United States.

[Grow Welly to launch strategy doc for high-tech manufacturing sector](#)

Grow Wellington, the agency that focuses on accelerating economic development in the Wellington region, is finalising a strategy for developing the high tech manufacturing sector in the region.

EY Entrepreneur of the Year 2014 Category Winners

This year's category winners are:

Mark Rice, [CDB Goldair](#): Products

Michael Whitehead, [WhereScape Software](#): Services

Vaughan Rowsell, [Vend](#): Technology and emerging industries

Dan Radcliffe, [International Volunteer HQ](#): Young

Patrick Teo, [BCS Group](#): Master

[Read more](#) about these outstanding entrepreneurs, or search for the *Exceptional NZ* app on the AppStore and download to your iPad for free.

Join with us to congratulate this year's category winners as we celebrate their achievements and reveal the 2014 Entrepreneur of the Year at the Langham, Auckland on Thursday 16 October

New Members

Demand Generator Group Ltd, Auckland – **Jane Melville-Allen**, CEO - a unique digital marketing organisation devoted to creating demand for our clients. Utilising both traditional and the latest digital tools we engage with your customers and gather intelligence on their wants and needs to identify and deliver genuine sales opportunities. www.demandgeneratorgroup.com

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BUSINESS TRAVEL INSURANCE
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TE insured™

MEMBER NEWS - NEW MEMBERS (Continued from page 6)

The Fine Wine Delivery Company Ltd, Auckland – Richard Poole, Director – New Zealand's largest single-site wine retailer, occupying 2,500 sq m of temperature-controlled Super Store at 42 Lunn Ave, Mt Wellington. What started as being all about wine has now expanded to include craft beer and premium spirits too - we even have 10 boutique beers fresh on tap. The other aspect of our business is private wine cellar storage. www.finewinedelivery.co.nz

The Tatua Co-operative Dairy Company Ltd, Tatanui – Tim Winter, Commercial & Technology Manager – dairy company with 109 shareholder farmers who supply milk to Tatua, all located within 12 kilometres of the manufacturing facilities. A total of 190 million litres of milk is processed at Tatua per year. From this raw milk, Tatua manufactures a wide range of dairy ingredients, dairy flavour ingredients, specialty nutritional products, bionutrients, and foodservice and consumer products, of which 94% are exported worldwide. www.tatua.com

Tepromark Architectural Products LLC, Osseo, MN, USA – Richard Webb, Managing Director - international leader in manufacture and supply of superior grade wall protection systems catering to healthcare, hospitality, and educational facilities. Offers a product suite of commercial-grade hand rail, crash rail, and corner guard profiles, as well as rollable, low VOC, multicolor paint coatings for high wear environments. Our profiles are available in PVC vinyl, PETG, wood, and stainless steel as demanded for modern, commercial interiors. <http://tepromark.com>

People on the move:

Nick Larsen has joined **Transport Services & Logistics Ltd** as Director Sales & Marketing

Steven Dixon, **Tourism New Zealand's** existing Business Events Manager North America, has been appointed to the role of Regional Manager - South and South East Asia. **Mischa Mannix-Opie** is leaving in October and **Jacqui Lloyd** in November.

Brenda Margot is the new General Manager of **Seedling New Zealand Ltd**

Lee Davies has moved from NZ to join **FedEx** in the UK. **Dianella (Dee) Ngakuru** is the new NZ Country Manager.

British American Tobacco's Susan Jones has moved to a role in their London office with **Lachlan Beaton** heading the Corporate and Regulatory Affairs for NZ

NZTE has appointed **Sanchia Younge** and **Terry Allen** as Customer Directors in Auckland, **Alison Adams** as Customer Director in Christchurch and **Suzie Marsden** as Director Better By Design in Auckland

Kathy Newbill has relocated to the US with **Starkey** with **Paul Phillips** being appointed the new Managing Director at Starkey New Zealand.

Andrew Cleland has left **IPENZ** to become the Chief Executive of the **Royal Society of New Zealand**

Wynyard Group has appointed **Jeff C. Frazier** Senior VP Americas

GENERAL**3rd Year Product Development Massey Student Seeking summer work**

Kate Libby is currently looking for work for over the summer period in the Engineering world. She is particularly interested in gaining some experience in the Engineering Consulting/ Project Management fields as well as Product Development Engineering. For more details contact Kate kate_libby@hotmail.com

Seeking International business development opportunity

Senior level Business Development and Sales person whose career encompassed primarily Wall Street Institutional Financial Sales, and to a lesser degree Commercial Real Estate Syndication, and Asset Management. I love helping businesses grow. My goal is to assist a New Zealand based company expand its business in the U.S. and elsewhere around the world. I have strong interest in Southeast Asia as well. Expansion could include sales, client base, strategic alliances, institutional partnerships, or some other aspect of business.

While I currently live in Boulder, Colorado, I am a New Zealand Permanent Resident and enjoy the freedom (we are new empty nesters) to live in either Boulder, or New Zealand (a country I love!) or both. I have the freedom to travel extensively. My resume, linked in profile, short video of introduction, picture and career goals are included in myself promotional website which is www.expansionrevenue.com.

Services offered to New Zealand Businesses contemplating entry, or already in the Hawaiian market

- Complete market research – and face-to-face meetings
- Initial business set-up support
- Ongoing business operation
- Providing representation, or distributor services

Contact: **Denis Orme** <http://www.seductionsofkaui.com/> <http://www.wandermust-photography.com/>



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2014 Buyers & Sellers Global Convention

On behalf of the Global Trade Chamber it is my pleasure to invite you to the **2014 Buyers & Sellers Global Convention**, the premier business convention in Broward County the "Hub for International Business". This exclusive multi-sector and multinational event connects buyers with suppliers from around the world.

Many countries and US companies will be invited to this two day bilateral trade event.

Attendees will have the opportunity to meet one-on-one with top level executives, business leaders, providers, government, suppliers, franchises, country representatives, international chambers of commerce, potential customers, and industry contacts from several countries.

At the convention attendees will also get in depth knowledge and insight on all aspects of International Trade and doing business with other countries.

This event provides your members with a tremendous opportunity to explore new markets and make important business connections in the US and internationally. Your chamber will be able to participate at no cost when a member of your chamber registers for the convention. You will also have the opportunity to distribute flyers and collateral material of your chamber services.

The event will take place December 9th and 10th 2014 at the Cultural Convention Center in the city of Miramar, Florida – USA, registration is now open. www.BuyersAndSellersConvention.com

TAXATION ISSUES

United States tax update

By Gina Wallace, Director, NZ US Tax Specialists Limited gina@nzustax.com

A report just released by the Treasury Inspector General for Tax Administration, the bureau that monitors the Internal Revenue Service (IRS), has criticized the agency's effectiveness in collecting taxes owed by United States' expats.

Weaknesses identified include poor management oversight, including an inability to select which cases to pursue. In addition, statistics on the rate of noncompliance by taxpayers have been deemed unreliable.

Delinquent taxpayers may be stopped upon entry to the United States under Customs Hold. Under this, customs officials obtain contact details from an individual appearing on a list of international taxpayers and provide the contact details to the IRS. The IRS will then contact the taxpayer in the collection process.

Taxes owed by individuals, including residents and non-residents of the United States, collectively amount to \$1.7 billion, with international taxpayers owing \$1.1 billion.

The IRS is taking steps to improve the effectiveness of the international collection programme, including personnel changes.

Under the intergovernmental agreement now in force between New Zealand and the United States, major financial institutions in New Zealand have commenced issuing letters to accountholders seeking confirmation of their United States' tax status.

- Bank of New Zealand accountholders are required to complete and sign either a Certificate of US Tax Status, or a Certificate of Non-US Tax Status.
- Westpac require a FATCA Tax Residency Form be completed.
- HSBC sent a letter to all customers in June requesting a Personal Information Update Form be completed and returned, with comprehensive information to customers regarding FATCA.

Failure of recipients to send these forms back to the financial institution is likely to result in their account information being submitted to the Inland Revenue Department in accordance with the information exchange agreement in the Model Intergovernmental Agreement recently signed by the United States and New Zealand.

Interested parties may contact us for further information as regards the specific contents of these letters.

Taxpayers submitting United States Federal income tax returns under the Streamlined Filing Procedures have been receiving letters from the Internal Revenue Service requesting further information to process their submissions.

The Streamlined Foreign Offshore Procedures, originally introduced as the Streamlined Filing Procedures in 2012 have recently been reformed. Introduced to allow noncomplying taxpayers whose failure to file Federal income tax returns and FinCen114 (the 'FBAR') arose from non-wilful conduct, United States citizens and lawful permanent residents may file income tax returns for the past three years and FinCen114 for the past six years, and pay the tax and interest at the time of filing.

Many new requirements have been introduced, with the original questionnaire under the 2012 procedures now replaced with Form 14653 Certification by U.S. Person Residing Outside of the United States for Streamlined Foreign Offshore Procedures.

In addition the risk determination as high risk or low risk by the Internal Revenue Service has been abolished.

FinCen114 filing procedures involving streamlined foreign offshore procedures involve specific designation of the FBAR as being filed under the streamlined foreign offshore procedures.

Taxpayers who filed under the Streamlined Filing Procedures prior to 1 July 2014 and who have not received correspondence advising of

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their risk profile as high or low will be processed under the new procedures without regard to any previously assessed risk profile.

There are now four programs on offer to taxpayers with undisclosed foreign financial assets:

1. Offshore Voluntary Disclosure Program
2. Streamlined Foreign Offshore Procedures
3. Delinquent FBAR submission procedures and
4. Delinquent international information return submission procedures.

We have in-house specialists available to assist with all aspects of international taxpayer compliance. For further information please call us on 09-5255931 or email enquiries@nzustax.com.

Next month: the Offshore Voluntary Disclosure Program and the 50 percent miscellaneous offshore penalty.

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LEGAL ISSUES

US Intellectual Property Protection

Understanding the protection afforded to your intellectual property by US law is of key importance when doing business in the United States. Many a hopeful entrepreneur has found his or her ideas stolen or their intellectual property copied because they did not take the necessary steps to protect themselves. These unfortunately regular and costly scenarios are doubly true for New Zealand businesses launching into the US market.

Generally, intellectual property rights are not rights that are self-activated by mere creation of the intellectual property. To secure one's intellectual property rights, one must take steps to protect their intellectual property both domestically and internationally. International intellectual property protection must include US intellectual property protection if one is taking an idea or product into the US market. Intellectual Property in the US is protected under four categories: (1) Patents; (2) Copyrights; (3) Trademarks; and (4) Trade Secrets.

A US patent can be granted for an original invention, and grants the owner of the patent the right to exclusively exploit the patent for 20 years after the date the patent is granted. Unlike New Zealand, patents are available for software only under certain specific circumstances. The US Supreme Court has recently affirmed this in *Alice Corporation v. CLS Bank*, where it found that a patent for software is available when it does not include claims for "abstract ideas" and mere "business methods". It is important to remember that patent rights are territorial. This means that your New Zealand patent does not provide you with patent protection in the United States. If you want patent protection in the US, you must obtain a US patent.

Copyright law in the United States covers original works of authorship including literary, dramatic, musical, and artistic works, such as poetry, novels, movies, songs, computer software, and architecture. Copyright does not protect facts, ideas, systems, or methods of operation, although it may protect the way these things are expressed. In the US, a copyright exists from the moment a work is created, much like in New Zealand. However, unlike New Zealand, US copyright protection extends for 70 years after the death of the author or 120 years from the date of creation if it is the work of a business (i.e., a work created by an employee or a work for hire). The US and New Zealand are signatories to several treaties which provide for respect of each other's copyright laws. While registration of your copyright is not required for protection under US law, registration of your copyrighted work is recommended, as this triggers additional infringement claim rights.

Under US law, a trademark may be granted for the use of any word, name, symbol, device, or combination thereof, used to distinguish your goods and services. In order to obtain trademark protection under US law, you must be the first to use the mark. In order to register your trademark in the US, you must accomplish interstate sales generally. However, if you already have an existing trademark in New Zealand, you can obtain an international registration of that mark under the Madrid Protocol.

Finally, US law protects trade secrets from misappropriation. Generally, what this means is that you can make a legal claim against any wrongfully disclosing party who was given your trade secrets under a duty of confidentiality or who used improper means to acquire your trade secrets. This is the category of legal protection which your business must carefully take advantage of by drafting confidentiality provisions into your contracts with US businesses and US agents.

Protecting your New Zealand intellectual property in the US can be a complicated and lengthy process and this is often seen as a hindrance to entering the US market. However New Zealand businesses can take preemptive protective measures for their intellectual property by ensuring that they utilize the protections afforded by a well-crafted, detailed and enforceable Non-Disclosure/Confidentiality Agreements drafted by a US lawyer, among other contractual agreements.

The United States has a strong tradition of intellectual property protection. Nevertheless, New Zealand businesses must take careful steps to make sure that they are not exposed to infringement and to zealously protect their intellectual property by taking advantage of the US intellectual property laws.

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