

**BENCHMARK SURVEY OF TRANSACTIONS IN SELECTED SERVICES
AND INTELLECTUAL PROPERTY WITH FOREIGN PERSONS****(This report is mandatory and confidential.)**

Name and address of U.S. reporter –

Enter or correct as necessary

10001 Company Name:		
10002 Attention:		
10003 Address		
10004 City	10005 State:	10006 Zip Code:

Complete and file this form or file electronically at <http://www.bea.gov/efile>.

Assistance is available at (202) 606-5588, M-F 8:30 A.M. – 5:00 P.M., eastern time.

How to file:

Step 1. Verify or correct name and address of the U.S. reporter named in the mailing label and complete Part 1.

Step 2. Complete Part 2 and Schedules A through F based on the instructions given in Part 2.

Step 3. File the completed form by May 15, 2012.

By filing electronically at: <http://www.bea.gov/efile>

mailing to: U.S. Department of Commerce
Bureau of Economic Analysis
BE-50 (SSB)
Washington D.C. 20230

delivering form to: U.S. Department of Commerce
Bureau of Economic Analysis
BE-50 (SSB)
Shipping and Receiving Section M-100
1441 L Street, N.W.
Washington D.C. 20005

or faxing form to : (202) 606-5318

Part 1 – U.S. Reporter Information**1. Person to consult concerning questions about this report**

1. Name
2. Title
3. Telephone number ()
4. Fax number ()
5. E-mail address

2. May we use e-mail to correspond with you to discuss questions relating to this form, including questions that may contain information about your company that you may consider confidential? (Note: E-mail is not inherently confidential. We will treat information we receive as confidential but your e-mail is not necessarily secure against interception by a third party.)

3. **Certification** – The undersigned official certifies that this report has been prepared in accordance with the applicable instructions, is complete, and is substantially accurate except that, in accordance with IV. G of the General Instructions, estimates may have been prepared where the data are not available from customary accounting records or precise data could not be obtained without undue burden.

Authorized official's signature

Print or type name and title

Date

1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No		
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Part 1

4. Enter the dates for your fiscal year that ended in calendar year 2011?

Beginning date

Mont h	Day	Year
1		

Ending date

Mont h	Day	Year
1		2011

5. Check the box that best describes the operating status of your company during the reporting period identified in question 4.

- ¹⁰⁰⁰⁹ 1 In existence the entire reporting period - Skip question 6.
- 2 In existence during only part of the reporting period - *Continue filling out this form for the portion of the reporting period in which your company was in existence and, in the comments section below, explain why your company did not exist for a part of the period.*
- 3 Not in existence during the reporting period - *Please return form according to instructions on page 1.*

6. Was your company owned to the extent of more than 50 percent by another U.S. company at any point during the reporting period identified in question 4?

- ¹⁰⁰¹⁰ 1 No - Continue with completion of the form.
- 2 Yes - Enter the name and address of the U.S. person or entity in the box and please return this form according to the "How to file" instructions on page 1.

10011 1 Company name		
10012 1 Contact	10013 1 Telephone number	
10014 1 Street		
10015 1 City	10016 1 State	10017 1 Zip Code

Comments

Part 2 – Determination of Reporting Status

If receipts from foreign persons for an individual type of intellectual property or service exceeded \$2 million during your fiscal year 2011, for that type of transaction, you must (a) mark (X) “Yes” on the appropriate row(s) of column 1 of Table 1; and (b) report data by individual foreign country on Schedule A and C, and per the instructions on Schedule D, E, and/or F, as appropriate.

If receipts for an individual type of intellectual property or service were \$2 million or less, for that type of transaction, you must mark (X) “No.” You are encouraged to voluntarily report more detailed information on Schedule A, C, D, E, and/or F, as appropriate, because these data will make the aggregate totals more complete and accurate.

For Table 1, mark (X) “Yes” or “No” next to each type of transaction, to indicate whether your company’s total receipts from foreign persons exceeded \$2 million during your fiscal year 2011.

*Receipts for other selected services include all services transactions and miscellaneous disbursements that are not separately listed above and are not explicitly excluded (see page 23 of the General Instructions). Receipts for other selected services **exclude** receipts for financial services (which are covered on a separate BEA survey); income on financial instruments (including interest, dividends, capital gains, etc.); taxes, penalties and fines, gifts or grants; transportation of freight or passengers; and travel-related services provided to individual travelers (including hotel accommodation and restaurant meals). See the General Instructions for a definition of services and a more complete discussion of the coverage of this survey.

RECEIPTS FROM FOREIGN PERSONS

Table 1		Did your receipts for the following transactions exceed \$2 million during fiscal year 2011?		If “Yes,” report country detail on:
Transaction code	Types of transactions	(check box)		
		Yes	No	
Receipts for intellectual property				
1	Rights related to industrial processes and products			Schedule A/E
2	Rights related to books, music, etc.			Schedule A/E
3	Rights related to trademarks, etc.			Schedule A/E
4	Rights related to performances and events pre-recorded on motion picture film and TV tape (include digital recordings)			Schedule A/E
5	Rights related to broadcast and recording of live performances and events			Schedule A/E
6	Rights to general use computer software			Schedule A/E
7	Business format franchising fees			Schedule A/E
8	Other intellectual property			Schedule A/E
Receipts for selected services				
9	Accounting, auditing, and bookkeeping services			Schedule A
10	Advertising services			Schedule A
11	Auxiliary insurance services			Schedule A
12	Computer and data processing services			Schedule A
13	Construction services			Schedule C
14	Data base and other information services			Schedule A
15	Educational and training services			Schedule A
16	Engineering, architectural, and surveying services			Schedule C
17	Financial Services			
18	Industrial engineering services			Schedule A
19	Industrial-type maintenance, installation, alteration, and training services			Schedule A
20	Legal services			Schedule A
21	Management, consulting, and public relations services (includes expenses allocated by a U.S. parent to its foreign affiliates)			Schedule A
22	Merchanting services			Schedule A/F
23	Mining services			Schedule C
24	Operational leasing services			Schedule A
25	Trade-related services, other than merchanting services			Schedule A
26	Performing arts, sports, and other live performances, presentations, and events			Schedule A
27	Premiums paid on primary insurance			
28	Losses recovered on primary insurance			
29	Research and development services			Schedule A
30	Telecommunication services			Schedule A
31	Agricultural services			Schedule A
32	Contract manufacturing services			Schedule D
33	Disbursements to fund production costs of motion pictures			Schedule A
34	Disbursements to fund news-gathering costs and production costs of program material other than news			Schedule A
35	Waste treatment and depollution services			Schedule A
36	Other selected services *			Schedule A

Part 2 – Determination of Reporting Status - Continued

PAYMENTS TO FOREIGN PERSONS

If payments to foreign persons for an individual type of intellectual property or service exceeded \$1 million during your fiscal year 2011, for that type of transaction, you must (a) mark (X) “Yes” on the appropriate row(s) of column 1 of Table 2; and (b) report data by individual foreign country on Schedule B and per the instructions for Schedule D and/or E.

If payments for an individual type of intellectual property or service were \$1 million or less, for that type of transaction, you must mark (X) “No.” You are encouraged to voluntarily report more detailed information on Schedule B, D, and/or F because these data will make the aggregate totals more complete and accurate.

For Table 2, mark (X) “Yes” or “No” next to each type of transaction, to indicate whether your company’s total payments to foreign persons exceeded \$1 million during your fiscal year 2011.

* Payments for other selected services include all services transactions and miscellaneous disbursements that are not separately listed above and are not explicitly excluded (see page 23 of the General Instructions). Payments for other selected services exclude payments for financial services by financial services firms (which are covered on a separate BEA survey); income on financial instruments (including interest, dividends, capital gains, etc.); taxes, penalties and fines, gifts or grants; transportation of freight or passengers; and travel-related services provided to individual travelers (including hotel accommodation and restaurant meals). See the General Instructions for a definition of services and a more complete discussion of the coverage of this survey.

Table 2		Did your payments for the following transactions exceed \$1 million during fiscal year 2011? (check box)		If “Yes,” report country detail on:
Transaction code	Types of transactions	Yes	No	
Payments for intellectual property				
1	Rights related to industrial processes and products			Schedule B/E
2	Rights related to books, music, etc.			Schedule B/E
3	Rights related to trademarks, etc.			Schedule B/E
4	Rights related to performances and events pre-recorded on motion picture film and TV tape (include digital recordings)			Schedule B/E
5	Rights related to broadcast and recording of live performances and events			Schedule B/E
6	Rights to general use computer software			Schedule B/E
7	Business format franchising fees			Schedule B/E
8	Other intellectual property			Schedule B/E
Payments for selected services				
9	Accounting, auditing, and bookkeeping services			Schedule B
10	Advertising services			Schedule B
11	Auxiliary insurance services			Schedule B
12	Computer and data processing services			Schedule B
13	Construction services			Schedule B
14	Data base and other information services			Schedule B
15	Educational and training services			Schedule B
16	Engineering, architectural, and surveying services			Schedule B
17	Financial Services			Schedule B
18	Industrial engineering services			Schedule B
19	Industrial-type maintenance, installation, alteration, and training services			Schedule B
20	Legal services			Schedule B
21	Management, consulting, and public relations services (includes expenses allocated by a U.S. parent to its foreign affiliates)			Schedule B
22	Merchanting services			
23	Mining services			Schedule B
24	Operational leasing services			Schedule B
25	Trade-related services, other than merchanting services			Schedule B
26	Performing arts, sports, and other live performances, presentations, and events			Schedule B
27	Premiums paid on primary insurance			Schedule B
28	Losses recovered on primary insurance			Schedule B
29	Research and development services			Schedule B
30	Telecommunication services			Schedule B
31	Agricultural services			Schedule B
32	Contract manufacturing services			Schedule D
33	Disbursements to fund production costs of motion pictures			Schedule B
34	Disbursements to fund news-gathering costs and production costs of program material other than news			Schedule B
35	Waste treatment and depollution services			Schedule B
36	Other selected services *			Schedule B

Part 2 — DETERMINATION OF REPORTING STATUS — Continued

7. Enter the 4-digit code that best describes the major activity of the U.S. reporter from the Summary of Industry Classifications found on pages 28 and 29 of the General Instructions.

11018

1				
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8. What is the primary Employer Identification Number used by the U.S. reporter to file U.S. income or payroll taxes?

11019

1			—											
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9. Will you be reporting ALL of your transactions on Schedules A through F either on a mandatory or voluntary basis?

11020 1

- 1 Yes – *Skip question 10 and continue to schedules.*
- 2 No, the U.S. reporter will not be voluntarily reporting some transactions below the reporting threshold on Schedules A- C – *Continue to question 10.*

10. If you had transactions below the reporting thresholds, and you choose not to report these transactions by the type of transaction on the Schedules A-C voluntarily, provide an estimate of the total amount of your receipts and/or payments below.

11021

Report in thousands of U.S. dollars	
1	Receipts
2	Payments
\$	\$

If you are not reporting mandatory or voluntary data on a schedule then **STOP HERE** and please return this form according to the “How to file” instructions on page 1.

Schedule A — U.S. REPORTER'S RECEIPTS (FROM FOREIGN PERSONS) FOR SELECTED SERVICES AND INTELLECTUAL PROPERTY

- If receipts from (sales to) foreign persons for a particular type of service covered by Schedule A exceeded \$2,000,000, then you are **required** to report transactions by country for that type of transaction on Schedule A. The all-countries total should be reported on line 33 with the country detail reported on lines 1 through 32. If you need additional pages to report the country detail, please use the overflow sheets or make additional copies of this schedule.
- If receipts from (sales to) foreign persons for a particular type of service were \$2,000,000 or less, then you are **requested** to report transactions by country for that type of transaction on Schedule A. The all-countries total may be reported on line 33 with the country detail reported on lines 1 through 32, or you may report only the all countries total on line 34.

Enter the transaction code associated with the type of transaction, instead of the complete title of the transaction, in the column heading on Schedule

A. See V. of the General Instructions for complete descriptions of the transactions covered. If you are reporting transactions for more than two types of services, please use the overflow sheets or make additional copies of this schedule.

Transactions for a type of service are reportable based on your relationship with the purchaser. For example, if you provided advertising services to a

foreign affiliate and to an unaffiliated foreign person, then you would enter "10" for advertising services under the heading "Transaction code" and

enter the appropriate dollar amounts in the columns under "Foreign affiliates" and "Unaffiliated foreign persons." Report in thousands of U.S. dollars.

If you report data for any of the transaction codes 1-8, then also complete Schedule E - Additional Reporting of Transactions (with Foreign Persons)

in Intellectual Property. If you report data for transaction code 22, then also complete Schedule F - Additional Reporting of Transactions (with Foreign Persons) in Merchanting.

If you report data for transaction code 36, other selected services, then specify the major type of service on line 35.

Note that sales of transaction code 13, construction services; transaction code 16, engineering, architectural and surveying services; and transaction code 23, mining services should be reported on Schedule C.

Trans - action code	Types of transactions
Receipts for intellectual property	
1	Rights related to industrial processes and products
2	Rights related to books, music, etc.
3	Rights related to trademarks
4	Rights related to performances and events pre-recorded on motion picture film and TV tape (Include digital recordings)
5	Rights related to broadcast and recording of live events and performances
6	Rights related to general use software
7	Business format franchising fees
8	Other intellectual property
Receipts for selected services	
9	Accounting, auditing, and bookkeeping services
10	Advertising services
11	Auxiliary insurance services
12	Computer and data processing services
14	Data base and other information services
15	Educational and training services
18	Industrial engineering services
19	Industrial-type maintenance, installation, alteration, and training services
20	Legal services
21	Management, consulting, and public relations services (includes expenses allocated by a U.S.

29.								
30.								
31.								
32.								
33. All countries, total								
34. Voluntary data - Complete lines 1-33 or if total receipts for an individual type of transaction are \$2 million or less then complete line 34.								
35. If you reported data under transaction code 36, other selected services, specify the major type of service :								
36. If you reported data on a mandatory basis in Schedule A under transaction code 12, computer and data processing services, enter the approximate amount of the total for all countries combined that was for transactions in each of the following types of computer and data processing services. (Estimates may be based upon the judgment of knowledgeable persons, without conducting a detailed records search.) a. Data entry, processing, and tabulation b. Computer systems analysis, design, engineering and custom programming c. Other computer services								Report in thousands of U.S. dollars

Schedule B – U.S. REPORTER’S PAYMENTS (TO FOREIGN PERSONS) FOR SELECTED SERVICES

- If payments to (purchases from) foreign persons for a particular type of service exceeded \$1,000,000, then you are **required** to report transactions by country for that type of transaction on Schedule B. The all-countries total should be reported on line 33 with the country detail reported on lines 1 through 32. If you need additional pages to report the country detail, please use the overflow sheets or make additional copies of this schedule.

- If payments to (purchases from) foreign persons for a particular type of service were \$1,000,000 or less, then you are **requested** to report transactions by country for that type of transaction on Schedule B. The all-countries total may be reported on line 33 with the country detail reported on lines 1 through 32, or you may report only the all countries total on line 34.

Enter the transaction code associated with the type of transaction, instead of the complete title of the transaction, in the column heading on Schedule B. See V. of the General Instructions for complete descriptions of the transactions covered. If you are reporting transactions for more than two types of services, please use the overflow sheets or make additional copies of this schedule. Report in thousands of U.S. dollars.

Transactions for a type of service are reportable based on your relationship with the seller. For example, if you purchased advertising services from a foreign affiliate and from an unaffiliated foreign person, then you would enter "10" for advertising services under the heading "Transaction code" and enter the appropriate dollar amounts in the columns under "Foreign affiliates" and "Unaffiliated foreign persons."

If you report data for any of the transaction codes 1-8, then also complete Schedule E - Additional Reporting of Transactions (with Foreign Persons) in Intellectual Property.

If you report data for transaction code 36, other selected services, then specify the major type of service on line 35.

Trans - actio n code	Types of transactions
Payments for intellectual property	
1	Rights related to industrial processes and products
2	Rights related to books, music, etc.
3	Rights related to trademarks
4	Rights related to performances and events pre-recorded on motion picture film and TV tape (Include digital recordings)
5	Rights related to broadcast and recording of live events and performances
6	Rights related to general use software
7	Business format franchising fees
8	Other intellectual property
Payments for selected services	
9	Accounting, auditing, and bookkeeping services
10	Advertising services
11	Auxiliary insurance services
12	Computer and data processing services
13	Construction Services
14	Data base and other information services
15	Educational and training services
16	Engineering, architectural, and surveying services
17	Financial services
18	Industrial engineering services
19	Industrial-type maintenance, installation, alteration, and training services
20	Legal services
21	Management, consulting, and public relations services (includes expenses allocated by a foreign parent to its U.S. affiliates)
23	Mining services
24	Operational leasing services
25	Trade-related services, other than merchanting services

26	Performing arts, sports, and other live performances, presentations, and events
27	Premiums paid on primary insurance
28	Losses recovered on primary insurance
29	Research and development services
30	Telecommunications services
31	Agricultural services
33	Disbursements to fund production costs of motion pictures
34	Disbursements to fund news-gathering costs and production costs of program material other than news
35	Waste treatment and depollution services
36	Other selected services *

SCHEDULE B — U.S. Reporter’s Payments (to Foreign Persons) for Selected Services and Intellectual Property

Mandatory reporting for each type of transaction exceeding \$1 million

PAYMENTS TO	BEA USE ONLY	REPORT IN THOUSANDS OF U.S. DOLLARS					
		Transaction code			Transaction code		
		Foreign affiliates (3)	Foreign parent(s) and foreign affiliates of foreign parent(s) (4)	Unaffiliated foreign persons (5)	Foreign affiliates (6)	Foreign parent(s) and foreign affiliates of foreign parent(s) (7)	Unaffiliated foreign persons (8)
BEA USE ONLY							
Mandatory Data							
1. Australia	601						
2. Belgium	302						
3. Brazil	202						
4. Canada	100						
5. China	650						
6. France	307						
7. Germany	308						
8. Hong Kong	611						
9. India	612						
10. Israel	504						
11. Italy	314						
12. Japan	614						
13. Luxembourg	316						
14. Mexico	213						
15. Netherlands	319						
16. Philippines	623						
17. Saudi Arabia	511						
18. South Korea	626						
19. Spain	323						
20. Sweden	324						
21. Switzerland	325						
22. Taiwan	628						
23. United Kingdom	327						
24. Venezuela	219						
Other - Specify country							
25.							
26.							
27.							
28.							
29.							
30.							
31.							
32.							
33. All countries, total							
34. Voluntary Data - Complete lines 1-33 or if total payments for an individual type of transaction are \$1 million or less then complete line 34.							
35. If you reported data under transaction code 36, other selected services, specify the major type of service :							
36. If you reported data on a mandatory basis in Schedule B under transaction code 12, computer and data							Report in thousands

processing services, enter the approximate amount of the total for all countries combined that was for transactions in each of the following types of computer and data processing services. (Estimates may be based upon the judgment of knowledgeable persons, without conducting a detailed records search.)	of U.S. dollars
a. Data entry, processing, and tabulation	
b. Computer systems analysis, design, engineering and custom programming	
c. Other computer services	

**Schedule C — SALES OF CONSTRUCTION SERVICES; ENGINEERING, ARCHITECTURAL, AND SURVEYING SERVICES;
AND MINING SERVICES TO FOREIGN PERSONS**

- If sales to foreign persons (gross operating revenues) of a particular type of service covered by Schedule C exceeded \$2,000,000, then you are **required** to report transactions by country for that type of transaction on Schedule C. The all-countries total should be reported on line 33 with the country detail reported on lines 1 through 32. If you need additional pages to report the country detail, please use the overflow sheets or make additional copies of this schedule.
- If sales to foreign persons (gross operating revenues) of a particular type of service were \$2,000,000 or less, then you are **requested** to report transactions by country for that type of transaction on Schedule C. The all-countries total may be reported on line 33 with the country detail reported on lines 1 through 32, or you may report the all countries total only on line 34.

Enter the transaction code associated with the type of transaction, instead of the complete title of the transaction, in the column heading on Schedule C. See V. of the General Instructions for complete descriptions of the transactions covered. If you are reporting transactions for more than one type of service, please use the overflow sheets or make additional copies of this schedule.

Transactions for a type of service are reportable based on your relationship with the purchaser. For example, if you provided construction services to a foreign affiliate and to an unaffiliated foreign person, then you would enter "13" for construction services under the heading "Transaction code" and enter the dollar amounts in the gross operating revenues, goods exports, and/or foreign expenses or disbursements in the columns under "Foreign affiliates" and "Unaffiliated foreign persons." Report in thousands of U.S. dollars.

Gross operating revenues - Report revenues (sales) as recorded on your books for the value of services provided and/or completed during the reporting period (not when actual payment is received).

Merchandise exports - Report the value of merchandise exports from the United States during the reporting period that were made in connection with projects. Exports should include the value of equipment, supplies, materials, etc., and should equal the amounts reported on the Shippers Export Declarations (SED) filed with U.S. Customs and Border Protection plus the cost of transporting the goods to foreign destinations. Exclude temporary exports of equipment or other goods that are intended to be returned to the United States within one year and in substantially the same condition as when exported (consistent with the SED instructions regarding temporary exports).

Foreign expenses or disbursements - Report salaries and wages transmitted or disbursed abroad; expenses or outlays for services (including purchases from foreign subcontractors), materials, and equipment purchases abroad; and other foreign expenses (e.g., local taxes and fees for permits). (Do not report purchases of material and equipment for import into the United States.)

Transaction code	Types of Transactions
13	Construction Services
16	Engineering, architectural, and surveying services
23	Mining services

SCHEDULE C — U.S. Reporter’s Sales of Construction Services; Engineering, Architectural, and Surveying Services; and Mining Services to Foreign Persons (Only transactions codes 13, 16, 23 are to be reported on this schedule. Do not combine transactions types.)

Mandatory reporting for each type of transaction exceeding \$2 million

SALES TO	BEA USE ONLY	REPORT IN THOUSANDS OF U.S. DOLLARS								
		Transaction code								
		Foreign affiliates			Foreign parents(s) & foreign affiliates of foreign parent(s)			Unaffiliated foreign persons		
		Gross operating revenue (sales)	Goods exports	Foreign expenses or disbursements	Gross operating revenue (sales)	Goods exports	Foreign expenses or disbursements	Gross operating revenue (sales)	Goods exports	Foreign expenses or disbursements
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

BEA USE ONLY											
Mandatory Data											
1. Australia	601										
2. Belgium	302										
3. Brazil	202										
4. Canada	100										
5. China	650										
6. France	307										
7. Germany	308										
8. Hong Kong	611										
9. India	612										
10. Israel	504										
11. Italy	314										
12. Japan	614										
13. Luxembourg	316										
14. Mexico	213										
15. Netherlands	319										
16. Philippines	623										
17. Saudi Arabia	511										
18. South Korea	626										
19. Spain	323										
20. Sweden	324										
21. Switzerland	325										
22. Taiwan	628										
23. United Kingdom	327										
24. Venezuela	219										
Other - <i>Specify country</i>											
25.											
26.											
27.											
28.											
29.											
30.											
31.											
32.											
33. All countries, total											
34. Voluntary Data - Complete lines 1-33 or if total sales of an individual type of transaction are \$2 million or less then											

complete line 34.											
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Schedule D — TRANSACTIONS (WITH FOREIGN PERSONS) ASSOCIATED WITH CONTRACT MANUFACTURING SERVICES

(Report all amounts in thousands of U.S. dollars)

Contract manufacturing services are manufacturing services on materials and components owned by others and covers processing, assembly, labeling, packing, and so forth undertaken by businesses that do not own the goods concerned. The manufacturing is undertaken by a business that does not own the goods and that is paid a fee by the owner of the goods. The ownership of the goods does **not** change. Examples of processes that are undertaken under arrangements for manufacturing services include oil refining, liquefaction of natural gas, assembly of clothing, electronics and other goods, and labeling and packing (excluding those incidental to transport).

Section 1 - Receipts for Contract Manufacturing Services

1. Did you perform contract manufacturing services for foreign persons in fiscal year 2011?

- 1 Yes - Go to question 2.
- 2 No - Continue to Schedule D Section 2.

2. (Voluntary) Are you able to report the fee you received for performing contract manufacturing services? NOTE: This fee may include the cost of the materials you purchased to perform this service.

- 1 Yes - Enter the amount received from foreign persons for contract manufacturing services you performed on goods owned by foreign persons and go to questions 3 and 4.
- 2 No - Continue to Schedule D Section 2.

Thousands of U.S. dollars

\$

3. The receipts for manufacturing services in question 3 were (check the appropriate box):

- 1 Based on accounting records.
- 2 Estimated by persons knowledgeable regarding these transactions.

4. Destination of goods produced after you performed contract manufacturing (check the appropriate box):

- 1 Goods remain in the United States
- 2 Goods are exported from the United States
- 3 A portion of the goods remain in the United States and a portion are exported from the United States
- 4 Destination is unknown

Section 2 - Payments for Contract Manufacturing Services

5. Did you purchase contract manufacturing services from foreign persons in fiscal year 2011?

- 1 Yes - Go to question 6.
- 2 No - Schedule D is complete.

6. (Voluntary) Are you able to report the fee you paid for contract manufacturing services?

- 1 Yes - Enter the amount you paid foreign persons for contract manufacturing services and go to questions 7 and 8.
- 2 No - Schedule D is complete.

Thousands of U.S. Dollars

\$

7. The payments for manufacturing services in question 6 were (check the appropriate box):

- 1 Based on accounting records.
- 2 Estimated by persons knowledgeable regarding these transactions.

8. Destination of goods produced after you purchased contract manufacturing (check the appropriate box):

- 1 Goods do not enter United States
- 2 Goods are imported into the United States
- 3 A portion of the goods remain abroad and a portion are imported into the United States
- 4 Destination is unknown

Schedule E – ADDITIONAL REPORTING OF TRANSACTIONS (WITH FOREIGN PERSONS) IN INTELLECTUAL PROPERTY

Section 1 – Receipts from Intellectual Property

1. Did you report receipts from intellectual property transactions (transaction codes 1-8) on Schedule A?

- 1 Yes – Go to question 2.
- 2 No – Go to Section 2.

2. Are you able to distribute the total receipts from intellectual property transactions you reported on Schedule A by the following three categories? Note: The second category below does not apply to transaction codes 1, 3 or 7.

- Receipts for the right to use
- Receipts for the right to reproduce and/or redistribute
- Receipts for the outright sale

- 1 Yes – Go to question 3.
- 2 No – Go to Section 2.

3. (Voluntary) Distribute the total receipts from intellectual property transactions you reported on Schedule A by the three categories below. (Report in thousands of U.S. dollars)

Transaction Code	Right to use	Right to reproduce and/or distribute	Outright sale
1 Industrial processes and products			
2 Books, music, etc.			
3 Trademarks			
4 Pre-recorded performances			
5 Broadcast/recording of live events			
6 General use computer software			
7 Franchise fees			
8 Other intellectual property			

4. If the distribution of total receipts by category was provided in Question 3 then check the appropriate box:

- 1 Based on accounting records.
- 2 Estimated by persons knowledgeable regarding these transactions.

Section 2 – Payments for Intellectual Property

5. Did you report payments from intellectual property transactions (transaction codes 1-8) on Schedule B?

- 1 Yes – Go to question 6.
- 2 No – Schedule E is complete.

6. Are you able to distribute the total payments from intellectual property transactions you reported on Schedule B by the following three categories? Note: The second category below does not apply to transaction codes 1, 3 or 7.

- Payments for the right to use
- Payments for the right to reproduce and/or redistribute
- Payments for the outright sale

- 1 Yes – Go to question 7.
- 2 No – Schedule E is complete.

7. (Voluntary) Distribute the total payments from intellectual property transactions you reported on Schedule B by the three categories below. (Report in thousands of U.S. dollars)

Transaction Code	Right to use	Right to reproduce and/or distribute	Outright purchase
1 Industrial processes and products			
2 Books, music, etc.			
3 Trademarks			
4 Pre-recorded performances			
5 Broadcast/recording of live events			
6 General use computer software			
7 Franchise fees			
8 Other intellectual property			

8. The distribution of total payments by category in Question 7 was (check the appropriate box):

1 Based on accounting records.

2 Estimated by persons knowledgeable regarding these transactions.

Schedule F – ADDITIONAL REPORTING OF TRANSACTIONS (WITH FOREIGN PERSONS) IN MERCHANTING

1. Are you able to report the value of sales and purchases of the goods sold under the merchanting transactions you reported on Schedule A (Note: Sales of merchanting services are equal to the **difference** between your cost and the resale price of goods (such as crude oil, grain, and other commodities) that are both purchased and resold abroad; that is, the goods are neither imported to, nor exported from, the United States and they do not undergo significant processing during the time between when they are purchased and resold.)

- 1 Yes – *Go to question 2.*
- 2 No – *Schedule F is complete.*

2. (Voluntary) Enter the value of sales and purchases of the goods sold under the merchanting transactions you reported on Schedule A.

Thousands of U.S. dollars

Sales:	Purchases:
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3. The sales and purchases recorded in Question 2 were (check the appropriate box):

- 1 Based on accounting records.
- 2 Estimated by persons knowledgeable regarding these transactions.

GENERAL INSTRUCTIONS

Public reporting burden for this BE-120 report is estimated to average 12 hours per response. This burden includes time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate to Chief, Balance of Payments Division (BE-58), U.S. Department of Commerce, Bureau of Economic Analysis, Washington, DC 20230; and to the Office of Management and Budget, Paperwork Reduction Project 0608-0058, Washington, DC 20503.

Purpose – The Benchmark Survey of Transactions in Selected Services and Intellectual Property with Foreign Persons – 2011 is conducted by the Department of Commerce to obtain data on the size and economic significance of these transactions. The information collected will be used to help develop U.S. international economic policy, and analyze the impact of that policy and the policies of foreign countries on international trade in services and intellectual property. The data will also be used in compiling the U.S. international transactions and national income and product accounts.

Authority – This survey is being conducted under the authority of the International Investment and Trade in Services Survey Act (P.L. 94-472, 90 Stat. 2059, 22 U.S.C. 3101-3108, as amended – hereinafter "the Act"), and the filing of reports is mandatory under Section 5(b)(2) of the Act (22 U.S.C. 3104). Regulations for the survey may be found in 15 CFR Part 801.

Penalties – Whoever fails to report may be subject to a civil penalty of not less than \$2,500, and not more than \$25,000, and to injunctive relief commanding such person to comply, or both. These civil penalties are subject to inflationary adjustments. Those adjustments are found in 15 CFR 6.4. Whoever willfully fails to report shall be fined not more than \$10,000 and, if an individual, may be imprisoned for not more than one year, or both. Any officer, director, employee, or agent of any corporation who knowingly participates in such violations, upon conviction, may be punished by a like fine, imprisonment, or both. (See 22 U.S.C. 3105.) Notwithstanding the above, a U.S. person is not subject to any penalty for failure to report if a valid Office of Management and Budget (OMB) control number is not displayed on the form; such a number (0608-0058) is displayed at the top of the first page of this form.

Confidentiality – The Act provides that your report to this Bureau is CONFIDENTIAL and may be used only for analytical or statistical purposes. Without your prior written permission, the information filed in your report CANNOT be presented in a manner that allows it to be individually identified. Your report CANNOT be used for purposes of taxation, investigation, or regulation. Copies retained in your files are immune from legal process.

NOTES —

1. A single original copy of this report must be filed with the Bureau of Economic Analysis (BEA); please use the copy with your address information printed on it if such a copy has been provided.
2. Currency amounts should be reported in U.S. dollars rounded to thousands (omitting 000). **EXAMPLE** – If the amount is \$1,000,000, report as \$1,000. Amounts less than \$500.00 round to "0" and should, therefore, be omitted.

I. WHO IS TO REPORT AND GENERAL COVERAGE

A. Who is to report and transactions to be reported

- 1. Mandatory reporting** – A BE-120 report is required from each U.S. person (see General Instruction II for definition of person) that had sales in excess of \$2,000,000 or purchases in excess of \$1,000,000 with foreign persons in any of the services or intellectual property listed in V. of these General Instructions during the U.S. person's 2011 fiscal year. The determination of whether a U.S. person is subject to this mandatory reporting requirement may be judgmental, that is, based on the judgment of knowledgeable persons in a company who can identify reportable transactions on a recall basis, with a reasonable degree of certainty without conducting a detailed records search. Reporters who must report sales pursuant to this mandatory requirement must complete Table 1 and Schedule A and/or C, of this form, and reporters who must report purchases pursuant to this mandatory requirement must complete Table 2 and Schedule B of this form. The total amounts of transactions applicable to a particular schedule are to be entered in the appropriate column(s) on line 33 of the schedule. In addition, these amounts must be distributed above line 33 to the country(ies) involved in the transaction(s).
- 2. Voluntary reporting** – If, during the U.S. person's fiscal year, the U.S. person's total sales were \$2,000,000 or less or total purchases were \$1,000,000 or less in any of the types of services or intellectual property listed in V. of these General Instructions, the U.S. person is requested to provide an estimate of the total for each type of service or intangible asset on the appropriate schedule(s). Provision of this information is voluntary. The estimates may be judgmental, that is, based on recall, without conducting a detailed records search. Voluntary data should be entered onto line 34 of Schedule A, and/or C for sales and Schedule B for purchases for the type of service or intangible asset transaction that you are reporting. (If information on the countries of the transactions is available, it would be helpful if the transactions were reported on lines 1 through 33 on the appropriate schedule; however, disaggregation by country is not required.) Reporters who elect to file pursuant to

the voluntary reporting option must complete Parts 1 and 2 of the form.

In addition, some aspects Schedules D, E, and F are to be reported on a voluntary basis.

3. Exemption - A U.S. person that receives this form from BEA but is not required to report data on a mandatory basis, and that has no transactions of the type covered or that elects not to report some or all data on a voluntary basis, must complete Parts 1 and 2 and return this form according to the "How to file" instructions on page 1.

B. BE-120 definition of services - Services are economic activities whose outputs are other than tangible goods. This term includes, but is not limited to, banking, other financial services, insurance, transportation, communications and data processing, retail and wholesale trade, advertising, accounting, construction, design, engineering, management consulting, real estate, professional services, entertainment, education, and health care.

The BE-120 survey's transactions consist of receipts and payments for services as commonly defined and understood (examples are given below) as well as transactions in intellectual property, including transactions in patents and copyrights, and charges that may be recorded in business accounting records under a variety of names, such as allocated expenses, headquarter expenses, or miscellaneous charges. (However, not all services transactions are covered by the BE-120 survey - see below for a list of exclusions.) For example, services transactions include receipts and payments for the following categories of services:

1. Education, financial, construction, telecommunications, and other private services, including rents under operating leases.
2. Rights to use, copy, distribute, or acquire or sell intellectual property such as patents, trademarks, copyrights, formulae, etc.
3. Charges that companies assess against their foreign units for overhead, management services, R&D, advertising, and other support activities.

Types of transactions excluded from coverage of this survey:

1. Purchases or sales of goods. Trade in goods involves products that have a physical form, and includes purchases or sales of electricity.

2. Purchases or sales of financial instruments, including stocks, bonds, financial derivatives, loans, mutual fund shares, and negotiable CDs. (However, securities brokerage is a service.) Also excludes receipts of premiums (and related losses or benefits) on insurance policy and annuities.
3. Income on financial instruments (interest, dividends, capital gain distributions, etc).
4. Compensation paid to, or received by, employees.
5. Taxes, penalties and fines, gifts or grants (sometimes called "unilateral transfers").
6. Goodwill.

For additional clarifications of reporting requirements, please continue reading the BE-120 survey instructions, or call (202) 606-5588.

C. BE-120 definition of receipts and payments

It should be noted that an item other than receipts or payments may be used as the measure of a given service for purposes of determining whether the threshold for mandatory reporting of the service is exceeded. Note that in several cases - advertising; telecommunications; performing arts, etc.; merchandising; miscellaneous disbursements (some of which are included in transaction code 36 and some of which are included in transaction codes 33 and 34 in V. of these General Instructions) - measures other than, or in addition to, sales or purchases of services should be used. See V. of these General Instructions for an explanation of what measure should be applied in determining whether you are subject to the BE-120 survey's mandatory reporting requirements for a given service.

D. Clarification of coverage and special situations

1. **Reporting period** - The reporting period is the U.S. reporter's 2011 fiscal year (*see definition II.O. below*).
2. **Date of recording transactions** - Transactions are to be reported on an accrual basis. However, telecommunications services are to be reported on a settlement basis.
3. **Withholding taxes** - Data should be reported gross of U.S. and foreign withholding taxes.
4. **Services covered regardless of where performed** - Services sold to, or purchased from, foreign persons should be reported by country of transactor regardless of whether the services were performed in the United States or abroad.
5. **Services or intellectual property bundled with goods or with other services and not separately valued** - When a sale or purchase consists of both goods and services or intellectual property, or of several services or intellectual property,

that cannot be unbundled (i.e., the goods and/or services/intellectual property are not separately valued), it should be classified based on whichever accounts for the largest share of the value or on the basis of the reporter's customary practice.

6. Accounting for purchases - Purchases of services or intellectual property should be included without regard to whether they are charged as an expense on the income statement, capitalized, or charged to inventories.

7. Partnerships - A partnership is a business enterprise and must report if it has transactions covered by this survey. The report must be for, and the data and information must cover, the partnership as a whole, not just the activities of an individual partner.

8. Projects with U.S. Government nonmilitary agencies

Report information on services that are provided abroad for U.S. Government nonmilitary agencies, such as the Agency for International Development and the United States Information Agency, or that are part of an aid or technical cooperation program of the Government with foreign persons

9. Projects with U.S. Government military agencies -

Report foreign expenditures associated with the services provided to the U.S. Department of Defense on the BE-120. Do not report services provided abroad for the U.S. Department of Defense or any of its agencies, such as the Army Corps of Engineers.

10. International organizations - Report transactions with international organizations, which, according to balance of payments conventions, are considered foreign persons even if they are headquartered in the United States. Enter the abbreviated designation, "Int'l Org." as the name of the country of the foreign party to the transaction.

11. Internet transactions - Reporting requirements are determined by who the transactions are with and not by where the services are performed or the location of the buyer and seller at the time of the transaction. Thus, reportable transactions include those conducted over the Internet or other networks.

12. Reciprocal exchanges - Include the value of reciprocal exchanges; i.e., transactions involving barter. On Schedule A, value your sales to the foreign participant in the reciprocal exchange at market rates, not at the actual cost of performing the services. On Schedule B, value your purchases from the foreign participant at the same amount as the sale reported on Schedule A.

E. Consolidation

If the U.S. Reporter is a corporation, please complete Form BE-120 to cover reportable transactions for the fully consolidated U.S. domestic enterprise consisting of (i) the U.S. corporation whose voting securities are not owned more than 50 percent by another U.S. corporation, and, proceeding down each ownership chain

from that U.S. corporation, (ii) any U.S. corporation whose voting securities are more than 50-percent owned by the U.S. corporation above it.

The fully consolidated U.S. domestic enterprise excludes foreign branches and other foreign affiliates.

Conditions may exist that would lead a U.S. corporation to exclude certain majority-owned (more than 50-percent owned) domestic subsidiaries from financial statements used in reports to shareholders. If such a subsidiary has covered transactions, it must file a report under its own name, and the subsidiary will be considered the U.S. reporter for purposes of this survey.

II. DEFINITIONS

A. U.S. reporter is the U.S. person filing a report in this survey (see I.E. for further clarification).

B. United States, when used in a geographic sense, means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and all territories and possessions of the United States.

C. Foreign, when used in a geographic sense, means that which is situated outside the United States or which belongs to or is characteristic of a country other than the United States.

D. Person means any individual, branch, partnership, associated group, association, estate, trust, corporation, or other organization (whether or not organized under the laws of any State), and any government (including a foreign government, the United States Government, a State or local government, and any agency, corporation, financial institution, or other entity or instrumentality thereof, including a government sponsored agency).

1. United States person means any person resident in the United States or subject to the jurisdiction of the United States.

2. Foreign person means any person resident outside the United States or subject to the jurisdiction of a country other than the United States.

E. Business enterprise means any organization, association, branch, or venture which exists for profit making purposes or to otherwise secure economic advantage, and any ownership of any real estate. (A business enterprise is a "person" within the definition in paragraph D above.)

F. Direct investment means the ownership or control, directly or indirectly, by one person of 10 percent or more of the voting securities of an incorporated business enterprise or an equivalent interest in an unincorporated business enterprise.

G. Parent means a person of one country who, directly or indirectly, owns or controls 10 percent or more of the voting stock of an

incorporated business enterprise, or an equivalent ownership interest in an unincorporated business enterprise, which is located outside that country.

1. U.S. parent means the U.S. person that has direct investment in a foreign business enterprise.

2. Foreign parent means the foreign person, or the first person outside the United States in a foreign chain of ownership, which has direct investment in a U.S. business enterprise, including a branch.

H. Affiliated foreign group means (i) the foreign parent, (ii) any foreign person, proceeding up the foreign parent's ownership chain, which owns more than 50 percent of the person below it up to and including that person which is not owned more than 50 percent by another foreign person, and (iii) any foreign person, proceeding down the ownership chain(s) of each of these members, which is owned more than 50 percent by the person above it.

I. Affiliate means a business enterprise located in one country that is directly or indirectly owned or controlled by a person of another country to the extent of 10 percent or more of its voting stock for an incorporated business or an equivalent interest for an unincorporated business, including a branch.

1. Foreign affiliate means an affiliate located outside the United States in which a U.S. person has direct investment.

2. U.S. affiliate means an affiliate located in the United States in which a foreign person has direct investment.

3. Foreign affiliate of a foreign parent means with reference to a given U.S. affiliate, any member of the affiliated foreign group owning the U.S. affiliate that is not a foreign parent of the U.S. affiliate.

J. Affiliated foreign person means, with respect to a given U.S. person, (i) a foreign affiliate of which the U.S. person is a U.S. parent, or (ii) the foreign parent or other member of the affiliated foreign group of which the U.S. person is a U.S. affiliate.

K. Unaffiliated foreign person means, with respect to a given U.S. person, any foreign person that is not an affiliated foreign person as defined in paragraph J above.

L. Fiscal year is the U.S. reporter's financial reporting year that has an ending date in calendar year 2011.

M. Country means, for purposes of this survey, the country of location of the foreign person with whom a transaction has occurred.

III. GUIDELINES FOR CATEGORIZING ACTIVITIES

A. Distinguishing between unaffiliated and affiliated Transactions

This survey covers U.S. persons' direct transactions, both sales and purchases, with affiliated and unaffiliated foreign persons.

Examples of affiliated transactions are:

1. A transaction between a U.S. person (U.S. parent) and its foreign affiliate.
2. A transaction between a U.S. person (U.S. affiliate) and its foreign parent(s) or member(s) of the affiliated foreign group(s).

Examples of unaffiliated transactions are:

1. A transaction between a U.S. person and an unaffiliated foreign person.
2. A transaction between one U.S. person and another U.S. person's foreign affiliate. Such a transaction is reportable by the first U.S. person.

Examples of transactions that are **not** reportable are:

1. A transaction between a U.S. affiliate of a foreign parent and another U.S. person.
2. A transaction between a U.S. parent's foreign affiliate and another foreign person.

B. Foreign activities of a U.S. person that do not constitute a foreign affiliate

Although the definitions of direct investment and foreign affiliate in II. above, together with the discussion in III.A. above, is usually sufficient to determine whether a given foreign activity is or is not a foreign affiliate, in a number of cases the determination may be difficult. Several factors to be considered are given below. If you still cannot determine if the activity or operation is an affiliate, call (202) 606-5588 for additional guidance.

If a U.S. person's foreign activity or operation is incorporated abroad, it is a foreign affiliate.

If a U.S. person's foreign activity or operation is **not** incorporated abroad, its status is based on the weight of the evidence when the factors listed below are considered.

An unincorporated foreign activity or operation generally **would** be considered a foreign affiliate if it: (i) is subject to foreign income taxes; (ii) has a substantial physical presence abroad (e.g., plant and equipment or employees); (iii) maintains separate financial records that would permit the preparation of financial statements, including an income statement and balance sheet (not just a record of disbursements and receipts); (iv) takes title to the goods it sells and receives revenues therefrom; or (v) receives funds for its own account from customers for services it

performs. Transactions with this type of entity should be reported under "Foreign affiliates."

An unincorporated foreign activity or operation generally **would not** be considered a foreign affiliate if it: (i) conducts business abroad only for the U.S. person's account and not for its own account (e.g., sales promotion or public relations type of activities); (ii) has no separate financial statements; (iii) receives funds to cover its expenses only from the U.S. person; (iv) is not subject to foreign income taxes; and (v) has limited physical assets, or employees, permanently located abroad. Transactions with this type of entity should be reported under "Unaffiliated foreign persons."

C. U.S. activities of a foreign person that do not constitute a U.S. affiliate

Criteria for determining which U.S. activities do or do not constitute a U.S. affiliate of a foreign person are parallel to those in III.B. above.

D. Determining who must report a transaction when an intermediary is involved

At times, transactions between a U.S. person and a foreign person may be arranged by, billed through, or otherwise facilitated by, an intermediary. The intermediary may be U.S. or foreign, and may be affiliated or unaffiliated with the U.S., or the foreign, person.

A determination of whom a sale is to, or who a purchase is from, shall be made on the basis of whom the U.S. person considers itself to have a claim on for payment, in the case of a sale, or whom it has a liability to, in the case of a purchase. For a sale, if the U.S. person looks to the foreign person for payment, then the transaction is between the U.S. person and the foreign person, and is to be reported by the U.S. person. If the U.S. person looks to the intermediary for payment, and the intermediary, in turn, looks to the foreign person for payment, then whether either transaction is reportable, and who it is to be reported by, depends on the location of the intermediary and the relationship between the U.S. person and the intermediary.

If the intermediary is a foreign person, then the U.S. person would report the transaction, as a transaction with a foreign person.

If the intermediary is a U.S. person, then the initial transaction between the original U.S. person and the intermediary is domestic-to-domestic and not reportable in this survey. However, the intermediary must report the transaction with the foreign person.

The reporting of a purchase would be determined in a similar manner.

IV. REPORTING PROCEDURES

A. Due date - A completed BE-120 report, consisting of Parts 1 and 2 and, as appropriate, the applicable schedule(s) is due May 15, 2012.

B. Fiscal year reporting period - This report covers a year,

which is your most recent year that ended on or before December 31, 2011. If your most recent fiscal year ended after December 31, 2011, please call for assistance.

C. For assistance or additional copies of the forms - Phone

(202) 606-5588 between 8:30 a.m. and 5:00 p.m., eastern time. A

copy of the form may be downloaded from www.bea.gov/bean/surveys/iussurv.htm. To receive a copy of frequently asked questions (FAQ's) send an E-mail to BE120faq@bea.gov or go to www.bea.gov to view the BE-120

FAQ's. To obtain an electronic spreadsheet template of the BE-120, then send an email mail to be120@bea.gov

D. Extension - Requests for an extension of the reporting deadline

will not normally be granted. However, in a hardship case, a request for an extension will be considered if it is received at least 15 days before the due date. Requests for extensions should be sent via E-mail to BE120extension@bea.gov. BEA will provide a response to your request.

E. Original and file copies - A single original copy of the form must be filed with BEA. Please use the copy with the address label if such a labeled copy has been provided. In addition, each U.S. reporter must retain a copy of its form for three years to facilitate resolution of problems.

F. Where to send the report - Send reports filed by mail through the U.S. Postal Service to:

U.S. Department of Commerce
Bureau of Economic Analysis
BE-50(SSB)
Washington, DC 20230

Direct reports filed by private delivery service to:

U.S. Department of Commerce
Bureau of Economic Analysis, BE-50(SSB)
Shipping & Receiving Section M-100
1441 L Street, N.W.
Washington, DC 20005

Fax the report to: (202) 606-5318.

Reports may be filed electronically at www.bea.gov/efile.

G. Estimates - If actual figures are not available, report estimates and label them as such.

V. SERVICES COVERED

A. Transactions in Intellectual Property

Report receipts on Schedule A and payments on Schedule B.

If you report transactions related to intellectual property on Schedule A or Schedule B then you are required to complete Schedule E of the survey.

1. Rights related to industrial processes and products - Include license fees, royalties, and other fees received or paid for the sale or purchase, right to use, or right to reproduce or distribute

intellectual property, including patents, trade secrets, and other proprietary rights, that are used in connection with, or related to, the production of goods. (For example, include "maintenance" fees paid to foreign governments for the continuation of patent rights.) If the charge for the process, design, etc., is subsumed in a contract for technical or professional services, the receipt or payment generally should be reported under the proper transaction number for that type of service.

2. Rights related to books, music, etc. -

Include royalties and other fees received or paid for the rights to perform, broadcast, reproduce, and sell as books (include books and magazines downloaded from the Internet), CD's, digital music, etc., or otherwise use copyrighted material and other intellectual property. Exclude fees for the right to display, reproduce, or distribute pre-recorded television tape or motion picture film; such charges should be reported under transaction code 4.

3. Rights related to trademarks - Include receipts and payments

for the rights to sell products under a particular trademark, brand name, or signature. Include the initial fee and annual fees for the domain name registration for the Internet and the receipt and payment from the sale of a previously registered name. Include fees for sponsorship of other events if the fee is for the right to use the logo or trademark of the payee.

A sponsor of an international sporting event, such as the Olympics, should include payments of sponsorship fees if the right to use a trademark, such as the Olympic logo, in advertising, or to place such a trademark on merchandise is conveyed. Fees paid for the display of the payer's logo or trademark are reported under transaction code 10 as advertising payments. Exclude fees received or paid under a business format franchise (which are reportable under transaction code 7).

4. Rights related to performances and events pre-recorded on motion picture film and TV tape (include digital recordings)-

Include royalties, license fees, and other funds received or paid, including those from outright sales and purchases, for the rights to display, reproduce, or distribute material pre-recorded on motion picture film or television tape (include digital recordings and video streaming). Include payments and receipts for all uses, including theatrical, cable, broadcast television, and non-theatrical. Production costs associated with pre-recorded content should be reported under transaction code 33 or 34.

5. Rights related to broadcasting and recording of live

performances and events - Include receipts and payments for rights to record and/or broadcast "live" artistic performances, sports events, and other live performances or events. Payments (or receipts) for the acquisition (or sale) of rights to broadcast a major live performance or event, such as the Olympics, often extend over several years prior to the event. The cumulative amount of payments over all the years is to be reported on this form as an acquisition or sale of broadcast rights only in a single year in which the event is actually held. The prior-year payments are considered to be deposits with the organization (such as the International Olympic Committee) selling the broadcast rights, and should be reported on the Department of Treasury's TIC C-form. Inquiries about the TIC C-form survey should be directed to the Federal Reserve Bank of New York (as contractor for the Treasury Department) at (212) 720-2542. Production costs associated with broadcasting live events should be reported under transaction code 34.

6. Rights to general use computer software - Include receipts

and payments for rights to distribute general use software, and rights to reproduce or use general use computer software that was made from a master copy. This item includes licensing fees for reproducing copies of general use software for local area network computer systems.

The item excludes the value of prepackaged general use software not intended for use on a server in a LAN environment that was physically shipped to or from the United States and non-customized (prepackaged) computer software on physical media for perpetual use shipped to or from the United States and reported on the import or export declaration filed with the U.S. Customs and Border Protection.

In addition, exclude fees for custom software and programming services, which are reportable under transaction code 12.

Fees received or paid for the development of general use software should be reported under transaction code 29. Software downloaded or otherwise electronically delivered should be reported under transaction code 12.

7. Business format franchising fees - Fees received and paid

by the U.S. reporter under business format franchising agreements with foreign persons.

Business format franchising is characterized by an ongoing business relationship between franchisor and franchisee that includes not only the product, service, and trademark, but the

entire business format itself. This may include a marketing strategy and plan, operating manuals and standards, quality control, and continuing two-way communications. Exclude receipts and payments for the use of trademarks (reportable under transaction code 3), except where such trademarks are part of a business format franchise, even if the fees are nominally considered to be "franchising" fees.

Receipts and payments should be reported net of advertising allowances and other deductions retained by franchisees from gross franchise fees. Include receipts and payments for one-time "up front" charges to new franchisees as well as ongoing fees based upon sales or other measures.

In Schedule A, U.S. franchisors should report receipts from both foreign outlets and foreign master licensees. In the case of fees received from a foreign master licensee, report only the net fees received from foreign outlets. Include receipts from "company-owned" outlets abroad. Include receipts from jointly owned outlets.

In Schedule B, U.S. outlets and master licensees should report payments made directly to foreign franchisors. U.S. outlets should not report payments to U.S. master licensees, as these are domestic (U.S.-to-U.S.) transactions. Payments by a "company-owned" U.S. outlet to a foreign owner should be reported.

8. Other intellectual property - Include receipts and payments involving intellectual property not classified in one of the preceding categories. Include receipts or payments by communications carriers to secure capacity by indefeasible right of user (IRU's).

For entries in this column, please specify on line 35 of the appropriate schedule the type of intangible right involved. Goodwill is not an intangible asset or service and should be excluded from the survey.

B. Transactions in Selected Services

Report receipts on Schedule A (except transaction codes 13, 16, 23, and 32) and payments on Schedule B (except transaction code 32).

Report receipts for transaction codes 13, 16, and 23 on Schedule C.

Report sales and purchases of contract manufacturing services on Schedule D.

9. Accounting, auditing, and bookkeeping services - Excludes data processing and tabulation services.

10. Advertising services - Preparation of advertising and placement of such advertising in media, including marketing expenses and

charges for media space and time. Include advertising banners on web pages.

Exclude charges for services other than advertising, such as public relations services or market research not directly associated with an advertising campaign. Such services should be reported under transaction code 21.

Under **receipts** for advertising services, U.S. media companies (e.g., broadcasters, publishers, etc.) should report only direct sales of advertising services to foreign persons; they should not report advertising arranged by U.S. advertising agencies, including U.S. affiliates of foreign advertising agencies.

Under **payments** of advertising services, U.S. advertising agencies should report only funds paid to foreign advertising agencies and media companies on behalf of their clients. U.S. reporters other than advertising agencies should report only payments made directly to foreign advertising agencies and media companies.

Include the value of reciprocal exchanges; i.e., transactions involving barter. On Schedule A, value your receipts from the foreign participant in the reciprocal exchange at market rates, not at the actual cost of performing the services. On Schedule B, value your payments from the foreign participant at the same amount as the sales reported on Schedule A.

11. Auxiliary insurance services - Agent's commissions, insurance brokering and agency services, insurance consulting services, evaluation and adjustment services, actuarial services, salvage administration services, and regulatory and monitoring services on indemnities and recovery services. Non-insurance companies report these transactions on the BE-120. Insurance companies report these transactions on the BE-45, Quarterly Survey of Insurance Transactions by U.S. Insurance Companies with Foreign Persons.

12. Computer and data processing services - Customized software (however delivered) and related licenses to use; the development, production, supply, and documentation of customized software, including operating systems, made to order for specific users; noncustomized (mass-produced) software downloaded or otherwise electronically delivered, whether with a periodic license or a single payment; licenses to use noncustomized software provided on a storage device with a periodic license fee; sales or purchases of originals and ownership rights for software systems and applications;

hardware and software consultancy and implementation services, including the management of subcontracted computer services; hardware and software installation, including installation of mainframes and central computing units; maintenance and repairs of computers and peripheral equipment; data recovery services; analysis, design, and programming of systems ready to use (including web page development and design), and technical consultancy related to software; systems maintenance and other support services, including training provided as part of consultancy; data processing and hosting services (cloud services or “wiki”), such as data entry, tabulation, and processing on a time-sharing basis; web page hosting services; and provision of applications, hosting clients’ applications, and computer facilities management. Software includes general business productivity software, computer game software and other applications.

This item includes software downloaded on the Internet, fees and subscriptions for on-line gaming (includes video games), and licensing agreements and end user fees associated with downloading applications on to smart phones and PDA’s. Fees for developing such applications should be reported under transaction code 29.

Exclude non-customized (prepackaged) computer software on physical media for perpetual use shipped to or from the United States and reported on the import or export declaration filed with the U.S. Customs and Border Protection. Also exclude computer training courses not designed for a specific user (include in transaction code 15), charges for licenses to reproduce or distribute software (include in transaction code 6), and leasing of computers with an operator (include in transaction code 24).

13. Construction services - Creation, renovation, repair or extension of buildings, land improvements, and engineering construction of roads, bridges, dams, etc. It also includes related installation and assembly work. It includes site preparation and general construction as well as specialized services such as electrical work, painting, plumbing, and demolition. It includes management of construction projects.

14. Data base and other information services - Business and economic data base services, including business news, stock quotation, and financial information services; medical, legal, technical, demographic, bibliographic, and similar data base

services; general news services, such as those purchased from a news syndicate; direct non-bulk subscriptions (including online) to newspapers and periodicals; and other information services, including reservation systems and credit reporting and authorization systems. For airline reservation systems, include booking fees from foreign carriers for the use of your reservation system, whether accessed directly or by a U.S. or foreign travel agent. Include downloaded content that is not software or audio or visual services.

15. Educational and training services - Educational or training services provided or acquired on a contract or fee basis. Includes tuition and fees charged when the institutions provide the educational service through distance learning technologies using the Internet. Includes training provided via USAID contracts. Report amounts received from USAID as receipts from unaffiliated foreign persons, and any foreign expenses associated with such contracts as payments to foreign persons.

Excludes tuition and fees charged to U.S. and foreign persons by educational institutions when the students travel to the institution for study. Also excludes training provided by a manufacturer in connection with the sale of a good (report under transaction code 19).

16. Engineering, architectural, and surveying services - Includes architectural, engineering and land-surveying services. Includes those engineering services performed in conjunction with construction and mining services projects. Includes services purchased in connection with proposed projects (e.g., feasibility studies) as well as projects that are actually being carried out. Industrial engineering services, such as product design services, should be reported under transaction code 18.

17. Financial services (purchases only) - This service is to be reported by companies that are **not** a financial services provider. the definition of financial services providers used for this survey is identical in coverage to Sector 52 - Finance and Insurance, and holding companies from Sector 55 of the North American Industry Classification System United States, 2007.

Include payment of credit-related fees, fees on securities transactions, and fees for other financial services.

Credit-related fees include fees for establishing, maintaining, or arranging credits, letters of credit, bankers acceptances, mortgages, factoring services, loan guarantees, etc., that are commonly provided by foreign banking establishments. Include fees paid directly and fees that are withheld or deducted from

your proceeds by the foreign person. For example, for factoring services, the fee may be calculated as the difference between the proceeds you received from the sale of your receivables and the face amount of the receivables sold; for arranging credits, letters of credit, etc., it may be calculated as the difference between the proceeds you received from the loan, letter of credit, etc. (after the deduction of the fee) and your liability to the foreign lending establishment. Report credit-related fees in the accounting period in which they are incurred, whether or not expensed in that accounting period. Exclude interest on your obligations, because interest is a payment for the use of the loan proceeds and is not a fee for the establishment, maintenance, or arrangement of credit.

Fees on securities transactions include commissions and other fees for securities transactions (including transactions in derivatives) or futures trading, such as brokerage, underwriting, private placements, etc. Fees for such services would commonly be paid to foreign investment banks and securities brokers or dealers. Include fees that can be calculated from transactions records or other documentation issued by the investment bank or security broker or dealer. Omit, rather than attempt to estimate, these fees if they cannot be calculated from such documentation. (For example, a dealer's markup on bond purchases and sales cannot be directly estimated from transactions records issued by a securities dealer.)

Fees for other financial services include fees for asset/liability management, debt renegotiation, and other financial services. Exclude leasing (operational leasing services are included in transaction code 24), and real estate management services (management, consulting, and public relations services are included in transaction code 21).

18. Industrial engineering services - Engineering services related to the design of movable products, including product design services. Excludes engineering and architectural services that relate to actual or proposed construction projects (reportable under transaction code 16). Excludes computer systems engineering (reportable under transaction code 12). Includes, however, services performed with the assistance of computers, such as computer-assisted design work.

19. Industrial-type maintenance, installation, alteration, and training services - Maintenance services primarily to machinery and equipment. May also include small maintenance work on buildings, structures, dams, highways, etc., but only to the extent that the work is not reported under transaction code 13. Includes such services as the periodic overhaul of turbines,

the extinguishment of natural gas well fires, and refinery maintenance. Excludes computer maintenance (report under transaction code 12). Installation and training services include only installation, startup, and training services provided by a manufacturer in connection with the sale of a good. Do not include such services where the cost is included in the price of the goods and not separately billed, or is declared as a part of the price of the goods on the import or export declaration filed with the U.S. Customs and Border Protection; however, services provided at a price over and above that entered on the declaration should be included. These services would be reported elsewhere if not received in connection with the purchase of goods. For example, installation of machinery and equipment is normally considered a construction activity, and training personnel in the use of new machinery would ordinarily be reported as an educational or training service.

20. Legal services - Legal advice or other legal services.

21. Management, consulting, and public relations services

(including allocated expenses) - Management services; consulting services; public relations services; market research, public opinion polling services and amounts received by a parent company from its affiliates for general overhead and stewardship. Excludes consulting engineering services related to actual or proposed construction projects (report under transaction number 16); computer consulting (report under transaction number 12); and public relations services that are an integral part of an advertising campaign (report under transaction code 10). Also excludes transactions between parent companies and affiliates that are identifiable as arising from the provision of advertising, accounting, legal, R&D, etc. services, even if these amounts represent reimbursements of sums paid to third parties. That is, transactions between parent companies and affiliates should **not** be reported in management services if they can instead be reported in another services category.

22. Merchanting services (Receipts only) - Sales of merchanting services are equal to the **difference** between your cost and the resale price of goods (such as crude oil, grain, and other commodities) that are both purchased and resold abroad; that is, the goods are neither imported to, nor exported from, the United States and they do not undergo significant processing during the time between when they are purchased and resold. Without regard to whether you initially purchased the goods from an affiliated or unaffiliated foreign person, report data for those transactions according to the company's relationship with the foreign entity (foreign affiliate, foreign parent(s) and foreign affiliates of foreign parent(s))

group(s), or unaffiliated foreign person) to which the goods were resold. Only the all-countries total (line 33 of Schedule A) is required to be reported for this service, even if total sales exceed \$2 million. The data that are voluntarily reported by individual foreign country should be reported according to the individual foreign countries to which the goods were resold (and not the foreign countries from which the goods were purchased).

Note: If you report transactions related to merchandising on Schedule A then you are required to complete Schedule F of the survey.

23. Mining services - Includes drilling wells for oil or gas field operations; exploration, including prospecting and taking ore samples; grading and building foundations at well locations; well surveying; and making geological observations. Includes services purchased in connection with proposed projects (e.g. feasibility studies) as well as projects that are actually being carried out. Exclude leasing of oil platforms and rigs (report under transaction code 24).

24. Operational leasing - Rentals for computer and data processing equipment; transportation equipment (such as ships, aircraft, railway cars, containers, rigs automotive fleets, etc.) **without** crew or operators (If crew or operators are provided, the fee is considered to be for transportation services which may be reportable on BEA forms BE-9, BE-30, or BE-37. Go to www.bea.gov/bea/surveys/iussurv.htm to determine which forms cover your particular transportation services.); and rentals of other machinery and equipment. Include fees from rentals of furniture, coin-operated machines, construction equipment (without operators) and electronic equipment except computers. This category excludes rentals under leases that have been capitalized (capital leases), and rentals of any items other than machinery and equipment. (For example, it excludes rentals of office buildings and other real estate, film rentals, leases of natural resources, and employee leasing.)

25. Trade-related services, other than merchandising services -

Trade-related services cover commissions on goods and service transactions payable to merchants, commodity brokers, dealers, auctioneers, and commission agents. For example, these services include the auctioneer's fees (including online), transactions fees for business to business (B2B) exchanges, or agent's commissions on sales of ships, aircraft, and other goods. If the trader owns the goods being sold, the trader's margin is generally included indistinguishably in the price of the goods. However, any margins not included in the price of the goods are included in trade-related services. Exclude brokerage on financial instruments, which are reportable on BEA's BE-185, Survey of Financial Services Transactions between U.S. Financial Services Providers and Foreign Persons. Also exclude transport-related charges, such as agency commissions, which are included on BEA's surveys of transportation services. Marketing services should be reported under transaction code 10.

26. Performing arts, sports, and other live performances, presentations, and events - Fees to performers, athletes,

directors, and producers involved with, concerts, theatrical and musical productions, sporting events, and similar events for performing arts, sports, etc. To be reported by (a) U.S. management companies, booking agents, promoters, and presenters who received funds from or paid funds to foreign persons, for performances and events, and (b) U.S. performers who received funds directly from a foreign person rather than through a U.S. management company or similar entity. (As used here "performers" means entertainers, sports teams, orchestras, dance companies, lecturers, and similar persons or performing groups.) Do not include fees paid to employees of the entity making payments, such as foreign athletes who play for U.S. resident sports teams.

Note for services numbered 27 and 28: When you report either transaction codes number 27 or 28, also report the other service. If there are transactions in one of these services but not in the other, label a column in Schedule B with the number for the other service and enter "NA" on line 33.

27. Primary insurance premiums (purchases only) -

Premiums (net of cancellations) paid to foreign insurance carriers. A U.S. reporter that is an insurance company should not report direct transactions with a foreign insurance company. However, a U.S. reporter that is not an insurance company that purchased insurance from an affiliated foreign insurance company (for example, a captive insurance affiliate) should report those purchases here. (See note above.)

28. Losses recovered on primary insurance (purchases only) -

Losses recovered on insurance purchased from foreign insurance carriers. A U.S. reporter that is an insurance company should not report losses with a foreign insurance company. However, a U.S. reporter that is not an insurance company that purchased insurance from an affiliated foreign insurance company (for example, a captive insurance affiliate) should report losses here (See note above transaction code 43.)

29. Research and development services - Research and development

is creative work aimed at discovering new knowledge or developing new or significantly improved goods and services. Commercial and noncommercial research and product development services. Includes fees associated with the development of intellectual property protected by patents, trademarks, or copyrights and fees for the development of general use software, such as smart phone and tablet PC applications. Includes fees for the conduct of experiments or performances of research and development activities aboard

spacecraft. Excludes medical and dental laboratory services.

Examples of research and development services are medical research (pharmacology, medical devices, and diagnostic research); computers and information systems; biological research, including biotechnology; nanotechnology; environmental technology; imaging technology; and energy technology.

30. Telecommunications services - Telecommunications services encompass the broadcast or transmission of sound, images, data, or other information by telephone, telex, telegram, radio, and television cable transmission, radio and television satellite electronic mail, facsimile, and so forth, including business network services, teleconferencing, and support services. They do not include the value of the information transported. Also included are mobile telecommunications services, Internet backbone services, and online access services, including provision of access to the Internet. Excluded are installation services for telephone network equipment (report under transaction code 13) and database services (report under transaction code 14). Includes services of the following types (to be reported in aggregate, rather than as five separate types of services):

Message telephone services, telex, telegram, and other jointly provided basic services - On Schedule A, report receipts from foreign persons (communications companies and postal, telephone, and telegraph agencies) for your share of revenues for transmitting messages originating abroad to U.S. destinations. On Schedule B, report payouts to foreign persons (communications companies and PTT's) for their share of revenues for transmitting messages originating in the United States to foreign destinations. For messages originating in foreign countries and routed through the United States (for example, from Caribbean countries via the United States to Western Europe), report receipts from the foreign person originating the message and payouts to the country of destination. Also report receipts for transmitting messages between foreign points when not offered in connection with enhanced services, call-back services, and other regulated services of the type reportable to the FCC on Report 43.61.

Private leased channel services - On Schedule A, report receipts from foreign persons for circuits and channels terminating in the United States and for circuits and channels between foreign points. On Schedule B, report payouts to foreign persons (communications companies and PTT's) for leased channels and circuits terminating in foreign countries.

Value-added (enhanced) services - Telecommunications services that add value or function above and beyond the telecommunications transport services that deliver the value-added services to end users. They can include (a)

electronic mail, voice mail, code and protocol processing, texting, and management and operation of data networks; (b) facsimile services and video-conferencing; (c) Internet connections (online access service including Internet backbone, router services and broadband access services); (d) satellite broadcasting business communication and paging services provided by satellite connections; (e) telephony, interactive voice response, virtual private networking, remote access service, and voice over IP; and (f) other value-added (enhanced) services.

Support services - Services related to the maintenance and repair of telecommunications equipment and ground station services. Do not include installation services for telephone network equipment (included in transaction code 13).

Reciprocal exchanges - Include the value of reciprocal exchanges; i.e., transactions involving barter. On Schedule A, value your sales to the foreign participant in the reciprocal exchange at market rates, not at the actual cost of performing the services. On Schedule B, value your purchases from the foreign participant at the same amounts as the sales reported on Schedule A.

31. Agricultural services - Soil preparation services, crop services, veterinary and other animal services, employment related to farm labor, and landscape and horticultural services.

32. Contract manufacturing services (Report on Schedule D only) - Only the fee charged by the processor (manufacturer) is included in this item. Contract manufacturing services on materials and components owned by others and covers processing, assembly, labeling, packing, and so forth undertaken by businesses that do not own the goods concerned. The manufacturing is undertaken by a business that does not own the goods and that is paid a fee by the owner of the goods. The ownership of the goods does **not** change. Examples of processes that are undertaken under arrangements for manufacturing services include oil refining, liquefaction of natural gas, assembly of clothing, electronics and other goods, and labeling and packing (excluding those incidental to transport).

33. Disbursements to fund production costs of motion pictures - Foreign production costs of U.S. motion picture companies, and U.S. production costs of foreign motion picture companies.

34. Disbursements to fund news-gathering costs and production costs of program material other than news and motion pictures - Where a set of related expenditures was made in several countries, but your recordkeeping does not permit a precise

allocation of expenses among individual countries, estimates are acceptable. If no basis for such estimates exists, then you may record the expenditures against the country in which the activities were centered or headquartered. For example, a news correspondent may conduct news-gathering activities in several countries. Although it would be preferable to report news-gathering expenses in each of the several countries, all of the expenses may, if necessary, be recorded against the country where the foreign news bureau is headquartered, or where the correspondent had the largest outlays.

Disbursements to fund news-gathering costs of broadcasters - U.S. broadcasters' outlays to fund operations of their foreign news bureaus and for support of correspondents in foreign countries, and foreign broadcasters' outlays to fund operations of their U.S. news bureaus and for support of correspondents in the United States.

Disbursements to fund news-gathering costs of print media - Outlays by U.S. newspapers, news syndicates, and news magazines for the operation of their foreign news bureaus, and outlays by foreign newspapers, news syndicates, and news magazines for the operation of their U.S. news bureaus.

Disbursements to fund production costs of broadcast program material other than news - Foreign production costs of U.S. companies engaged in the production of broadcast material other than news, and U.S. production costs of foreign companies engaged in the production of broadcast material other than news. Includes disbursements for broadcasting professional or amateur sporting events, and the disbursements for production of the events themselves.

35. Waste treatment and depollution services - Treatment of radioactive and other waste, stripping of contaminated soil, cleaning up of pollution including spills, restoration of mining sites, and de-contamination and sanitation services. Includes all other services that relate to the cleaning or restoring of the environment. Includes environmental services, such as production of carbon offsets or carbon sequestration.

36. Other selected services - When reporting data under this transaction code number, also identify the specific type of transaction from the list below accounting for the largest share of the reported total. This category does not include travel, transportation, insurance, financial services, salaries, foreign taxes, and expenditures by students and medical patients who are studying or seeking treatment in a country different from their country of residence. This category includes but is not limited to the following types of services:

Disbursements to maintain government tourism and

business promotion offices - Funding to maintain State tourism and business promotion offices located abroad, and funding to maintain foreign government sponsored tourism and business promotion offices located in the United States.

Disbursements for sales promotion and representation -

Funding to maintain sales promotion and representative offices. Sales promotion offices typically have few assets other than office furniture; to the extent that their employees are compensated by commissions, the commissions arise only from sales or business that the employees generate for their U.S. or foreign parents; they do not produce revenue, other than funds from their parents to cover their expenses; and they are engaged only in sales promotion, representational, and public-relations-type activities. Report the funds to maintain this type of office as a transaction with an unaffiliated entity as opposed to a transaction with an affiliated foreign person.

Disbursements to participate in foreign trade shows (outlays only) - Foreign expenses incurred by U.S. persons participating in foreign trade shows.

Employment agencies and temporary help supply services -

Employment services and provision of temporary help and personnel to perform services on a contract or fee basis. Where workers are carried on the payroll of the agency, includes amounts received or paid for the compensation of workers as well as agency fees. Employment services related to farm labor should be reported under transaction code 31, agricultural services.

Mailing, reproduction, and commercial art - Direct mail advertising services; mailing services, such as re-mailing services in connection with direct mail advertising; commercial photography, art, and graphic services; address list compilation; and stenographic services.

Medical services - Includes remote diagnostic services, and remote monitoring of surgical procedures provided to patients, practitioners, and medical institutions (telemedicine) and services of medical laboratories that do not deal directly with patients.

Other private services - Report transactions in the following types of services: Language translation services, salvage services, security services, collection services, satellite photography and remote sensing/satellite imagery services, space transport (includes satellite launches, transport of goods and people for scientific experiments, and space passenger transport), and transcription services. Include services not elsewhere classified,

except travel, transportation, insurance, financial services,
and
expenditures by students and medical patients who are
studying
or seeking treatment in a country different from their
country of
residence. See 1.B. for a definition of services covered by
the
BE-120 survey that -- when considered in connection with
service
categories 1 through 35 above -- also helps to describe what
transactions are reportable in this category.

VI. BE-120 SUPPLEMENT A

This checklist is provided with the BE-120 survey for the internal use and convenience of reporters only and is not to be returned to BEA.

The purpose of this checklist is to facilitate the determination of whether or not the "parts" or units of a given U.S. company had any of the various services transactions covered by the survey, either sales (receipts) or purchases (payments), with foreign persons during the respondent's fiscal year. (The term "persons" includes business enterprises, governments, individuals, and other organizations and entities.)

For companies with diverse operations, this checklist should be directed to persons in the various parts of the company who are knowledgeable about the parts' sales and purchasing activities and who can say, in their judgment, with a reasonable degree of certainty without conducting a records search, whether or not a part engaged in covered transactions. Because companies organize their operations and accounting systems in different ways, these parts of a company might variously be referred to as profit centers, business units, divisions, subsidiaries, plant sites, establishments, operating centers, etc., or some combination thereof. All parts of the domestic company must be covered, although all need not be given the checklist, since some might already be known by headquarters to have, or not have, reportable transactions.

Definitions of the various types of transactions are on the next two pages of this checklist.

- 1.** Both sales and purchases of services should relate to the company's 2011 fiscal year.
- 2.** Transactions by the U.S. operation ONLY are covered. Transactions by foreign branches or subsidiaries (foreign affiliates) of the U.S. company are NOT covered. NOR are transactions by a foreign parent company, unless they are with the U.S. reporter.
- 3.** In reporting purchases, include items meeting the above criteria, without regard to whether they were charged as an expense on the Income statement, capitalized, or charged to inventories.
- 4.** "Foreign" means that which is situated outside the United States and its territories and possessions.
- 5.** Reportable transactions are determined by the above criteria, without regard to WHERE the services were performed. For example, services performed abroad by a respondent are covered if the respondent's U.S. operations performed the services instead of a foreign affiliate. Similarly, purchases of services from unaffiliated foreign persons are includable without regard to WHERE such services were performed.

Name of person in company headquarters to contact concerning questions about this survey.	Area code	Number	Extension
TELEPHONE			

OPTIONAL SALES AND PURCHASES CHECKLIST — For each service listed, for both sales and purchases, mark (X) "Yes" or "No" as to whether, in your judgment, your part of the company had any transactions with unaffiliated foreign persons during the fiscal year. If the answer is "Yes," enter the estimated amount of the transactions in column (c) Yes (SALES) or column (f) (PURCHASES).	SALES		PURCHASES		
	Estimated amount Reported in dollars (c)	No (b)	Had any transactions?		Estimated amount Reported in dollars (f)
			Yes (d)	No (e)	
Intangible assets					
1. Rights to industrial processes and products					
2. Rights related to books, music, etc.					
3. Rights related to trademarks, etc					
4. Rights related to performances and events pre-recorded on motion picture film and TV tape (include digital recordings)					
5. Rights related to broadcast and recording of live performances and events					
6. Rights to general use software					
7. Business format franchising fees					
8. Other intangibles					
Selected services					
9. Accounting, auditing, and bookkeeping services					
10. Advertising services					
11. Auxiliary insurance services					
12. Computer and data processing services					
13. Construction Services					
14. Data base and other information services					
15. Educational and training services					
16. Engineering, architectural, and surveying services					
17. Financial services					
18. Industrial engineering services					
19. Industrial-type maintenance, installation, alteration, and training services					
20. Legal Services					
21. Management, consulting, and public relations services (includes expenses allocated between a parent and its affiliate)					
22. Merchanting services					
23. Mining services					
24. Operational leasing					

25. Trade-related services, other than merchandising services						
26. Performing arts, sports, and other live performances, presentations and events						
27. Premiums paid on primary insurance						
28. Losses recovered on primary insurance						
29. Research and development services						
30. Telecommunications services						
31. Agricultural services Other selected services						
32. Contract manufacturing services						
33. Disbursements to fund production costs of motion pictures						
34. Disbursements to fund and news-gathering costs and production costs of program material other than the news						
35. Waste treatment and depollution services						
36. Other selected services						

TRANSACTIONS COVERED

A. Transactions in Intangible Assets

1. Rights related to industrial processes and products -

Include license fees, royalties, and other fees received or paid for the sale or purchase, right to use, or right to reproduce or distribute intellectual property, including patents, trade secrets, and other proprietary rights, that are used in connection with, or related to, the production of goods. (For example, include "maintenance" fees paid to foreign governments for the continuation of patent rights.) If the charge for the process, design, etc., is subsumed in a contract for technical or professional services, the receipt or payment generally should be reported under the proper transaction number for that type of service..

2. Rights related to books, music, etc. -

Include royalties and other fees received or paid for the rights to perform, broadcast, reproduce, and sell as books, CD's, digital music, etc., or otherwise use copyrighted material and other intellectual property. Exclude fees for the right to display, reproduce, or distribute pre-recorded television tape or motion picture film, such charges should be reported under transaction code 4.

3. Rights related to trademarks, etc. -

Include receipts and payments for the rights to sell products under a particular trademark, brand name, or signature. Include the initial fee and annual fees for the domain name registration for the Internet and the receipt and payment from the sale of a previously registered name. Include fees for sponsorship of other events if the fee is for the right to use the logo or trademark of the payee.

4. Rights related to performances and events pre-recorded on motion picture film and TV tape (include digital recordings) -

Include royalties, rentals, license fees, and other funds received or paid, including those from outright sales and purchases, for the rights to display, reproduce, or distribute material pre-recorded on motion picture film or television tape (include digital recordings and video streaming). Include payments and receipts for all uses, including theatrical, cable, broadcast television, and non-theatrical.

5. Rights related to broadcasting and recording of live performances and events -

Include receipts and payments for the rights to record and/or broadcast "live" artistic performances,

sports events, and other live performances or events.

Payments

(or receipts) for the acquisition (or sale) of rights to broadcast a

major live performance or event, such as the Olympics, often

extend over several years prior to the event.

6. Rights related to general use computer software -

Include receipts and payments for rights to distribute general use software, and rights to reproduce or use general use computer software that was electronically transmitted or made from a master copy. This item includes licensing fees for reproducing copies of general use software for local area network computer systems, and excludes that value of prepackaged general use software not intended for use on a server in a LAN environment that was physically shipped to or from the United States and included in merchandise trade statistics.

7. Business format franchising fees -

Fees received and paid by the U.S. reporter under business format franchising agreements with foreign persons.

8. Other intangible assets -

Include receipts and payments involving intangible assets not classified in one of the preceding categories. Include receipts or payments by communications carriers to secure capacity by indefeasible right of users (IRU's).

For entries in this column, please specify in the "comments" section the type of intangible right involved.

B. Transactions in Selected Services

9. Accounting, auditing, and bookkeeping services -

Excludes data processing and tabulation services.

10. Advertising services -

Preparation of advertising and placement of such advertising in media, including marketing expenses and charges for media space and time. Include advertising banners on web pages.

11. Auxiliary insurance services -

Agent's commissions, insurance brokering and agency services, insurance consulting services, evaluation and adjustment services, actuarial services, salvage administration services, and regulatory and monitoring services on indemnities and recovery services.

12. Computer and data processing services -

Data entry processing (both batch and remote), and tabulation; computer systems analysis, design, and engineering; custom software and programming services (including web design); integrated

hardware/software systems, and other computer services (timesharing, maintenance, web site management, and repair).

13. Construction services - Creation, renovation, repair or extension

of buildings, land improvements, and engineering construction of roads, bridges, dams, etc. It also includes related installation and assembly work. It includes site preparation and general construction as well as specialized services such as electrical work, painting, plumbing, and demolition. It includes management of construction projects.

14. Data base and other information services - Business and

economic data base services, including business news, stock quotation, and financial information services; medical, legal, technical, demographic, bibliographic, and similar data base services.

15. Educational and training services - Educational or training

services provided or acquired on a contract or fee basis. Excludes tuition and fees charged to individual students, as well as training done by a manufacturer in connection with the sale of a good.

16. Engineering, architectural, and surveying services

- Includes architectural, engineering and land-surveying services. Includes those engineering services performed in conjunction with construction and mining services projects. Includes services purchased in connection with proposed projects (e.g., feasibility studies) as well as projects that are actually being carried out.

17. Financial services (purchases only) - Include payments of credit-related fees, fees on securities transactions, and fees for other financial services by non-financial services companies only.

18. Industrial engineering services - Engineering services related to the design of movable products, including product design services.

19. Industrial-type maintenance, installation, alteration, and training services - Maintenance services primarily to machinery and equipment. Includes small maintenance work on buildings, structures, dams, highways, etc. Includes such services as the periodic overhaul of turbines, the extinguishment of natural gas well fires, and refinery maintenance.

20. Legal services - Legal advice or other legal services.

21. Management, consulting, and public relations services

(including allocated expenses) - Management services, consulting services, public relations services; and amounts received by a parent company from its affiliates for general overhead and stewardship. Excludes consulting engineering services related to actual or proposed construction projects (report under transaction number 16); computer consulting (report under transaction number 12); and public relations services that are an integral part of an advertising campaign (report under transaction code 10). Also excludes transactions between parent companies and affiliates that are identifiable as

B. Transactions in Selected Services - Continued

arising from the provision of advertising, accounting, legal, R&D, etc. services, even if these amounts represent reimbursements of sums paid to third parties. That is, transactions between parent companies and affiliates should **not** be reported in management services if they can instead be reported in another services category.

22. Merchanting services (receipts only) - Sales of merchanting

services are equal to the difference between your cost and the resale price of goods (such as crude oil, grain, and other commodities) that are both purchased and resold abroad; that is, the goods are neither imported to, nor exported from, the United States and they do not undergo significant processing during the time between when they are purchased and resold.

23. Mining services - Includes drilling wells for oil or gas field

operations, exploration; including prospecting and taking ore samples; grading and building foundations at well locations; well surveying; and making geological observations. Includes services purchased in connection with proposed projects (e.g. feasibility studies) as well as projects that are actually being carried out.

24. Operational leasing - Rentals for computer and data processing equipment, transportation equipment (such as ships, aircraft, railway cars, containers, rigs automotive fleets, etc.) without crew or operators and rentals of other machinery and equipment.

25. Other trade-related services - Trade-related services cover commissions on goods and service transactions payable to merchants, commodity brokers, dealers, auctioneers, and commission agents.

26. Performing arts, sports, and other live performances, presentations, and events - Fees to performers, athletes,

directors, and producers involved with, concerts, theatrical and musical productions, sporting events, and similar events for performing arts, sports, etc. To be reported by (a) U.S. management companies, booking agents, promoters, and presenters who received funds from or paid funds to foreign performers who received funds directly from a foreign person rather than through a U.S. management company or similar entity.

Note for services numbered 27 and 28: When you report either service number 27 or 28 also report the other service. If there are transactions in one of these services but not in the other, label a column in Schedule B with the number for the other service and enter "NA" in line 1 or 33.

27. Primary insurance premiums (purchases only) - Premiums (net of cancellations) paid to foreign insurance carriers. (See *note above.*)

28. Losses recovered on primary insurance (purchases only) - Losses recovered on insurance purchased from foreign insurance carriers. (See *note above service number 27.*)

29. Research and development services - Commercial and noncommercial research and product development services. Includes fees associated with the development of intellectual property protected by patents, trademarks, or copyrights and fees for the development of general use software.

30. Telecommunications services - Telecommunications services encompass the broadcast or transmission of sound, images, data, or other information by telephone, telex, telegram, radio, and television cable transmission, radio and television satellite electronic mail, facsimile, and so forth, including business network services, teleconferencing, and support services. They do not include the value of the information transported. Also included are mobile telecommunications services, Internet backbone services, and online access services, including provision of access to the Internet.

31. Agricultural services - Soil preparation services, crop services, veterinary and other animal services, farm labor and management services, and landscape and horticultural services.

32. Contract manufacturing services - Contract manufacturing services on materials and components owned by others and covers processing, assembly, labeling, packing, and so forth

undertaken by businesses that do not own the goods concerned. The manufacturing is undertaken by a business that does not own the goods and that is paid a fee by the owner of the goods. The ownership of the goods does **not** change. Examples of processes that are undertaken under arrangements for manufacturing services include oil refining, liquefaction of natural gas, assembly of clothing, electronics and other goods, and labeling and packing (excluding those incidental to transport).

33. Disbursements to fund production costs of motion pictures - Disbursements or outlays to fund production costs of motion picture companies and companies engaged in the production of broadcast material other than news.

34. Disbursements to fund news-gathering costs and production costs of program material other than news - Disbursements or outlays to fund news-gathering costs of broadcasters and the print media; and the production of broadcast program material other than news.

35. Waste treatment and depollution services - Treatment of radioactive and other waste, stripping of contaminated soil, cleaning up of pollution including spills, restoration of mining sites, and de-contamination and sanitation services. Includes all other services that relate to the cleaning or restoring of the environment.

36. Other selected services - This category does not include travel, transportation, insurance, financial services, and expenditures by students and medical patients who are studying or seeking treatment in a country different from their country of residence. This category includes but is not limited to the following types of services:

Other miscellaneous disbursements - Disbursements or outlays To fund costs of maintaining tourism, business promotion, and representative offices, and for participating in foreign trade shows.

Employment agencies and temporary help supply services - Employment services and provision of temporary help and personnel to perform services on a contract or fee basis. Where workers are carried on the payroll of the agency, includes amounts received or paid for the compensation of workers as well as agency fees.

Mailing, reproduction, and commercial art - Direct mail

advertising services; mailing services, such as re-mailing services in connection with direct mail advertising, commercial photography, art, and graphic services; address list compilation; and stenographic services.

Medical services - Includes remote diagnostic services, and remote monitoring of surgical procedures provided to patients, practitioners, and medical institutions (telemedicine) and services of medical laboratories that do not deal directly with patients.

Other private services - Report transactions in the following types of services: Language translation services, salvage services, security services, collection services, satellite photography and remote sensing/satellite imagery services, space transport (includes satellite launches, transport of goods and people for scientific experiments, and space passenger transport), and transcription services. Include services not elsewhere classified, except travel, transportation, insurance, financial services, and expenditures by students and medical patients who are studying or seeking treatment in a country different from their country of residence.

SUMMARY OF INDUSTRY CLASSIFICATIONS

AGRICULTURE, FORESTRY, FISHING, AND HUNTING

1110 Crop production
1120 Animal production
1130 Forestry and logging
1140 Fishing, hunting, and trapping
1150 Support activities for agriculture and forestry

MINING, QUARRYING, AND OIL AND GAS EXTRACTION

2111 Oil and gas extraction
2121 Coal
2123 Nonmetallic minerals
2124 Iron ores
2125 Gold and silver ores
2126 Copper, nickel, lead, and zinc ores
2127 Other metal ores
2132 Support activities for oil and gas operations
2133 Support activities for mining, except for oil and gas operations

UTILITIES

2211 Electric power generation, transmission, and distribution
2212 Natural gas distribution
2213 Water, sewage, and other systems

CONSTRUCTION

2360 Construction of buildings
2370 Heavy and civil engineering construction
2380 Specialty trade contractors

MANUFACTURING

3111 Animal foods
3112 Grain and oilseed milling
3113 Sugar and confectionery products
3114 Fruit and vegetable preserving and specialty foods
3115 Dairy products
3116 Meat products
3117 Seafood product preparation and packaging
3118 Bakeries and tortillas
3119 Other food products
3121 Beverages
3122 Tobacco
3130 Textile mills
3140 Textile product mills
3150 Apparel

3160 Leather and allied products
3210 Wood products
3221 Pulp, paper, and paperboard mills
3222 Converted paper products
3231 Printing and related support activities
3242 Integrated petroleum refining and extraction
3243 Petroleum refining without extraction
3244 Asphalt and other petroleum and coal products
3251 Basic chemicals
3252 Resins, synthetic rubbers, and artificial and synthetic fibers and filaments
3253 Pesticides, fertilizers, and other agricultural chemicals
3254 Pharmaceuticals and medicines
3255 Paints, coatings, and adhesives
3256 Soap, cleaning compounds, and toilet preparations
3259 Other chemical products and preparations
3261 Plastics products
3262 Rubber products
3271 Clay products and refractories
3272 Glass and glass products
3273 Cement and concrete products
3274 Lime and gypsum products
3279 Other nonmetallic mineral products
3311 Iron and steel mills and ferroalloys
3312 Steel products from purchased steel
3313 Alumina and aluminum production and processing
3314 Nonferrous metal (except aluminum) production and processing
3315 Foundries
3321 Forging and stamping
3322 Cutlery and handtools
3323 Architectural and structural metals
3324 Boilers, tanks, and shipping containers
3325 Hardware
3326 Spring and wire products
3327 Machine shops; turned products; and screws, nuts, and bolts
3328 Coating, engraving, heat treating, and allied activities
3329 Other fabricated metal products
3331 Agriculture, construction, and mining machinery
3332 Industrial machinery
3333 Commercial and service industry machinery

3334 Ventilation, heating, air conditioning, and commercial refrigeration equipment
3335 Metalworking machinery
3336 Engines, turbines, and power transmission equipment
3339 Other general purpose machinery
3341 Computer and peripheral equipment
3342 Communications equipment
3343 Audio and video equipment
3344 Semiconductors and other electronic components
3345 Navigational, measuring, electromedical, and control instruments
3346 Manufacturing and reproducing magnetic and optical media
3351 Electric lighting equipment
3352 Household appliances
3353 Electrical equipment
3359 Other electrical equipment and components
3361 Motor vehicles
3362 Motor vehicle bodies and trailers
3363 Motor vehicle parts
3364 Aerospace products and parts
3365 Railroad rolling stock
3366 Ship and boat building
3369 Other transportation equipment
3370 Furniture and related products
3391 Medical equipment and supplies
3399 Other miscellaneous Manufacturing

WHOLESALE TRADE

MERCHANT WHOLESALERS, DURABLE GOODS

4231 Motor vehicles and motor vehicle parts and supplies merchant wholesalers
4232 Furniture and home furnishing merchant wholesalers
4233 Lumber and other construction materials merchant wholesalers
4234 Professional and commercial equipment and supplies merchant wholesalers
4235 Metal and mineral (except petroleum) merchant wholesalers
4236 Electrical and electronic goods merchant wholesalers
4237 Hardware, and plumbing and heating equipment and supplies merchant wholesalers

4238 Machinery, equipment, and supplies merchant wholesalers
4239 Miscellaneous durable goods merchant wholesalers

**MERCHANT WHOLESALERS
NONDURABLE GOODS**

4241 Paper and paper product merchant wholesalers
4242 Drugs and druggists' sundries merchant wholesalers
4243 Apparel, piece goods, and notions merchant wholesalers
4244 Grocery and related product merchant wholesalers
4245 Farm product raw material merchant wholesalers
4246 Chemical and allied products merchant wholesalers
4247 Petroleum and petroleum products merchant wholesalers
4248 Beer, wine, and distilled alcoholic beverage merchant wholesalers
4249 Miscellaneous nondurable goods merchant wholesalers

**ELECTRONIC MARKETS AND AGENTS
AND BROKERS**

4251 Wholesale electronic markets and agents and brokers

RETAIL TRADE

4410 Motor vehicle and parts dealers
4420 Furniture and home furnishings stores
4431 Electronics and appliance stores
4440 Building material and garden equipment and supplies dealers
4450 Food and beverage stores
4461 Health and personal care stores
4471 Gasoline stations
4480 Clothing and clothing accessories stores
4510 Sporting goods, hobby, book, and music stores
4520 General merchandise stores
4530 Miscellaneous store retailers
4540 Nonstore retailers

**TRANSPORTATION AND
WAREHOUSING**

4810 Air transportation
4821 Rail transportation

4833 Petroleum tanker operations
4839 Other water transportation
4840 Truck transportation
4850 Transit and ground passenger transportation
4863 Pipeline transportation of crude oil, refined petroleum products, and natural gas
4868 Other pipeline transportation
4870 Scenic and sightseeing transportation
4880 Support activities for transportation
4920 Couriers and messengers
4932 Petroleum storage for hire
4939 Other warehousing and storage

INFORMATION

5111 Newspaper, periodical, book, and directory publishers
5112 Software publishers
5121 Motion picture and video industries
5122 Sound recording industries
5151 Radio and television broadcasting
5152 Cable and other subscription programming
5171 Wired telecommunications carriers
5172 Wireless telecommunications carriers (except satellite)
5174 Satellite telecommunications
5179 Other telecommunications
5182 Data processing, hosting, and related services
5191 Other information services

FINANCE AND INSURANCE

5221 Depository credit intermediation (Banking)
5223 Activities related to credit intermediation
5224 Nondepository credit intermediation
5229 Nondepository branches and agencies
5231 Securities and commodity contracts intermediation and brokerage
5238 Other financial investment activities and exchanges
5242 Agencies, brokerages, and other insurance related activities
5243 Insurance carriers, except life insurance carriers
5249 Life insurance carriers
5252 Funds, trusts, and other financial

Vehicles

**REAL ESTATE AND RENTAL AND
LEASING**

5310 Real estate
5321 Automotive equipment rental and leasing
5329 Other rental and leasing services
5331 Lessors of nonfinancial intangible assets (except copyrighted works)

**PROFESSIONAL, SCIENTIFIC, AND
TECHNICAL SERVICES**

5411 Legal services
5412 Accounting, tax preparation, bookkeeping, and payroll services
5413 Architectural, engineering, and related services
5414 Specialized design services
5415 Computer systems design and related services
5416 Management, scientific, and technical consulting services
5417 Scientific research and development services
5418 Advertising and related services
5419 Other professional, scientific, and technical services

**MANAGEMENT OF COMPANIES
AND ENTERPRISES**

5512 Holding companies, except bank holding companies
5513 Corporate, subsidiary, and regional management offices

**ADMINISTRATIVE AND SUPPORT
AND WASTE MANAGEMENT AND
REMEDATION SERVICES**

5611 Office administrative services
5612 Facilities support services
5613 Employment services
5614 Business support services
5615 Travel arrangement and reservation services
5616 Investigation and security services
5617 Services to buildings and dwellings
5619 Other support services
5620 Waste management and remediation services

EDUCATIONAL SERVICES

6110 Educational services

HEALTH CARE AND SOCIAL ASSISTANCE

6210 Ambulatory health care services

6220 Hospitals

6230 Nursing and residential care facilities

6240 Social assistance services

ARTS, ENTERTAINMENT, AND RECREATION

7110 Performing arts, spectator sports,

and related industries

7121 Museums, historical sites, and similar institutions

7130 Amusement, gambling, and recreation industries

ACCOMMODATION AND FOOD SERVICES

7210 Accommodation

7220 Food services and drinking places

OTHER SERVICES

8110 Repair and maintenance

8120 Personal and laundry services

8130 Religious, grantmaking, civic, professional, and similar organizations

PUBLIC ADMINISTRATION

9200 Public administration