



Intellectual Property Development

State of Nevada
NRS 360.750(2)(g)

Partial abatement of sales tax, modified business tax and personal property tax is available to intellectual property development companies who locate or expand their business in Nevada. The applicant must apply for abatement not more than one year before the business begins to develop for expansion or operation in Nevada. Applications are due at least 30 working days prior to the Commission meeting.

The business must further the development and refinement of intellectual property, a patent or copyright into a commercial product.

Objectives. The business is consistent with the Commission's State Plan for Industrial Development and Diversification. The overall objectives of the State Plan for Economic Diversification and Development include:

- Diversification from the gaming and hospitality industry;
- Exporting a majority of goods or services outside the economic region;
- Attraction of basic industries such as manufacturing, warehousing and distribution, and back-office operations—all of which shall create primary jobs as defined in the NAC;
- Attraction of business facilities and services such as corporate headquarters, research and development operations, and producer services—all of which shall create primary jobs as defined in the NAC; and
- Expansion of existing basic businesses and industries as described above.

The Company's Responsibilities. The company will provide a medical insurance plan for all employees including an option for dependent health insurance coverage. The company will also pay at least 25% of the employee premium cost.

The business is expected to register pursuant to the laws of Nevada and to obtain all licenses and permits required by Nevada and the county, city or town in which the business operates.

The applicant commits to maintaining the business in Nevada for 5 years. Abatement is voidable if business fails to comply with any of the terms of the agreement. Audits will be done by the Nevada Department of Taxation after 2 and 5 years to ensure compliance.

Eligibility. The Commission on Economic Development will look for the following criteria when reviewing applicant's eligibility for abatement. Two of the following three must be met:

Wage Requirement. The company's average hourly wage at the Nevada facility must equal or exceeds 100% of the county average hourly wage or statewide average hourly wage, whichever is less. For new businesses, compliance with this criteria is required. The statewide average hourly wage established for FY 2011 is \$19.93. The FY 2011 countywide average wages are available in a separate document.

Number of Jobs Required. A minimum of 10 full-time permanent jobs in Nevada by the fourth quarter of operation and continues to employ at least the minimum.

Mission:

The Nevada Commission on Economic Development promotes a robust, diversified and prosperous economy, enriching the quality of life for Nevada citizens by stimulating business expansion and retention, encouraging entrepreneurial enterprise, attracting new businesses and facilitating community development to enable economic growth and prosperity.

Criteria:

- *The average hourly wage for the fiscal year.*
- *The number of full-time permanent jobs by the fourth quarter of operation in Nevada, and continue to employ the minimum.*
- *The capital investment required for the type of business or expansion based on county/city population.*

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Vision:

Founded on principles of innovation, sustainability and inclusiveness, Nevada's economic platform will be driven by renewable energy, future-based technology and human ingenuity to promote new business opportunity in every community.

Capital Investment Requirement. The business will make a capital investment of \$500,000

If a business is not maintained at the approved level in this state for 5 years after tax abatement approval, the company will repay to the Department of Taxation the amount of the abatement allowed before the failure to comply. Interest will be repaid on the amount due at the rate most recently established pursuant to NRS 99.040, or portion thereof, from the last day of the month following the period payment would have been made had the abatement not been granted, until the date of the actual tax payment. The Nevada Department of Taxation will determine if the business has substantially complied with the requirements.

As a condition of approval, applicant agrees in writing to supply upon request copies of all necessary records for the Commission's director to verify the applicant meets all requirements.

The Commission on Economic Development reserves the right to grant or deny certification on a case-by-case basis.

The applicant will register with the Department of Taxation on a separate form if an account has not been established.

Upon certification, the Commission will immediately forward the application for abatement to the Nevada Department of Taxation – the administrator for tax abatements. ■



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