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September 20, 2015

Honorable Charles Boustany
Honorable Richard Neal
House Ways and Means Committee
United States Congress
Washington, D.C. 20515

Re: Comments on Discussion Draft *Innovation Promotion Act of 2015*

Dear Representatives Boustany and Neal,

The Silicon Valley Tax Directors Group ("***SVTDG***") hereby submits these comments on the above-referenced Discussion Draft *Innovation Promotion Act of 2015* ("**IPA of 2015**"), issued July 28, 2015. The SVTDG members are listed in Appendix A.

Sincerely,

Jeffrey K. Bergmann

Co-Chair, Silicon Valley Tax Director's Group

cc: Melissa Gierach, Senior Policy Advisor to Rep. Boustany
Brandon Casey, Tax Counsel to Rep. Neal
George Callas, Chief Tax Counsel, Committee on Ways and Means
Aruna Kalyanam, Democratic Tax Counsel, Committee on Ways and Means

I. Introduction and summary

We thank Representatives Boustany and Neal for issuing the Discussion Draft *IPA of 2015* and for soliciting detailed feedback on the Discussion Draft and how it affects specific taxpayers. The Discussion Draft is a major step towards the overall goal of U.S. federal corporate tax reform.

A properly designed, globally competitive innovation box regime would provide significant benefits to the U.S. It will protect U.S. companies from current vulnerabilities that have led to inversions and acquisitions by foreign competitors, provide a more competitive U.S. effective tax rate for innovative corporations across all industries, encourage greater investment in U.S. R&D, and attract R&D jobs back to the United States from overseas. It will prevent erosion of the U.S. corporate tax base due to actions of foreign governments, and it would effectively counter foreign incentives (including foreign IP/patent box regimes) to move IP and R&D jobs offshore.

The *IPA of 2015* establishes in Prop. § 250 a deduction for "innovation box profits," thereby in effect lowering to about 10 percent the income tax rate on such profits. Innovation box profits are the product of "tentative innovation profit" and a fraction involving R&D costs and total expenditures. The *IPA of 2015* incentivizes U.S. ownership and exploitation of "qualified property"—including many familiar types of intangible property, computer software, and films. The *IPA of 2015* also incentivizes companies to spend on U.S. R&D. The combination of incentives will tend to increase both U.S. taxable income and innovation box profits that qualify for a 10 percent tax rate.

The SVTDG believes that as the *IPA of 2015* stands, however, it <u>wouldn't</u> generally give an incentive sufficient to cause SVTDG members to repatriate offshore intangible property and related assets, nor to boost U.S. R&D spending materially beyond current and otherwise-expected future levels.

The approach taken in the proposed draft determines the amount of qualifying profit by multiplying tentative innovation profit (which includes all profit) by a fraction that includes R&D costs in the numerator and total costs in the denominator. This all-income, all-costs approach in essence puts all income on an equal footing, and puts all costs on an equal footing. This isn't justified. Not all income is mobile to the same degree—innovation IP income is very mobile. Not all expenditures are equal—R&D expenditures are particularly important for a nation's economy. We believe the foundational policy objective of an innovation box is to provide a competitive rate of tax on innovation IP income and increase R&D jobs. Foreign countries have designed their innovation box regimes using this policy objective.

We perceive four main problems with the *IPA of 2015* as drafted, stemming largely from the definitions of tentative innovation profit and the relevant fraction multiplying such profit.

Certain ancillary provisions (described below) of the *IPA of 2015*, however, also reduce its appeal to a broad range of businesses. Immediately below we frame the four main problems and summarize how they might be remedied in a revised bill.

First, tentative innovation profit fails to include revenue from the provision of any services that use intangible property. We believe this shortcoming alone results in Prop. § 250 (if enacted as is) having little chance of achieving the desired policy goals with respect to the substantial portion of the U.S. economy, which includes many SVTDG members, that monetize innovations through the provision of services. To remedy this we recommend the definition of qualified gross receipts be expanded to include gross receipts from the provision of certain services. Other countries with IP boxes made the policy decision not to extend benefits to profits from the financial services sector.[1] It may accordingly be appropriate to amend the definition of qualified gross receipts to exclude gross receipts giving rise to financial services income.

Second, tentative innovation profit shouldn't include routine returns or marketing/brand returns. This is how other countries have implemented IP boxes. This reflects the policy objective of targeting, within budget constraints, the most mobile assets and operations.

Third, the fraction multiplying the tentative innovation profit also lowers the benefit of the *IPA of 2015*. The denominator in the fraction includes costs other than those directly leading to innovation—e.g., sales costs, and general & administrative costs, are included. To remedy this we recommend the fraction denominator in Prop. § 250 be replaced by a taxpayer's worldwide R&D expenditures.

Fourth, to ensure all innovative U.S. taxpayer corporations would benefit under the innovation box, without regard to possible dilutive effects of low-margin operations included in its corporate group, we recommend Prop. § 250 include a floor to the benefit. Specifically, the deduction would be based not simply on the innovation box profit (modified as described above) for a taxable year, but rather on the greater of such innovation box profit or a fixed percentage (e.g., 50 percent) of a taxpayer's U.S. R&D costs for such year.

II. Discussion of specific concerns with Prop. § 250 and recommended remedies

A. Tentative innovation profit should be redefined to include services revenue

Tentative innovation profit is derived from "qualified gross receipts," meaning gross receipts from the disposition of qualified property in the ordinary course of a U.S. trade or business of the taxpayer. "Qualified property" means intangible property listed in

[1] For example, UK patent box legislation excludes from "total gross income" (akin to "qualifying gross receipts" in Prop. § 250) any "finance income." *See* §§ 357CA & CB of Part 8A of *Corporation Tax Act 2010* ("**CTA 2010**"), added by *Finance Act 2012*.

§ 936(h)(3)(B)(i); any product produced using such intangible property; film or videotape; or computer software. There's no good policy reason, we believe, for excluding services revenue from the definition of qualified gross receipts. The provision of services—especially online services—spurs creation of much innovation. The same innovation development can in many cases underpin products and services. For example, customers may buy products and product maintenance services, both of which rely on the same set of intangible property. As another example, customers may either buy products or buy the output of such products as a service. The benefit shouldn't, however, only be available in the case of product/service overlap. Many SVTDG member companies derive the majority (or, in some cases, almost all) of their revenue from services that rely on innovation in software or hardware. Innovation-related services revenue is growing for many member companies.

We recommend the definition of qualified gross receipts should thus be expanded to include gross receipts from the provision of "qualified services," defined to mean "services provided using property described in subparagraphs 250(b)(5)(A), (B), or (C)."

Consistent with the policy choices of other countries that have implemented IP boxes, it may be appropriate to amend the definition of qualified gross receipts to exclude gross receipts giving rise to gross income that is "financial services income" as defined in § 904(d)(2)(D).

B. Tentative innovation profit should exclude routine profit and marketing profit

A policy of providing a competitive rate of tax on innovation profit should exclude routine profits from the definition of innovation profit. The tentative innovation profit should be reduced by an amount corresponding to profits arising from a taxpayer's routine (non-inventory, non-R&D) costs. Such routine profits should be determined under § 482 principles. Existing regulations under § 482 determine routine profits for certain transfer pricing purposes, and can be adapted. It may, additionally, be possible to craft a simple safe harbor for determining routine profits.[2]

R&D expenditures should be used to gauge innovation; it follows that tentative innovation profit should arguably exclude any profit related to trademarks/brands/servicemarks, and marketing profit arising from the performance of marketing activities, and from incurring marketing costs. Marketing profit should be determined under § 482 principles, which can be adapted to determine profits arising from intangible properties used in marketing. It may, additionally, again be possible to craft a simple safe harbor for determining marketing profit.

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[2] For example, routine returns in UK patent box legislation are deemed to be 10 percent of "routine deductions." *See* § 357CI of Part 8A of *CTA 2010*. Routine deductions include, e.g., capital allowances, costs of premises, personnel costs, plant and machinery costs, professional services costs, etc., but exclude, e.g., R&D expenses. *See* §§ 357CJ and 357CK of Part 8A of *CTA 2010*.

C. The denominator of the Prop. § 250 fraction should simply be worldwide R&D costs

In Prop. § 250 the deduction is derived from the product of a fraction and the tentative innovation profit. The policy underlying Prop. § 250 should, we believe, be to give a deduction based on innovation IP profits attributable to U.S. innovation activity, so that such profits in effect are subject to a lower tax. The product should, accordingly, represent the portion of the tentative innovation profit attributable to such innovation activity.

It makes sense that the numerator be some measure of the U.S. innovation effort. The numerator in Prop. § 250—the taxpayer's cumulative R&D (§ 174) expenditures—meets this requirement at least in part.[3] Yearly changes in U.S. R&D spending will, in an averaged sense, directly change the measure of innovation. The denominator in Prop. § 250 ("total costs"), however, includes costs <u>other than</u> those directly leading to innovation—e.g., sales expenses, and general & administrative costs, are included. We don't believe this mixed-expenses fraction has a sound policy basis. It arguably puts "total costs" other than R&D expenses (e.g., sales expenses) on an equal footing with R&D expenses as drivers of innovation profit.

To highlight this, consider two taxpayers having identical amounts of U.S. and foreign R&D expenditures, and identical tentative innovation profits. Suppose the first taxpayer sells its products solely online, but the second taxpayer has a mix of online and bricks-and-mortar sales. Because of the second taxpayer's greater sales expenses, its Prop. § 250 fraction will be lower than that of the first taxpayer, and it will get a smaller Prop. § 250 deduction. The second taxpayer would, perversely we think, be incentivized to divest itself of U.S. retail stores, thereby reducing its sales expenses and decreasing the denominator of its Prop. § 250 fraction. We think the right policy answer is that these two taxpayers should have the same proportion of tentative innovation profit qualify for the benefit, based on U.S. innovation spending.

We recommend the taxpayer's "total costs" denominator in Prop. § 250(b)(1)(B) be replaced by the taxpayer's worldwide R&D costs—i.e., the denominator would be the taxpayer's multi-year cumulative "total research and development expenditures with respect to the taxable year." With this denominator, the fraction would thus represent an apples-to-apples comparison of U.S. versus worldwide R&D expenditures and, we believe, more accurately measure the portion of tentative innovation profit attributable to U.S. innovation activities.

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3 Below we recommend five-year cumulative totals in the fraction numerator and denominator be replaced by cumulative totals over four years.

D. There should be an R&D-based "floor" to the deduction

In some cases, an innovative corporation may not have any tentative innovation profit. This situation may arise, for example, if the corporation is a member of a corporate group whose other members have high costs and low returns, thereby not generating profits in excess of routine and/or marketing returns (which should be excluded from tentative innovation profit). Further, this result can create unfair treatment for innovative operations within a conglomerate as compared with a stand-alone, similarly innovative operation.

To ensure all innovative U.S. taxpayer corporations would benefit under the innovation box, without regard to possible dilutive effects of low-margin operations included in a corporate group, we recommend Prop. § 250 include a floor to the benefit. Specifically, the deduction should be based not simply on the innovation box profit (modified as described above) for a taxable year, but rather on the greater of such innovation box profit or a fixed percentage—say, 50 percent—of a taxpayer's U.S. R&D costs for such year.

Allowing a taxpayer a Prop. § 250 deduction benefit based on the greater of its innovation box profit for a taxable year or 50 percent of its U.S. R&D expenditures would <u>in all cases</u> incentivize taxpayers to boost their U.S. R&D spending, regardless of possible dilution of the Prop. § 250 fraction from various business segments.

E. Other recommendations for the IPA of 2015

1. The taxable income ceiling on the Prop. § 250 deduction should be lowered

The deduction in Prop. § 250 is 71 percent of the lesser of a taxpayer's "innovation box profit" for the taxable year and the taxpayer's taxable income (determined without regard to Prop. § 250) for the taxable year. We recommend a taxable income ceiling on the benefit be lowered to 80 percent of the taxpayer's taxable income (determined without regard to Prop. § 250, and taking into account only taxable income arising from "general category income" as defined in § 904(d)(2)(A)(ii) that is not financial services income as defined in § 904(d)(2)(D)) for the taxable year. This ceiling limits the potential benefit of the deduction while still providing sufficient inducement to achieve the policy goals of boosting domestic R&D spending and repatriating foreign-held intangible property.[4]

[4] For example, a U.S. taxpayer with $40 of taxable income from its sole business of selling widgets would only be permitted a maximum deduction $22.72 ($40 × 71% × 80%), resulting in taxable income of $17.28, and a U.S. federal income tax of $6.05 (equating to an approximate 15% tax rate on its $40 of taxable income).

2. Film and motion picture production/development costs should be treated as R&D expenditures

The film and motion picture industry does not generally classify film and motion picture production/development costs as R&D. Yet, these costs result in innovation IP and are analogous to R&D expenditures in other industries. Accordingly, we recommend that film and motion picture production/development costs be treated as § 174 R&D expenditures for purposes of the fraction in Prop. § 250, but not for purposes of the fixed-percentage R&D-based floor discussed above.

3. The definition of "qualified property" in Prop. §§ 250(b)(5)(B) and (C) should be changed

The components of "qualified property" in Prop. §§ 250(b)(5)(B) and (C) don't encompass any underlying copyright rights inherent in such property. This shortcoming would create uncertainty because common commercial transactions dealing with such properties involve "dispositions" (e.g., sales or licenses) of copyright rights in such property—e.g., a license of copyright rights in computer software. Receipts from such dispositions should constitute qualified gross receipts. Accordingly, the definitions for these components should be changed to be "property described in section 168(f)(3), including any copyright rights in such property" and "computer software (as defined in section 197(e)(3)(B), including any copyright rights in such property".

4. Prop. § 966 should be modified to permit other ways of repatriating foreign-held assets

Prop. § 966 allows U.S. taxpayers—as part of a "qualified plan"—to repatriate by distribution intangible property (as defined in Prop. § 966(c)) held by a CFC and avoid certain U.S. federal income tax consequences of such a distribution (e.g., avoidance of gain recognition by the distributing CFC (Prop. § 966(a)(1)); the allowance by a U.S. domestic corporate shareholder of a deduction offsetting any gross income inclusion arising from the dividend part of any distribution (Prop. § 966(a)(2)(A)); and basis adjustments to the CFC stock and the distributed property (Prop. § 966(a)(2)(B)). Prop. § 966(d) disallows any § 901 tax credit for any taxes paid or accrued, or treated as paid or accrued, with respect to any distribution of intangible property to which Prop. § 966(a) applies.

We recommend allowing taxpayers to repatriate, on a U.S. federal tax-free basis, intangible property using ways other than distributions. For example, taxpayers should be permitted to buy intangible property from CFCs, or to transfer intangible property from CFCs to an EAG through merger or acquisition, free from Federal income tax burdens that would otherwise be imposed.

We further recommend that U.S. taxpayers in cost sharing arrangements under Treas.

Reg. § 1.482-7 (“***CSAs***”) be permitted to repatriate foreign-held intangible property under § 966 without triggering harmful U.S. tax consequences under § 482. Such repatriation of foreign-held intangible property shouldn’t, for example, constitute a “change in participation” triggering a payment obligation under Treas. Reg. § 1.482-7(f), nor should the CSA foreign controlled participant have to continue satisfying ongoing platform contribution transaction (“***PCT***”) Payment obligations with respect to such repatriated intangible property. Absent these safeguards, Prop. §§ 966 and 250 would be of very limited benefit to U.S. taxpayers in CSAs. We recommend these safeguards be codified in Prop. § 966 with specific reference to cost sharing and § 482.

5. Prop. § 966 should be expanded to enable tax-free return of all foreign-held § 936(h)(3)(B) assets

Prop. § 966(c) allows U.S. taxpayers—as part of a “qualified plan”—to repatriate tax-free “intangible property” defined in Prop. § 966(c) to mean any property that is intangible property described in § 936(h)(3)(B)(i), motion picture film or videotape, or computer software. We believe it would be sound policy and would minimize disputes if the reference to “§ 936(h)(3)(B)(i)” in Prop. § 966(c) was changed to “§ 936(h)(3)(B)” to enable tax-free return of all foreign-held intangible property, not just foreign-held intangible property that gives rise to tentative innovation profits. Without such broadening of the categories of intangible property that could be repatriated tax free, very difficult valuation questions would arise relating to bundles of intangible properties repatriated compared with those left offshore, and to how ongoing profits generated should be split between these two bundles. These difficulties would be an impediment to implementation of the innovation box in the *IPA of 2015*, and create substantial administrative burdens for taxpayers and the IRS.

6. Fraction cumulative R&D totals should be taken over four years

We recommend the taxpayer’s cumulative U.S. and worldwide R&D in the numerator and denominator, respectively, of the fraction in Prop. § 250(b)(1) (modified, as recommended above, to replace total costs by total worldwide R&D expenditures) be taken over four rather than five years. That is, the cumulative totals in Prop. §§ 250(b)(3) & (4) should be taken over the “4-year taxable period ending with the taxable year,” and relabeled appropriately. Such four-year cumulative totals still smooth the effects of up or down spikes in R&D spending, are consistent with historic R&D spending relevant for the “alternative simplified credit” in § 41(c)(5),[5] and would reduce taxpayer compliance burdens and IRS audit burdens associated with the deduction.

[5] Calculating the ASC requires a taxpayer know its “qualified research expenses for the 3 taxable years preceding the taxable year for which the credit is being determined.

7. U.S. taxpayers should, in the case of acquisitions, be able to step into the shoes of the acquired company

Prop. § 250(c)(3)(A) directs Treasury to provide for application of Prop. § 250(c) "in cases where the taxpayer acquires, or disposes of, the major portion of a trade or business or the major portion of a separate unit of a trade or business during the taxable year." We recommend § 250 make clear that if a taxpayer acquires a trade or business that owns qualified property, the taxpayer should be permitted to step into the shoes of the acquired trade or business with respect to a relevant part of the trade or business's historic R&D expenses. The acquiring taxpayer's cumulative R&D expense fraction should include relevant amounts of historic R&D spending of the acquired trade or business. This yields the right policy result—historic U.S. R&D spending of acquired businesses would continue to provide some Prop. § 250 benefit to the acquirer, while historic non-U.S. R&D spending of such businesses would continue to lower such benefit.

III. Comparison of Prop. § 250 as is, and after modification as recommended

The table in the attached Exhibit compares existing Prop. §§ 250 & 966 with modified versions incorporating the major changes recommended in this letter.

EXHIBIT—ORIGINAL PROP. § 250 VS. SVTDG RECOMMENDED MODIFIED PROP. § 250

feature of Prop. § 250	original Prop. § 250	recommended modified Prop. § 250
§ 250(a) deduction	$71\% \times \text{lesser of} \begin{cases} \textit{innovation box profit for taxable year, or} \\ \textit{taxable income for taxable year} \end{cases}$	$71\% \times \text{lesser of} \begin{cases} \text{greater of} \begin{cases} \textit{innovation box profit for taxable year,} \\ \text{or} \\ \textit{e.g., 50\% of U.S. R\&D costs} \end{cases} \\ 80\% \times \textit{taxable income for taxable year} \end{cases}$
innovation box profit	$\dfrac{\sum_{5\ years} \text{taxpayer's U.S. R\&D expenditures}}{\sum_{5\ years} \text{taxpayer's total costs}} \times \textit{tentative innovation profit}$	$\dfrac{\sum_{4\ years} \text{taxpayer's U.S. R\&D expenditures}}{\sum_{4\ years} \text{taxpayer's total R\&D expenditures}} \times \textit{tentative innovation profit}$
tentative innovation profit	$\textit{qualified gross receipts} - \left\{\textit{allocable COGS} + \textit{allocable deductions}\right\}$	$\textit{qualified gross receipts} - \left\{\textit{allocable COGS} + \textit{allocable deductions}\right\} - \left\{\textit{routine profit} + \textit{marketing profit}\right\}$*
routine profit	not defined, but implicitly <u>included</u> in *tentative innovation profit*	routine profit, determined under § 482 principles [may be possible to craft a safe harbor]**
marketing profit	not defined, but implicitly <u>included</u> in *tentative innovation profit*	portion of *total profit – routine profit* constituting marketing profit, determined under § 482 principles*** [may be possible to craft a safe harbor]
qualified gross receipts	gross receipts derived in the ordinary course of taxpayer's U.S. trade or business from the disposition of *qualified property* **–** certain exceptions	gross receipts derived in the ordinary course of taxpayer's U.S. trade or business from the disposition of *qualified property* or the <u>provision of *qualified services*</u>, but <u>excluding</u> gross receipts giving rise to "financial services income" as defined in § 904(d)(2)(D). **–** certain exceptions
qualified property	(A) *patent, invention, formula, process, design, pattern, or knowhow* [§ 936(h)(3)(B)(i)] (B) *motion picture film or videotape* [§ 168(f)(3)] (C) *computer software* [§ 197(e)(3)(B)] (D) *a product produced using property described in* (A)	(A) *patent, invention, formula, process, design, pattern, or knowhow* (B) *motion picture film or videotape, including any copyright rights in such property* (C) *computer software, including any copyright rights in such property* (D) *a product produced using property described in* (A)
qualified services	gross receipts from services are <u>excluded</u> from q.g.r.	<u>include</u> in q.g.r. gross receipts from "services provided using property described in subparagraphs 250(b)(5)(A), (B), or (C)"

* "relevant IP profits" in UK patent box legislation are reduced by amounts attributable to routine returns and marketing assets returns—*see*, *Step 4* & *Step 6* of § 357C of Part 8A of *Corporation Tax Act 2010* ("**CTA 2010**"), added by *Finance Act 2012*.

** routine returns in UK patent box legislation are deemed to be 10 percent of "routine deductions"—*see* § 357CI of Part 8A of *CTA 2010*.

*** marketing returns in UK patent box legislation are determined using transfer pricing principles—*see* §§ 357CN, CO, & CP of Part 8A of *CTA 2010*.

EXHIBIT—ORIGINAL PROP. § 966 VS. SVTDG RECOMMENDED MODIFIED PROP. § 966

feature of Prop. § 966	original Prop. § 966	recommended modified Prop. § 966
intangible property	(A) *patent, invention, formula, process, design, pattern, or knowhow* [§ 936(h)(3)(B)(i)] (B) *motion picture film or videotape* [§ 168(f)(3)] (C) *computer software* [§ 197(e)(3)(B)]	(A) *any intangible property described in* § 936(h)(3)(B) (B) *motion picture film or videotape* [§ 168(f)(3)] (C) *computer software* [§ 197(e)(3)(B)]
tax-free method of repatriating intangible property	**distribution**	**distribution, and other ways—e.g., purchase-sale transaction, or through merger or acquisition**
intangible property repatriation consequences for taxpayers in § 1.482-7 cost sharing arrangements	**not addressed**	**Prop. § 966 should specify—with reference to § 482 and cost sharing—that repatriation shouldn't trigger harmful tax consequences:** ◊ **not a "change in participation" under § 1.482-7(f);** ◊ **no further PCT Payments obligations with respect to repatriated intangible property.**

Appendix A

SVTDG Member Companies

1. Adobe Systems, Inc
2. NetApp, Inc.
3. Accenture PLC
4. Acxiom Corporation
5. Advanced Micro Devices, Inc.
6. Agilent Technologies, Inc.
7. Altera Corporation
8. Amazon.com
9. Apple Inc.
10. Applied Materials, Inc.
11. Avago Technologies Ltd.
12. Aviat Networks, Inc.
13. Bio-Rad Laboratories, Inc.
14. BMC Software, Inc.
15. Broadcom Corporation
16. Brocade Communications Systems, Inc.
17. Cadence Design Systems, Inc.
18. Chegg, Inc.
19. Cisco Systems, Inc.
20. Dolby Laboratories, Inc.
21. Dropbox
22. eBay, Inc.
23. Electronic Arts, Inc.
24. Etsy, Inc.
25. Expedia, Inc.
26. Facebook, Inc.
27. FireEye, Inc.
28. Fitbit, Inc.
29. Flextronics International Ltd.

30. Fortinet
31. Genentech, Inc.
32. Genesys Telecommunications Laboratories, Inc
33. Genomic Health, Inc.
34. Gilead Sciences, Inc.
35. GitHub
36. GlobalLogic, Inc.
37. GLOBALFOUNDRIES, Inc.
38. Google, Inc.
39. GoPro, Inc.
40. Groupon, Inc.
41. Hewlett-Packard Company
42. Ingram Micro, Inc.
43. Integrated Device Technology, Inc.
44. Intel Corporation
45. Intuit, Inc.
46. Intuitive Surgical, Inc.
47. KLA-Tencor Corporation
48. Lam Research Corporation
49. LinkedIn Corporation
50. Marvell Semiconductor, Inc.
51. Maxim Integrated Products, Inc.
52. Mentor Graphics, Inc.
53. Microsemi Corporation
54. Microsoft Corporation
55. Netflix, Inc.
56. NVIDIA Corporation
57. Oracle Corporation
58. Palo Alto Networks, Inc.
59. Pandora Media, Inc.
60. Pivotal Software, Inc.

61. Plantronics, Inc.
62. Qualcomm, Inc.
63. salesforce.com
64. SanDisk Corporation
65. Sanmina Corporation
66. SAP
67. Seagate Technology, PLC
68. ServiceNow, Inc.
69. SMART Modular Technologies Corp.
70. Synopsys, Inc.
71. Tesla Motors, Inc.
72. The Walt Disney Company
73. Twitter, Inc.
74. Uber, Inc.
75. Visa, Inc.
76. VMware Corporation
77. Xilinx, Inc.
78. Yahoo! Inc.
79. Yelp Inc.