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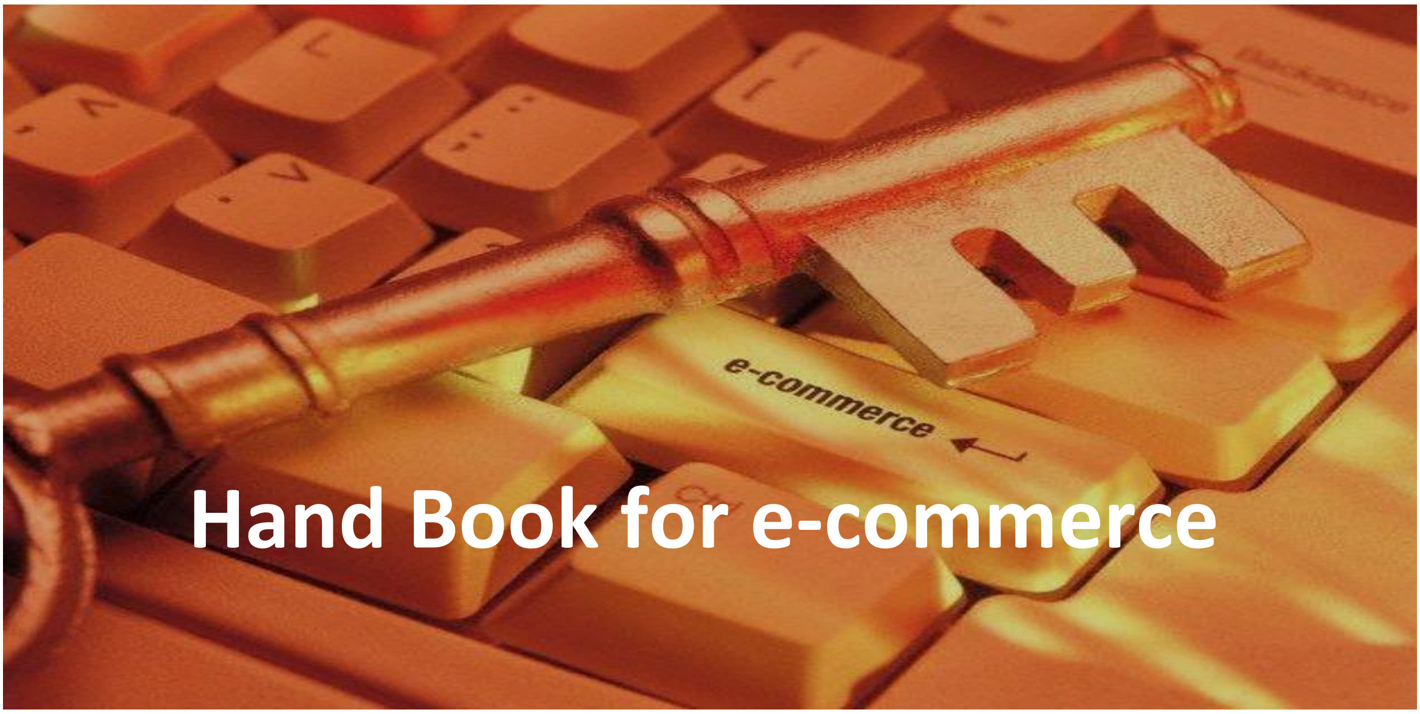
Consulate General of India
New York



Hand Book for e-commerce

Doing Business in the United States: Selling your Products and Services Through e-commerce

Economic Diplomacy Division
Ministry of External Affairs

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Introduction

E-commerce provides an excellent platform for Indian small and medium-sized businesses to develop their export strategy for the US market.

U.S. consumers spent $385 billion online in 2016 and experts predict that number will grow to $632 billion in 2020. The US retail e-commerce growth is 16% which is 8 times faster than the overall retail sector. As a result, many entrepreneurs and existing brick-and-mortar businesses turn to e-commerce as a business opportunity. US shoppers are avid cross-border shoppers. About 50% of them prefer to shop online rather than in a store and this proportion is even higher for Generation X and Y shoppers. On top of that, US shoppers are happy to spend their money abroad with the UK being their favoured destination (49%) followed by China (39%), Canada (34%), Hong Kong (20%) and Australia (18%).

Meanwhile, e-commerce is India's fastest growing channel for commercial transactions. Indian e-commerce is growing at an annual rate of 51%, the highest in the world and is expected to jump from USD 30 billion in 2016 to USD 120 billion in 2020.

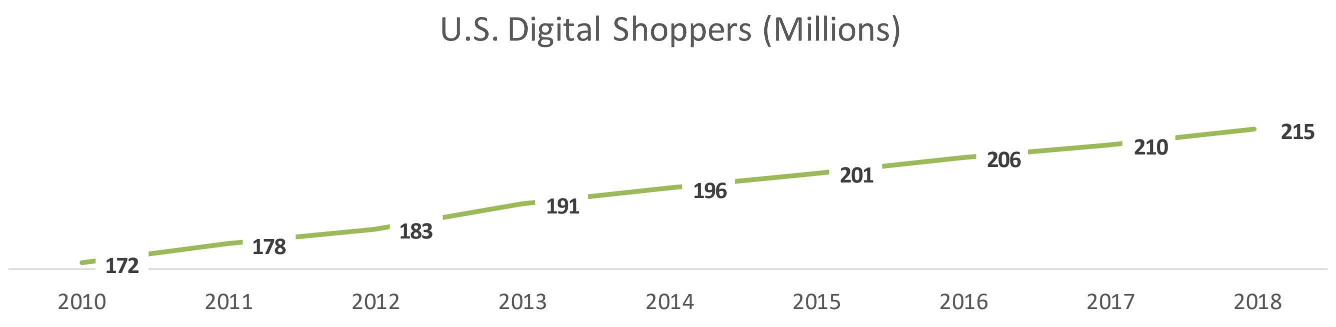
This practical guide aims to address the trends in the US e-commerce market and explain how to establish an effective e-commerce strategy, allowing Indian companies to rapidly gain national market exposure in the US.

We will cover the legal, tax, and operational considerations that need to be accounted for when selling your products online to US consumers.

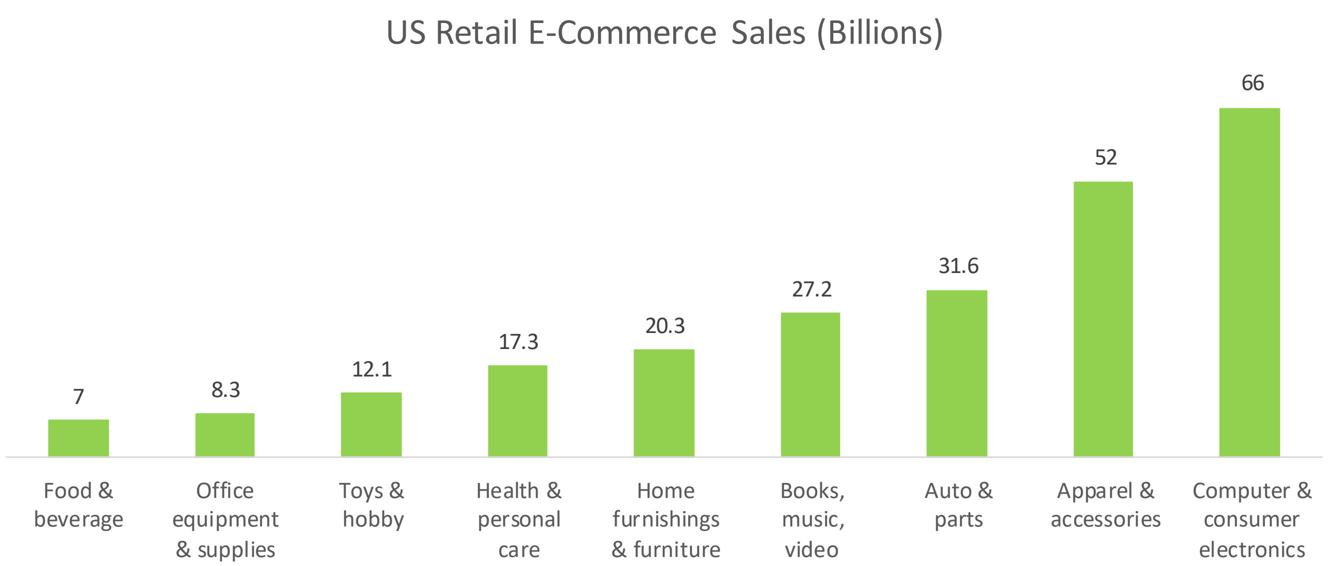
E-commerce Landscape in the United States

The United States is home to the most sophisticated e-commerce market in the world. According to the National Retail Federation, online sales will total between $427 billion and $443 billion for the year 2017. India's e-commerce is currently growing at a rate of nearly 50%, one of the highest in the world and is expected to grow from a total of $30 billion in 2016 to $120 billion in 2020 according to Forrester. According to Business Insider, 20% of the total value of goods purchased was done with the use of a mobile device (m-commerce versus PC) and is expected to be close to 45% by 2020. The Indian m-commerce is growing as well, industry experts estimate that m-commerce could represent up to 70% of total revenues. The number of American's shopping online has increased by nearly 20 million people from 2015 to 2016. Overall, it is expected that e-commerce will generate 8.6-10% of all retail sales in the US.

The total number of Americans shopping online has been steadily increasing with a total of 215.1 million estimated unique digital shoppers online in 2018.

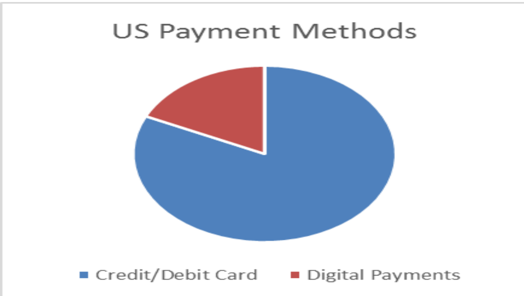


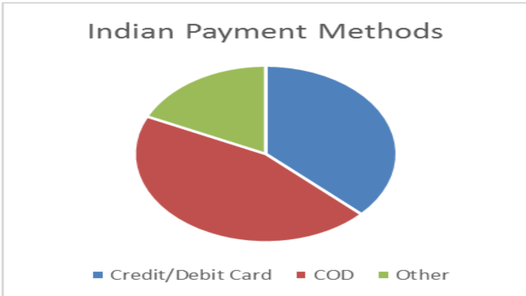
The top categories of retail e-commerce goods sold in the US are computer & consumer electronics, apparel & accessories, auto & parts, books, music & video, home furnishings & furniture, heath & personal care, office equipment & supplies, and food & beverage. The chart below presents the dollar value of these goods sold in the US in billions of dollars.



American e-commerce shoppers look to foreign countries to purchase products making the US a prime target for overseas countries to do business in. As nearly half of US consumers consider price to be the main reason for engaging in cross-border commerce, Indian firms should be able to take advantage of this opportunity to sell to American consumers. The Boston Consulting Group estimates that cross-border sales will grow to $350 billion by 2025.

The most popular payment method for American consumers is to make purchases with credit or debit cards. In 2015, 73% of payments were made through this channel with the second most common channel being digital payments, representing 16% of payment methods for B2C transactions. Compared to India, Cash on Delivery (COD) accounted for 45% of online payments and 37% of payments were made with credit or debit cards.





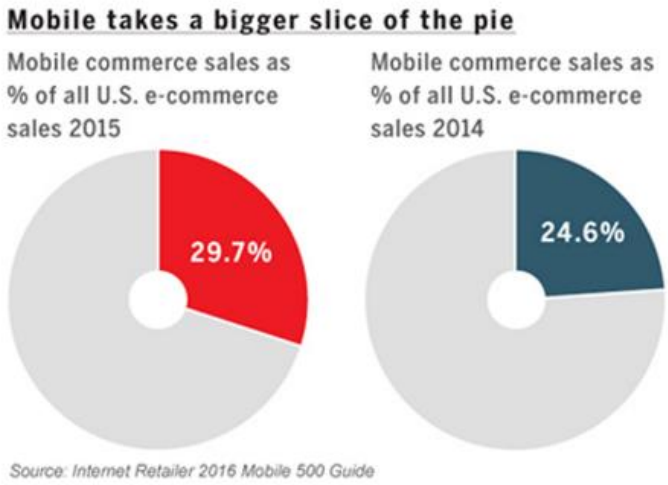
There are four main e-commerce channels Indian companies can use to establish a presence in the US. Companies can choose from selling from their Indian website, their US website, a third-party marketplace to an in-country distributor. Below are the benefits and disadvantages to these routes as provided by the US Department of Commerce.

Sell From Your Own in-Country Site	**Sell From Your Own U.S.-Based Site**
Benefits	Benefits
Own Data & Design Flexible Content Control Your Brand Pricing Autonomy	Leverage Authenticity Bypassing Some Market Barriers Own Your Analytics
Disadvantages	Disadvantages
Less Traffic Localized Language Options ICP License Req. Third-Party Logistics Third-Party Payment Gateways	No Brand Recognition/Overseas Traffic Embedded Payment Gateway Needed Logistics Partner Required In-House Tech Support Lack Aftersales Service Options
3rd Party Sites (Marketplace/Platforms)	**Sell to In-Country Distributor - B2B**
Benefits	Benefits
Lots of Customer Traffic Content & Navigation in Local Language Payment Received in Other Currencies Local After-Sales Service (Depends)	Immediate Purchase of Product Simple/Fewer Transactions
Disadvantages	Disadvantages
Local Presence Required Lots of Competition Lack of Control of Customer Data Potential Lack of Control of Pricing	Requires Interested Dist. Smaller Margins No ‘C’ – Lack of Localized Info Vetting Process

Trends in the US e-commerce market

1. Mobile e-commerce growth

M-commerce is taking up a progressively bigger chunk of the US online retail space. In fact mobile commerce now accounts for nearly one-third of all U.S. e-commerce sales and smartphone users have surpassed computer users and have become the main source of traffic to e-commerce sites. It is therefore crucial for Indian brands to optimize their websites for mobile, with a website design that adapt automatically to mobile interfaces and the integration of social media. Everything needs to be done to facilitate the buying process. It is estimated that more than half of US retailers have a mobile-optimized website.



2. Order online Pick up in store (US)

American consumers are increasingly choosing the option of picking up online orders in stores, instead of waiting for home deliveries and to save money. Research by Planet Retail shows that around 13% of online shoppers in the US buy online and self-collect. Thus, retailers are coming up with new ways to enable customers to easily switch from website to mobile and to physical store.

3. Social commerce

Experts predict that social commerce will be the next “big thing” in 2017. Brands are now leveraging various social platforms to sell their products and services directly. You no longer need to redirect your customers to a separate landing page; they can buy the desired products without leaving the social platform.

Add ‘buy buttons’ and shopping features to your Twitter, Instagram, Facebook and other social platforms to encourage followers to purchase products and services directly. Start-ups and big players alike are leveraging this trend. Being able to get friends' opinions while buying a product, or being able to share the details of a product with someone, enhances the user experience and increases the chance of the user turning into a loyal customer.

4. Online live help

Customer service must also adapt to online platforms; this includes live-chats, video conferences with a sales associate, 24 hour hotlines, and quick answers to the questions asked on social networks. Another trend for customer support is the use of chat bots. More and more companies are using integrated artificial intelligence to help consumers with shopping, booking and customer service.

5. Free Shipping/Same Day Delivery

Free shipping and same day delivery are growing trends in the e-commerce industry and is one of the largest factors for sales in e-commerce. Each year it becomes more and more prevalent, especially during the holiday season. According to ComScore data, e-commerce transactions with free shipping were at 68% whereas transactions with paid shipping were at 32%. An extra step is to offer free returns for unsatisfied customers. More consumers now are willing to pay extra for same day delivery or services which expedite delivery (Amazon Prime, for example).

6. Clean, simple e-commerce websites for the US audience

E-commerce sites are reviewing their design: large pictures and typographies, minimalist menus and as little text as possible, using a clean visual style e.g. Keep San Antonio Real. Some brands such as Folks also use full screen video on their home page. Interfaces that highlights products particularly suited for customers and promotional offers based in their past buying behaviours are keys to success. Websites are trying to duplicate the level of customization found on Amazon.

Expert Feedback: Timon van den Berg, Salesupply Inc.

Another way to describe trend two is the term Omni-Channel. Omni-channel is starting to become more and more developed in the US. Larger retailers are hiring Chief Omni-channel officers to support their Omni Channel strategy. Since the amount of touch points with your customers is increasing it’s important to define the expectations of your clients per channel and tries to meet them. For you it might be all about the purchase, but for your customer it’s much more than that and before ending up buying your product the might have been in contact with your brand via many different channels. Other important reasons to start thinking about your Omni Channel strategy are to improve your customer loyalty, brand interaction, raise average order value, and improve customer support and your logistic supply chain. For new companies entering the US market we see a trend in geographic focus. Since there are quite a lot of differences between regions in the US it might be smart to focus on a specific area instead of trying to conquer the whole market at once.

Selling Successfully on Marketplaces

Online marketplaces dominate the e-commerce market in the United States and are the fastest-growing channels. The main marketplaces, Amazon and eBay respectively represent one third and one fourth of all online retail sales. Thus, it is crucial that Indian companies (online merchants and brand manufacturers) sell their products on marketplaces to expand their reach and increase their revenues. The main advantage is that marketplaces attract more visitors than a smaller online merchant could possibly attract.

Main advantages of Selling on Marketplaces

- ✓ **Benefit from high traffic**
- ✓ **Increase revenue** and **Acquire New Customers** through an additional sales channel
- ✓ **Expand internationally**: marketplaces are at the heart of globalization. Their websites are translated in several languages and are accessible from anywhere in the world. They attract buyers and sellers in one place.
- ✓ **Gain brand recognition**: marketplaces benefits from a high page ranking and SEO, which allows high traffic and ensure visibility.
- ✓ **Minimize Risk**: marketplaces manage the transaction process, so online merchants are not responsible for maintaining a payment system in new locales.

However, marketplaces have increased competitiveness and companies need to find ways to stand out of the crowd by crafting a marketplace entry strategy. On top of that, companies need to take into account marketplaces fees. Most marketplace fees are deducted as a percentage of each sale, and can vary from site to site and even category to category.

Amazon, eBay, Sears.com, Jet.com, Newegg, and Google Shopping are the most viable alternatives for smaller e-commerce merchants in the US.

Top US Marketplaces

Company	Marketplace fees	Active US Shoppers (average unique monthly visitors)	Comments
Amazon	Amazon marketplace fees	183 million	Amazon offers several monthly plans for merchant stores and charges commissions upwards to 25 percent, depending on the category. Restricted Products
eBay	eBay marketplace fees	107 million	Easy-to-establish seller account. Wide variety of products and categories
Etsy	Etsy marketplace fees	36 million	Handmade, vintage, craft goods
Jet.com	Jet.com marketplace fees	25 million	Jet.com is an American e-commerce company which was sold to Walmart in 2016 as an Amazon.com competitor.

Newegg	Newegg marketplace fees	6.1 million	Consumer electronics and IT products Educated tech-savvy target audience
Sears	Sears marketplace fees	21 million	Products include electronics, home goods, outdoor living, tools, fitness, toys, etc., with the most popular category being lawn and garden Minimum Seller Requirements: • Active seller on the Rakuten.com (formerly Buy.com) Marketplace • Must have a U.S. address and ability to ship/accept returns to/from all 50 United States • Ability to ship all orders within 2 business days • Minimum 30-day customer return/exchange window required for all sellers • Restocking fees are prohibited
Best Buy	Best Buy marketplace fees	34 million	Mostly consumer electronics products Best Buy Seller Directory
Google Shopping	Google Shopping Marketplace Guidelines	233 million	Google Shopping is a service which allows consumers to search for products and compare prices through simple Google searches.

Expert Feedback: Mark Vandegrift, VP of Product Management, Marketplaces, ChannelAdvisor

When selling into a new market, there are many challenges: understanding the local culture and customer expectations, building awareness for your brand, organizing logistics for fulfillment and much more. Rather than investing heavily in an unknown and untested new market, we often recommend that online retailers consider selling through third-party marketplaces first. This gives them the ability to test the market for demand and competition, while benefiting from the traffic and loyalty of an established marketplace.

In addition to providing an incubator for testing various products, many Marketplaces also offer programs to ease fulfillment, currency conversion, localization of content and customs and import duties.

Tips and Tricks to Selling Successfully on Marketplaces in the US

- ✓ **Optimize the quality of your product titles, descriptions and images** to enhance your positioning and ensure that your products are visible to potential customers on whichever marketplace you're selling

- ✓ **Shipping**: US customers are quickly getting used to a great level of customer service. 90% of US shoppers choose free delivery and 70% of orders are expedited. Therefore, if you want to compete seriously, it is important that your company **offer fast, free delivery and guaranteed delivery dates.**

- ✓ **Return Policy**: in the US, returns are usually **free**. You should consider a partner to assist with return management.

- ✓ **Engage in social media** as reviews by customers and customer Q&A play a huge influence in the purchasing process.

- ✓ **Pricing and discounts**: put more than one price; show some kind of discount and value. Employ coupons, specials and cross-selling promotions to bring your products to the attention of the US shoppers

- ✓ **Treat marketplaces as a distribution territory** and do not leave your online brand up to resellers/discounters in order to keep control of your brand.

- ✓ **Focus on Customer Experience**: Seller reputation is crucial on marketplaces. You should consider offering customer service during local business hours.

Amazon Fulfilment Centres (FBA) and taxation

Fulfilment by Amazon (FBA) involves shipping your inventory in bulk to Amazon and letting Amazon handle the shipping of your products. As a seller on Amazon, you are required to collect sales tax on all sales made to buyers in any state where you house inventory in an Amazon Fulfilment Center.

The following US states either have specifically stated or have at least clearly implied that having inventory in the state is a "nexus" creating activity, which means a presence in a state that requires your business to comply with that specific state's sales tax laws: **Arizona, California, Indiana, Kansas, Kentucky, New Jersey, Pennsylvania, South Carolina, Tennessee, Texas, Virginia & Washington**. It is highly likely that Nevada would also assert that having inventory in the state is a nexus creating activity.

Source: TaxJar

Setting Up Your Own U.S. website

Marketplaces are a low-risk approach to start selling to US customers. However, while marketplaces allow you to grow sales, they do not enable you to grow a sustainable business and create your own marketable brand. Once you have established a first presence in the US, it makes sense to launch a light version of a local branded online store and focus on service and reputation building, before providing a fully functional US website, mobile experience and implementing a more aggressive and riskier marketing strategy in order to acquire new customers. Having a standalone e-commerce website gives you control over the content and branding, over promotions and discounts, but above all gives you access to customer information.

In addition, some products work best when sold on an independent dedicated website. It is the case for businesses with unique business models, for businesses that serve personalized or niche products, their own brands or inventions, and under-served product categories.

When localizing your web shop, you will need to think about adapting to local needs and differences. There are three major points you will need to address:

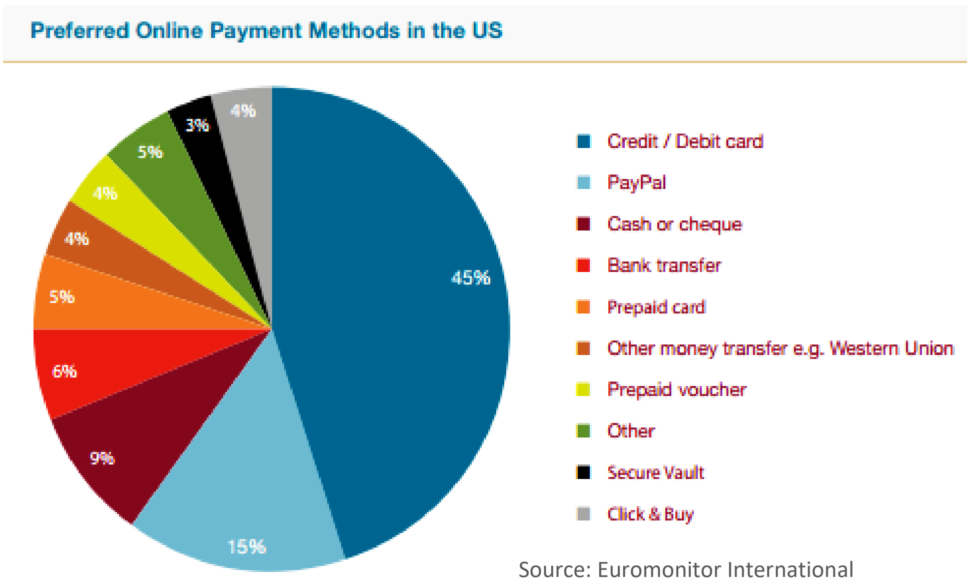
1) Payment solutions: you need to offer popular credit cards in the US on top of PayPal
2) Fulfillment/Logistics: warehouse in the US or ship from India and have US customers pay for duty and taxes issues?
3) Customer Service and Marketing

Payment Solutions

Online payment methods in the U.S.

American consumers use primarily credit cards, debit cards and PayPal to pay for products and services online. On top of traditional Visa and MasterCard cards, American Express is frequently used by US shoppers. In addition, Discover cards, local payment cards, are a must. **Not offering these payment methods could be detrimental to Indian exporters.**

Payment cards (credit / debit) represent 45% of all online payments while **PayPal is used in another 15% of cases**. Online card fraud runs at 0.98%, while the recent introduction of "chip and pin" cards is expected to deter online fraudsters.



Source: Euromonitor International

How to open a merchant account in the U.S.?

Indian companies that are working to establish a stronger foothold in the United States will need to set up merchant accounts or find suitable alternatives that will allow them to process credit card payments. A merchant account is not a bank account, it is similar to a line of credit, so you will need to fill out an application and once approved, you can begin accepting payments from customers.

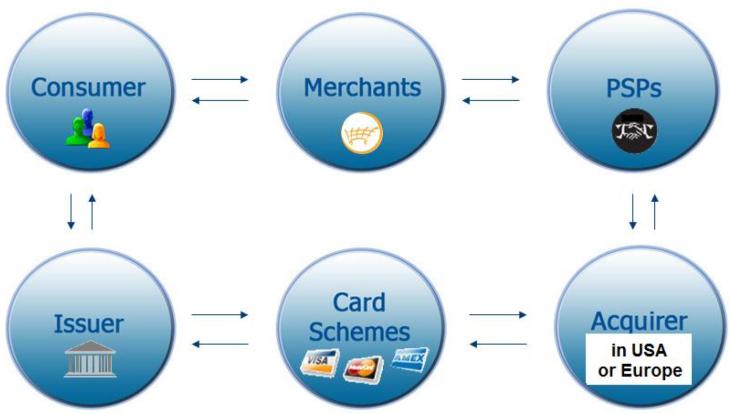
For a business to open a merchant account in the United States, several conditions need to be met:

- Establish a legal presence in the United States.
- The officers of the business do not necessarily have to live in the United States but the business must maintain a minimum of an “ancillary branch” that is incorporated in any one of the fifty states.
- A physical address
- A US bank account that its funds will be deposited into.
- The signor/guarantor on the application, which does not have to be the business owner, has a US social security number

Opening a "Merchant Account" in the US (Accept credit cards in USD)

A-Understanding Industry Payment Cards in the U.S.

1 - The players in the chain of payment



- **E-commerce and / or MOTO Merchant**: An entity that sells remote goods / services to the cardholder and expects payment in return.
- **Payment Service Provider (PSP):** technical interface that allows the merchant to offer its customers various payment methods - including payment by credit card and online payments. It is connected to the technical platform of the acquirer to pass on the data entered by the cardholder. Commonly called "Payment Gateway"

- **Acquirer:** Financial Institution approved by the "Card Associations". Technically connected to the PSP via its platform. Manages, on behalf of the merchant, the payment process: authorization, data exchange and movement of funds to pay for the various players in the chain.
- **Card Associations**: Visa and MasterCard networks. They authorize the transfer of funds to the appropriate issuers using the data received from the platforms.
- **Issuer:** Financial institutions that issue credit cards. They are responsible for approving or denying the transactions. The acquirer pays for all authorized transactions made by the cardholder and sends an invoice / statement to the cardholder.

2 - Interchange

- What is the Interchange?
This is an interbank percentage charged to merchants so they can accept credit cards. It is paid by the acquiring bank for the merchant to the issuing bank.
It is used to offset some of the risks and costs that the issuing banks have by maintaining cardholder accounts.
Interchange rates are set by the credit card associations (Visa, MasterCard, Discover), and are by far the largest component of costs associated with the acceptance of credit cards (80% to 90% of total fees).

- Who sets the Interchange Rates?
Visa and MasterCard set the rates and qualification requirements for each category of Interchange. This price is updated twice a year. There are hundreds of different interchange rates depending on the type of card, the merchant profile etc., but Interchange rates are the same regardless of the processor.
The Interchange fee charts are published on the Visa and MasterCard websites.

- What factors affect the cost?
Interchange rates have a complex pricing structure based on:

- The card brand (Visa's rates are different from MasterCard's)
- The type of card (debit / credit rewards, corporate, international, etc.).
- The industry type (retail, restaurants, wholesalers, supermarkets, e-commerce, schools, gas stations, etc.)
- The average ticket (small tickets get a preferential per transaction cost)
- How the merchant processes the transaction (swipe, online, mobile, etc.).
- Transactions are surcharged when they do not meet the requirements of the Interchange

B-Opening a "Domestic Merchant Account" in the U.S. (Accepting USD from a company incorporated in the USA)

1 - Definition of "Merchant Account"
This is a contract between the merchant and the financial institution "acquirer"
The application can be submitted to several different organizations:

- Independent Providers (Independent Sales Organizations) are the most knowledgeable in their field. They often have the best rates and have a high level of customer service.
- Banks are generally less knowledgeable than ISOs as credit card processing is not their primary function
- Processors: they can sometimes deal directly with very large accounts (> $ 50M)

The bank account can be opened at any bank. The merchant is not obligated to process credit cards with their bank- they can obtain their merchant account through any ISO.
A merchant can easily change merchant account providers without changing their bank account, the two are not related.

2 - Conditions for obtaining a "Merchant Account"

Applications are not always automatically approved by underwriting.
Approval is closely linked to the risk assessed on the account based on the merchant's profile:

- If merchant is in a 'card present' environment (cards physically swiped in a terminal) and the average ticket under $100, the application could be easily approved.
- If the merchant is in a 'card-not-present' environment (e.g. e-commerce or wholesalers), and / or if the average ticket is high and / or if the company is a "start-up" (no processing history), then getting an approval will be more difficult. Often additional information is requested such as tax returns, financials, personal guarantees, acceptance of delayed funding etc.

In all cases, merchants will have to provide:

- Bank account in the United States
- Federal Tax ID number (except for sole proprietorships)
- Signature by a majority shareholder or an authorized representative of the company
- If possible a signer with a U.S. social security number or ITIN (Individual Tax Identification Number) - but if not available there are alternative solutions.

C-Accepting USD with a "MERCHANT ACCOUNT" outside the U.S.

If the conditions for a domestic U.S. Merchant Account are not met, or if the application is declined by a U.S. processor, there are alternatives.

1 - Get an "International" merchant account

Companies whose headquarters are located outside of the USA can accept credit cards in most common currencies through specialized acquirers.

Conditions for opening an "International" Merchant Account

- Company can be incorporated anywhere in the world (some few exceptions)
- Accept credit cards remotely (telephone sales, wholesaler, e-commerce)
- Signor may be of any nationality
- Bank account located in US, UK, all EU countries or Japan (again some exceptions apply)
- "High risk" merchants may be considered on a case by case basis.

2 - Getting an "Offshore" merchant account

This can be a solution for merchants whose accounts have been declined. These accounts are often more expensive. Riskier accounts can be approved, regardless of the country of incorporation or the nationality of the signor.

Conclusion: a particularly complex area

In some countries, banks are inter-connected, allowing merchants to avoid using the Mastercard and Visa networks Associations: consequently the cost of accepting credit cards is very affordable and transparent.
In most other European countries, the cost of Interchange is rather low and still transparent.
In the United States, credit card acceptance is much more complex and far more costly for merchants. Very often merchants are uneducated on the credit card industry and end up paying unnecessary fees and high rates.

Tax Considerations

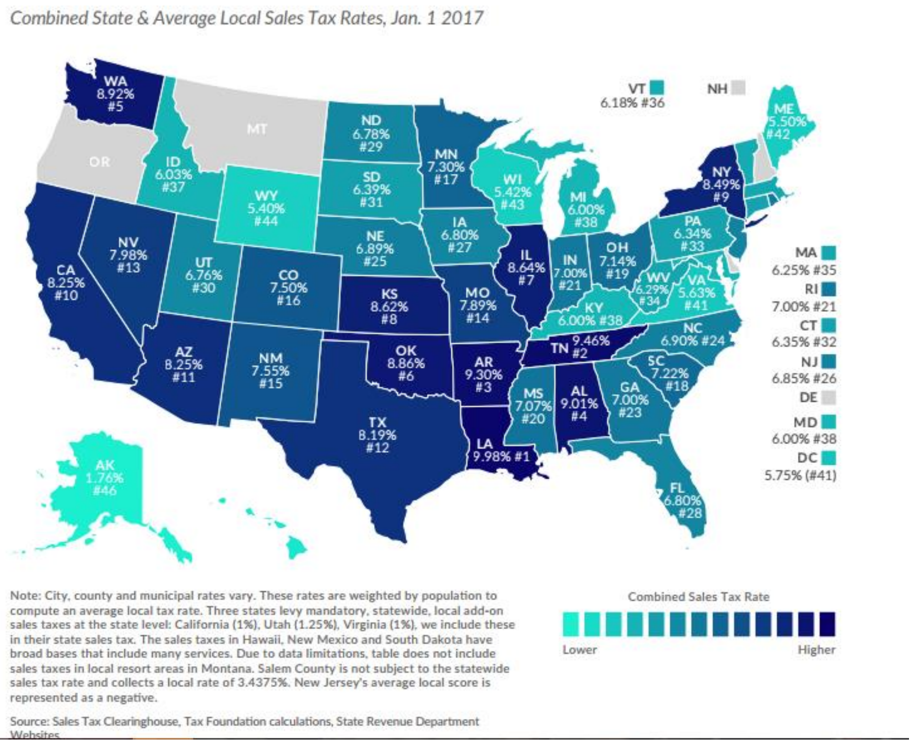
The Notion of Nexus

In US tax law, the term "Nexus" is used to describe a situation in which an out-of-state business has a physical presence in a state and has thus to pay state income taxes and collect sales taxes within that state.

Each US state defines nexus differently, but all US states consider that a nexus exists if you have a store or an office of some sort. Navigating sales tax laws is daunting for domestic and foreign companies. If you are uncertain whether or not your business qualifies as a physical presence, it is recommended that you contact the state's revenue agency: US States Revenue Agencies

Sales tax is charged at different rates depending on which state the company has a Nexus in. This sale tax rates varied across states, ranging from 4 to 10.75%. According to the Tax Foundation, 45 states collect statewide sales taxes and 38 states collect local sales taxes. The five states with the highest average combined state and local sales tax rates are Louisiana (9.98 percent), Tennessee (9.46 percent), Arkansas (9.30 percent), Alabama (9.01 percent), and Washington (8.92 percent). The five states with the lowest average combined rates are Alaska (1.76 percent), Hawaii (4.35 percent), Wyoming (5.40 percent), Wisconsin (5.42 percent), and Maine (5.5 percent).

Determining which sales tax to charge to a US customer can be a challenge. Many online retailers use online shopping-cart software services to handle their sales transactions. Several of these services are programmed to calculate sales tax rates for you (e.g. Avalara or TaxJar).



Additional Resources: http://www.taxjar.com/states/
http://www.salestaxinstitute.com/resources/rates
http://www.taxjar.com/education/Intro-to-Sales-Tax-for-Online-Sellers_April-2014.pdf

The Marketplace Fairness Act and its implications

The Marketplace Fairness Act grants US states the authority to compel online and catalog retailers ("remote sellers"), no matter where they are located, to collect sales tax at the time of a transaction - exactly like local retailers are already required to do. Two scenarios apply to international sellers:

1) **You are an international seller with no physical presence in the United States**

In this scenario, you may have to deal with customs and import taxes but you do not have to collect or remit sales tax.

2) **You are an international seller who warehouses products in the US such as in an FBA warehouse**

If you sell on Fulfilment by Amazon or have established any other type of sales tax nexus in the United States such as a store, an office, a satellite branch, or a warehouse where you store inventory, then you must comply by the sales tax laws of the state where you have nexus. You must collect applicable state and local sales tax from your customers.

Shipping Charges and Taxation

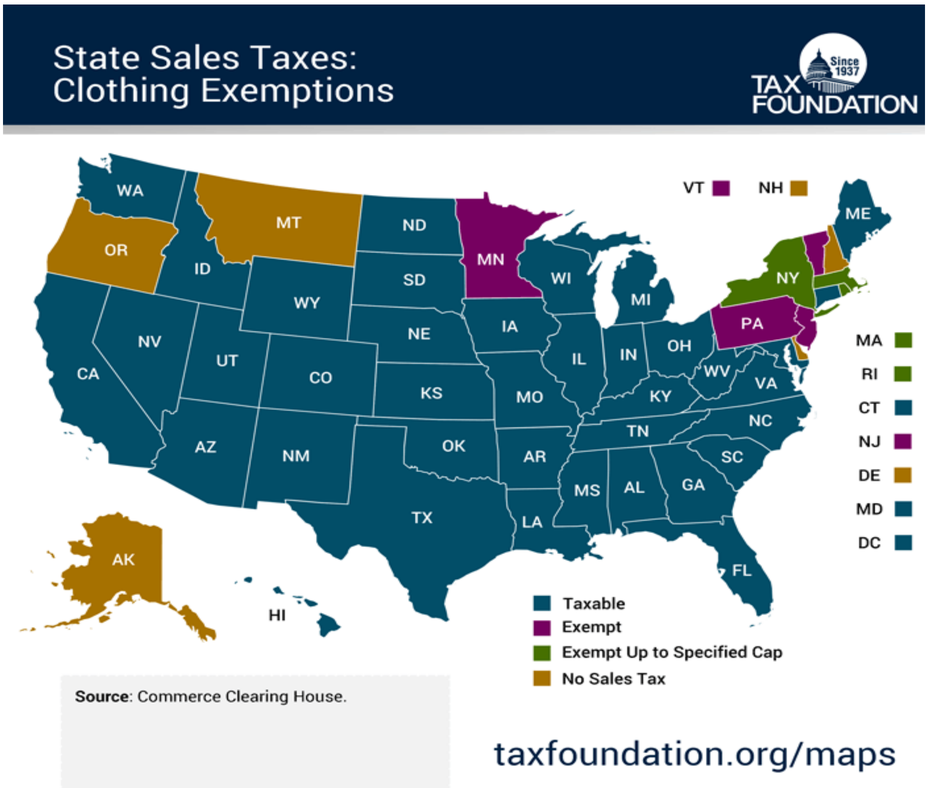
US State	Shipping Charges	Amazon Fulfilment Center
Alabama	Not Taxable	No
Arizona	Not Taxable	Yes
Arkansas	Taxable	No
California	Not Taxable	Yes
Colorado	Taxable	No
Connecticut	Taxable	No
District of Columbia	Taxable	No
Florida	Taxable	Yes
Georgia	Taxable	No
Hawaii	Taxable	No
Idaho	Not Taxable	No
Illinois	Not Taxable	No
Indiana	Taxable	Yes
Iowa	Not Taxable	No
Kansas	Taxable	Yes
Kentucky	Taxable	Yes
Louisiana	Not Taxable	No
Maine	Taxable	No
Maryland	Not Taxable*	No
Massachusetts	Taxable	No
Michigan	Taxable	No
Minnesota	Taxable	No
Mississippi	Taxable	No
Missouri	Taxable	No
Nebraska	Taxable	No
Nevada	Taxable	Yes
New Jersey	Taxable	Yes
New Mexico	Taxable	No
New York	Taxable	No
North Carolina	Taxable	No
North Dakota	Taxable	No

Ohio	Taxable	No
Oklahoma	Not Taxable	No
Pennsylvania	Taxable	Yes
Rhode Island	Taxable	No
South Carolina	Taxable	Yes
South Dakota	Taxable	No
Tennessee	Taxable	Yes
Texas	Taxable	Yes
Utah	Taxable	No
Vermont	Taxable	No
Virginia	Not Taxable*	Yes
Washington	Taxable	Yes
West Virginia	Taxable	No
Wisconsin	Taxable	No
Wyoming	Not Taxable	No

*Shipping is not taxable, but with a caveat. Shipping and handling charges together are taxable. If you charge shipping and handling as a combined charge, then you should charge sales tax on shipping charges.

State Exemptions

Indian online merchants need to keep in mind that not every state and locality has a sales tax. **Alaska, Delaware, Montana, New Hampshire and Oregon** do not have a sales tax. In addition, most states have tax exemptions on certain items, such as food or clothing.



Clothing Exemptions

Eight states fully or partially exempt clothing in general. Clothing is fully exempt in Minnesota, New Jersey, Pennsylvania, and Vermont. In three states, clothing up to a certain cap is exempt (in Massachusetts the cap is $175, in New York $110, and in Rhode Island $250).

Shipping and Returns

The “all free, all the time” approach to shipping is not always an option for small and medium sized online retailers that have slimmer margins than large retailers and cannot leverage their negotiating power over wholesalers and manufacturers.

There are a few considerations to take into account when it comes to shipping options.

1) Your **profit margins** will help you determine what level of discounted shipping you will be able to offer your customers.
2) The **size and weight of your products**, as heavier items are more expensive to ship.
3) **Your orders**. You may for example consider offering free shipping on orders that are higher than your average order value.
4) The **location of your customers**
5) **Research the competition** and get creative. In an online retail world where customers have an abundance of similar choices, the right offer could make all the difference.

Below are the most common free shipping strategies:

1) **Free shipping on all orders** is a viable option for online retailers with smaller and lighter weight products. Retailers typically have stipulations regarding delivery method and destination.

2) **Free shipping with minimum thresholds** encourages larger orders and reduces risk.

3) **Free shipping on certain items only**, generally high-margin items, but you can also make exceptions for lower-margin items so that your offer can be more easily communicated to your customers.

4) **Occasional free shipping**. You could for example offer free shipping during the holidays when consumer expectations for free shipping are at a peak. Depending on your products, it is also a good idea to test free shipping offers at other times of the year, such as Valentine’s Day and Mother’s Day. You can also use “Next Day Air” or “Overnight Delivery” to attract last-minute shoppers.

5) **Free Shipping to certain locations**. As mentioned, many sellers offer free shipping only to buyers in the contiguous U.S. Taking it a step further, many larger retailers are now offering “free ship to store,” where consumers can pick up merchandise at their local brick and mortar store, a tactic that can lead to in-store purchases as well.

6) **Fee-based member programs** are increasingly popular methods among retailers. Merchants charge customers an annual fee in exchange for free shipping on some or all items.

7) **Loyalty Programs**, in which retailers provide incentive to encourage repeat purchases, such as offering free shipping to their most loyal customers.

8) **Add the cost of shipping into the product price**. This is an effective way generate more traffic to your website, and get some increased sales.

9) **Free shipping on returns** is especially appealing for buyers of clothing of footwear.

10) **Flat-rate shipping** will encourage larger orders, and in many cases your customers will pay less for shipping than they would have otherwise.

Major Online Shopping Days in the US

For online retailers, the Holiday Season starting in November is the busiest with Cyber Monday (the Monday after Thanksgiving) is the busiest online shopping day of the year. ComScore recorded a 17% increase in sales last year for a total of over $2 billion.

2016 Holiday Season Spending vs. Corresponding Days* in 2015
Non-Travel (Retail) E-Commerce Spending
Excludes Auctions and Large Corporate Purchases
Total U.S. – Home & Work Desktop Computers
Source: comScore, Inc.

	Millions ($)		
	2015	2016	Percent Change
Full Holiday Season (Nov. 1-Dec. 31)	$56,427	$63,099	12%
Thanksgiving Day (Nov. 24)*	$1,096	$1,287	17%
Black Friday (Nov. 25)*	$1,656	$1,970	19%
Holiday Weekend (Nov. 26-27)*	$2,169	$2,486	15%
Cyber Monday (Nov. 28)*	$2,280	$2,671	17%
Thanksgiving thru Cyber Monday*	$7,201	$8,414	17%
Green Monday (Dec. 12)*	$1,408	$1,621	15%
Free Shipping Day (Dec. 16)*	$845	$967	14%

Corresponding days based on corresponding shopping days

Source: ComScore, Inc.

E-commerce calendar in 2017

Every month, e-commerce retailers in North America plan their marketing campaigns around major holidays. It is crucial for Indian SMEs to stay on top of those holidays, identify which holidays and sales dates align with your marketing schedule and brand so you can effectively leverage digital marketing channels and e-commerce promotions.

For more insight, use PRESTASHOP's e-commerce calendar to get monthly tips on how to make the most of your web shop during US key e-commerce dates. You can find the e-commerce calendar here .

Source: Business2community.com

E-commerce Law in the US

The Federal Trade Commission (FTC) is the primary federal agency regulating e-commerce activities, including use of commercial emails, online advertising and consumer privacy.

Terms and Conditions

“Terms and Conditions” is a legal term that refers to two relationships:

- sales (or other commercialization) of goods, services or intellectual property via the Internet and
- the use of your website, regardless whether a sale occurs.

If you are selling goods or services over the Internet, it is important to have terms and conditions of sale on your website. Terms and conditions consist of a page or language throughout the website that states how you will treat certain commercial transactions. It creates an online contract between you and your customers.

Terms and conditions of sale address the commercial contract. Thus, it is essential that you carefully draft terms on your website that will address the following:

- When are you legally bound to the customer?
- What is being sold, licensed or commercialize?
- Warranties and what happens if the customer is entitled to a “fix” if the warranty is breached
- How conflicts will be resolved
- Limitations on your liability
- Protecting your intellectual property
- Credit card terms and account management
- Collection of state and local sales taxes
- Indemnifications by the customer for any liability that the customer might create by misusing your website, goods, services or intellectual property
- Advising customers of special processes involved in transacting business on your website.

Several sites offer free downloadable and customizable terms and conditions templates. However, it is recommended that you seek legal advice from a qualified and experienced lawyer to ensure that the online contract fulfills the principal legal requirements of a specific jurisdiction.

Moreover, legal advice can help you structure your e-commerce operations to minimize risks of multiple litigations (or a single "class action " lawsuit) in case of a dispute and protect your intellectual property, which is generally protected on a country-by-country basis. You will of course also need to adapt the terms to suit your website and business.

Terms and conditions of use address the rights you grant and the conditions under which you permit your uses to access your website. Under this category, e-commerce merchants should have a number of general provisions on their websites to protect their e-commerce businesses from potential abuses by users.

- Access rights generally, including specific permitted and prohibited uses of your site
- Your privacy policy, which needs to be segregated under various categories (and which should be informed by the "Privacy Policy" discussion below):
  - Your general privacy policy, including the use of cookies, metadata and web beacons
  - Your privacy policy as to children, including a description of whether you collect personal information about children and, if so, how you obtain parental consent
  - Your privacy policy as to personal health information and measures to comply with applicable health information laws
  - Your policy on geo-localization of website users
- Your security measures
- What a user can do in case someone believes your site infringes their copyright
- Limitations on liability
- Indemnifications

International Taxation: Under what conditions will the U.S. impose income tax on my India-based export business or e-business?

It is important for Indian companies to limit their exposure to U.S. income taxation if possible. If the business operations are properly structured, they can avoid U.S. income tax jurisdiction, U.S. tax accounting rules and principles, U.S. tax audits by the Internal Revenue Service, U.S. income tax returns and potential U.S. tax enforcement including interest and penalties (both civil and criminal). Here are some key points for planning your e-commerce operation for U.S. customers.

A. *You have a "Permanent Establishment in the U.S." You Do not Escape U.S. Income Taxation.*

1. *Permanent Establishment: Fixed Place of Business.* Under the U.S.-India Income Tax Convention of 1989 (sometimes called the "Double Tax Treaty"), Indian companies are exempt from U.S. income tax unless they have set up a "permanent establishment" in the U.S. A "permanent establishment" means "a fixed place of business through which the business of an enterprise is wholly or partly carried on." A "fixed place of business" includes "a place of management," a branch, an office, a factory or workshop, or "a warehouse, in relation to a person providing storage facilities for others," a farm, "a store or premises used as a sales outlet."

2. Presence in the U.S. for 3 or 4 Months. While having a fixed place of business is pretty clear, Indian service providers without any fixed place of business can be taxable in the U.S. if they present in the U.S. for more than 120 days (in combination with other similar service projects) in any 12 month period. Specifically, such U.S.-taxable services can include an on-site project for installation or assembly in the U.S. of any construction or project. For the furnishing of services (other than services included in a license of intellectual property) through the Indian company's employees or other personnel, the U.S. presence of more than 90 days in total within any twelve month period will trigger U.S. income taxation for the Indian service provider. In addition, the U.S. can tax an Indian enterprise on such non-license services performed within the U.S. by employees of the Indian enterprise if they are rendered for a "related enterprise" in the U.S.

3. Permanent Establishment by Grant of Authority to Conduct Business in the U.S. If an Indian company sends to the U.S. an employee or agent (not including an "independent agent" who handles other clients), the Indian company must pay U.S. income tax on sales negotiated by that person if that employee or dependent agent has, and habitually exercises, in the U.S. the authority to conclude contracts on behalf of the Indian enterprise. Of course, this principle does not apply where the only activities conducted in the U.S. are the "preliminary" pre-sale operations that are exempt.

4. *Permanent Establishment by Sending a Sales Person with Samples.* Similarly, by sending a sales person who lacks authority to conclude contracts, the Indian company would become taxable in the U.S. if that sales person habitually maintains in the U.S. a stock of goods or merchandise from which he regularly delivers goods or merchandise on behalf of the enterprise, and some additional activities conducted in that State on behalf of the enterprise have contributed to the sale of the goods or merchandise.

5. *Permanent Establishment by Securing Orders.* Finally, sending a sales person will result in U.S. taxation on sales through that person if he habitually secures orders in the U.S., wholly or almost wholly for the Indian enterprise.

B. You Escape U.S. Income Taxation.

1. *No "Permanent Establishment": Safe Harbor despite a Fixed Place of Business.* Certain activities are not considered sufficiently connected to completion of sales in the U.S. and are thus expressly excluded from U.S. income taxation. These activities include any one or more of the following:

   (a) the use of facilities solely for the purpose of storage, display, or occasional delivery of goods or merchandise belonging to the enterprise;
   (b) the maintenance of a stock of goods or merchandise belonging to the enterprise solely for the purpose of storage, display, or occasional delivery;
   (c) the maintenance of a stock of goods or merchandise belonging to the enterprise solely for the purpose of processing by another enterprise;
   (d) the maintenance of a fixed place of business solely for the purpose of purchasing goods or merchandise, or of collecting information, for the enterprise;
   (e) the maintenance of a fixed place of business solely for the purpose of advertising, for the supply of information, for scientific research or for other activities which have a preparatory or auxiliary character, for the enterprise.

   Returned Goods: What Now? What should you do with "returned goods"? You return shipping policy should return the goods to India (or another location outside the U.S.). This will avoid having a warehouse from which local sales are made. However, you might wish to set up such a local warehouse and pay U.S. income taxes on such sales. It might be useful to have a U.S. subsidiary partner (which then purchases and resells the returned goods) and a local logistics service assist you in this.

2. *Independent Agents.* An Indian company can send to the U.S. "an agent of an independent status" (or can hire one as independent contractor) to reside in the U.S. and sell and deliver to U.S. customers. In that case, the independent agent pays U.S. taxes, but the Indian merchant does not.

3. *No Attribution.* The fact that a U.S. legal entity controls or is controlled by a company which is a resident of India, or which carries on business in India, shall not of itself constitute either company a permanent establishment of the other. Thus, a parent is not deemed to be a U.S. permanent establishment if it has a U.S. subsidiary.

4. *Use of Independent Professionals.* An Indian company will not be deemed to have a U.S. permanent establishment merely because it carries on business in the U.S. through a broker, general commission agent, or any other agent of an independent status; provided that such persons are acting in the ordinary course of their business. However, when the activities of such an agent are devoted wholly or almost wholly on behalf of the Indian enterprise and the transactions between the agent and the Indian enterprise are not made under arm's-length conditions, he shall not be considered an agent of independent status, and could trigger U.S. income taxation.

Going Global: When a U.S. Sales Subsidiary Might Be Desirable.

A U.S. sales subsidiary offers many advantages, even to small companies.

- ✓ *Tax Compliance:* If you have a U.S. "permanent establishment" under the U.S.-India tax treaty, you must pay U.S. income tax on all income that is "attributable to" its operations. For accounting reasons, you might prefer to establish a sales subsidiary to centralize and localize accounting, avoid U.S. tax jurisdiction over the Indian company.

- ✓ *Tax Deductions by U.S. Operations for Back Office Value Provided from India:* You can deduct from U.S. taxable income a reasonable allocation of executive and general administrative expenses, research and development expenses, interest, and other expenses incurred for the purposes of the enterprise as a whole.

- ✓ *Branding:* A sales subsidiary adds credibility to your commitment to the U.S. marketplace and means you will play by the local rules.

- ✓ *Quality of Product and of Service Support.* For localization purposes, hiring local employees will provide insights into both the design and delivery of your goods and services.

- ✓ *Local Showroom.* A local presence could support a local showroom. However, for Internet customers, a local showroom might only be a chance to browse and place orders for inventory stored in a warehouse elsewhere.

- ✓ *Limitation of Liability; Asset Protection.* For protection of shareholders, it will also protect and insulate the assets of the Indian company from many (but not all) claims of liability under U.S. laws and court systems.

Online Marketing: "Unfair Competition" by "Passing Off" via Online Linking and Mis-linking

Under U.S. trademark law on "passing off," you cannot lure your competitor's customers by masquerading as your competitor, or initially misleading them as to who you are.

What is prohibited? The law prohibits:

> "false or misleading description of fact, or false or misleading representation of fact" in commerce, which "is likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection, or association of such person with another person, or as to the origin, sponsorship, or approval of his or her goods, services, or commercial activities by another person" 15 USC 1125(a).

This law is especially potent as a cause of action for unfair competition even though your competitor failed to apply for a U.S. trademark. Your competitor can sue you even though it is using a generic or descriptive mark that is incapable of U.S. trademark registration.

You cannot:

- Refer to your products by identifying linking your website to a URL, confusingly similar to your competitor's website, that misleads consumers into thinking it is your competitor's site.
- Use deep linking to any page on another site that is password protected

What is permitted?
The key to fair competition is to clearly identify your company as the source of your goods.

- Use only links from URL's that are not confusingly similar to your competitor.
- If you compare your product with your competitor, state your opinion as an opinion, not as a fact (or be ready to substantiate your opinion with objective proof)

Online Marketing: "Unfair and Deceptive" Online Marketing Practices

The Federal Trade Commission enforces federal law against "unfair or deceptive practices" in interstate and international commerce of the U.S. In e-commerce, the FTC has adopted rules or filed complaints in court to stop the following practices and, where appropriate, mandate disgorgement of fraudulently obtained revenues.

- "Free" and "risk-free" trials of goods or services come with hidden charges not disclosed in advance.[1]

1. https://www.ftc.gov/news-events/press-releases/2017/03/ftc-charges-online-marketing-scheme-deceiving-shoppers (March 24, 2017).

- Obtaining credit card information to cover shipping and handling but debited for hidden fees.
    - Deceptive advertising by websites, TV infomercials and emails that deceptively lure consumers with “free” and “risk-free” trials for cooking gadgets, golf equipment, and access to related online subscription services, obtaining their credit card information to cover shipping and handling, and then charging them for products and services without their consent, and imposing hurdles (such as a dozen “upsell” pages to be clicked on before getting to the “cancel the “free-trial” subscription” page).
- Misrepresentations on the e-merchant’s policies on product returns, refunds and cancellation.
- “Burying” the e-merchant’s policies in pages of fine print that people could reach only through a tiny hyperlink.
- Spam-based marketing practices violating the CAN-SPAM Act [2]
- False advertising that products shown online for sale have been featured or endorsed by a celebrity or by the host of a television show.
- False and unsubstantiated claims of efficacy for weight-loss diet supplement products.
    - These sites then linked to websites where consumers could purchase the defendants’ weight-loss products. The defendants paid their affiliate marketers a commission when consumers clicked through to one of their websites and bought their supplements, the FTC charged. In its complaint, the FTC alleged that these email and marketing practices violated both the FTC Act and the CAN-SPAM Act.
- Making false and unproven claims about a product, particularly health or efficacy of any drugs
- Falsely claiming that the product was endorsed or approved by specific celebrities or featured on a television show
- Falsely implying testimonials reflect typical consumer experience with the product.
- False statements about products, including their total cost
- False claims related to refunds or cancellation terms.
- Failure to monitor or manage the e-merchant’s affiliate marketers so as to prevent secondary violations b of the CAN-SPAM Act or the Child online Pornography Prevention Act.
- Failure to define a privacy policy, or to misrepresent the e-merchant’s actual practices.
- The sale online of bogus online investment opportunities, such ask an opportunity for buying or investing in e-commerce related websites, or participating in a profit-sharing program involving credit card companies and e-commerce websites.
- Failure to take reasonable precautions for data security and reasonable plans for notifications to consumers in case of massive data security breaches (such as those affecting the identity of 5,000 individual residents in a particular state).[3]
    - The FTC’s complaint names the scheme’s owners, Susan Rodriguez, Matthew Rodriguez and William “Matt” Whitley, and their companies, Advertising Strategies LLC, Internet Advertising Solutions LLC, Internet Resource Group Inc., Network Advertising Systems LLC, Network Professional Systems LLC and Network Solutions Group Inc. They are charged with violating the FTC Act and the Telemarketing Sales Rule, including calling numbers on the National Do Not Call Registry.
    - The stipulated final order imposes a $25 million judgment, partially suspended upon the defendants’ surrender of assets. The full judgment will become due immediately if they have misrepresented their financial condition.
- Surreptitious tracking of consumers online and through their mobile applications, even after consumers took steps to opt out of such tracking, and then targeting digital advertisements at the consumers, contrary to a privacy policy stating that consumers could block targeted advertising by

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2. https://www.ftc.gov/news-events/press-releases/2017/03/ftc-settlement-bars-spam-email-marketing-baseless-weight-loss (March 17, 2017)

3. https://www.ftc.gov/system/files/documents/plain-language/pdf-0154_data-breach-response-guide-for-business.pdf

using their web browser's settings to block or limit cookies, and tracking consumers uniquely by using unique identifiers to track customers, even after they blocked or deleted cookies from websites.

- Failure to provide an effective opt-out for consumers who do not want their information used for targeted advertising and place a prominent hyperlink on the e-merchant's home page that takes consumers to a disclosure explaining what information the company collects and uses for targeted advertising.[4]

Privacy Rights: Identity Theft & Personal Data

The FTC has a guide on protecting against identity theft. https://www.ftc.gov/tips-advice/business-center/guidance/protecting-personal-information-guide-business

Privacy Protection: Data Security and Breach Notification

Most states require companies who sell to more than 5,000 residents in the state to comply with data security principles to protect against identity theft, and mandatory procedures for notifications to customers, local governmental officials and the local press. The FTC issued a brochure on how to set up a compliance program. See https://www.ftc.gov/system/files/documents/plain-language/pdf-0154_data-breach-response-guide-for-business.pdf

Call Centers: Telemarketing Sales Rule

The FTC's Telemarketing Sales Rule requires telemarketers to make specific disclosures of material information, prohibits misrepresentations, sets limits on the time of day when telemarketers may call consumers and prohibits calls to a consumer who has asked not to be called again. The rule also sets payment restrictions for the sale of certain goods and services. 16 CFR 310, available at http://www.ecfr.gov/cgi-bin/text-idx?SID=e37d3cd088c6b4724a389338f9c3e141&mc=true&tpl=/ecfrbrowse/Title16/16cfr310_main_02.tpl.

Privacy: Warning Consumers about Cross-Device Tracking of Consumers Online

"Cross-device tracking" associates multiple devices with the same consumer. It links a consumer's activity across multiple personal devices (e.g., smartphones, tablets, personal computers, and other connected devices).

On the positive side, cross-device tracking facilitates seamless experiences, can help to prevent fraud and more effectively target ads, and can increase competition in advertising.

On the negative, side, cross-device tracking often takes place without consumers' knowledge. Because consumers have limited choices to control such tracking, they may lose control over caches of more—and more sensitive—data that need to be protected.

E-marketers should work with their technology partners to mitigate risks of fraud and data theft. The FTC recommends: [5]

- truthfully disclosing the merchant's use of tracking to consumers and business partners;

4. https://www.ftc.gov/news-events/press-releases/2016/12/digital-advertising-company-settles-ftc-charges-it-deceptively

5. https://www.ftc.gov/reports/cross-device-tracking-federal-trade-commission-staff-report-january-2017

- offering consumers choices about how their cross-device activity is tracked;
- obtaining consumers' affirmative express consent before engaging in cross-device tracking on sensitive topics and before collecting and sharing precise geolocation information; and

Privacy Policies

E-commerce merchants collect, process, share and use personal and sensitive information from and about consumers such as customer's name, address, email address, and possibly credit card and other types of financial information. It is your responsibility to protect this personal information with privacy policies to avoid costly legal problems.

The Federal Trade Commission (FTC) regulates and oversees business privacy laws and policies that impact consumers. The federal agency has published the following guides for more information on how you can ensure you are compliant.

- **Protective Consumer Privacy** – Your privacy policy explain to your customers about how you will collect, use, share, and protect the consumer data you collect from them. The FTC prohibits deceptive practices.

  https://www.ftc.gov/tips-advice/business-center/privacy-and-security/consumer-privacy

  7 Considerations for Crafting an Online Privacy Policy

- **Protecting Children's Privacy Online** – The Children's Online Privacy Protection Act (COPPA) and the FTC's implementing Rule took effect April 21, 2000. Commercial websites directed to children under 13 years old or general audience sites that have actual knowledge that they are collecting information from a child must obtain parental permission before collecting such information.
  https://www.ftc.gov/tips-advice/business-center/privacy-and-security/children%27s-privacy

- **Using and Disposing of Consumer and Employee Credit Reports** – If your business use consumer or credit reports to evaluate customers' creditworthiness or if you consult reports when evaluating applications for jobs, leases, and insurance, you need to be aware of your responsibilities for handling this data.

  https://www.ftc.gov/tips-advice/business-center/privacy-and-security/credit-reporting

- **Enforcing Data Security and Preventing Identity Theft** – You are required by law to have a security plan in place if you keep sensitive personal information about customers or employees in your files.

  https://www.ftc.gov/tips-advice/business-center/privacy-and-security/data-security

Digital Rights/Copyrights

In addition to protecting personal data, US law also protect copyrighted digital works such as text, movies, music and art through the Digital Millennium Copyright Act (DMCA):

http://www.copyright.gov/legislation/dmca.pdf

Advertising and Marketing

In regards to online advertising, you must be aware of the several rules and guidelines that exist to protect consumers but also help businesses by maintaining the credibility of the Internet as a marketing medium

The Federal Trade Commission has published several guides to help businesses comply with online advertising law:

- Advertising and Marketing on the Internet: https://www.ftc.gov/system/files/documents/plain-language/bus28-advertising-and-marketing-internet-rules-road.pdf
- Effective Disclosures in Digital Advertising: https://www.ftc.gov/system/files/documents/plain-language/bus41-dot-com-disclosures-information-about-online-advertising.pdf
- Mail or Telephone Order Merchandise Rule: https://www.ftc.gov/system/files/documents/plain-language/bus02-business-guide-mail-and-telephone-order-merchandise-rule.pdf
- Use of Commercial e-mails (CAN-SPAM Act): https://www.ftc.gov/system/files/documents/plain-language/bus61-can-spam-act-compliance-guide-business.pdf
- Prompt Delivery Rules: https://www.ftc.gov/system/files/documents/plain-language/alt051-selling-internet-prompt-delivery-rules.pdf

List of Vetted e-commerce specialists

Name	Title	Company	Address	Tel	Email	Website	Comments
Delisa Davis **Mark Vandegrift**	Marketing Director VP Product Management, Marketplaces	**ChannelAdvisor**	2701 Aerial Center Parkway Morrisville, NC 27560	+1 919-228-4700	delisa.davis@channeladvisor.com mark.vandegrift@channeladvisor.com	www.channeladvisor.com	ChannelAdvisor is a provider of cloud-based e-commerce solutions that enable retailers and manufacturers to integrate, manage and optimize their merchandise sales across hundreds of online channels including Amazon, Google, eBay, Facebook and more. Through automation, analytics and optimization, Channel Advisor customers can leverage a single inventory feed to more efficiently list and advertise products online, and connect with shoppers to increase sales
Leah Anathan	Chief Marketing Officer	**PrestaShop**	55 Rue Raspail 92300 Levallois-Perret France 1001 Brickell Bay Dr Miami, FL 33131 USA	+1 888-947-6543 +33 1 40 18 30 04	Leah.anathan@prestashop.com	www.prestashop.com	Free shopping cart software
William B. Bierce	Attorney at Law	**Bierce & Kenerson, P.C.**	420 Lexington Avenue, #2920 New York, New York 10170	+1 212-840 0080	wbierce@biercekenerson.com	www.biercekenerson.com	Cross-border transactions, employment and incentive compensation, exit and succession planning, governance, mergers & acquisitions, new ventures, private equity, real estate, restructuring/corporate divorce, strategic alliances, joint ventures

Melissa O'Malley	Director, Global Merchant and Cross Border Trade Initiatives	**PayPal**	2211 N 1st St, San Jose, CA 95131	+1 408-620-0926	Melissa.omalley@paypal.com	https://www.paypal.com/home	Online payment solution
Michelle Baggett	Partner Sales Manager	**Avalara**	100 Ravine Lane NE Suite 220 Bainbridge Island, WA 98110	+1 877-780-4848	michelle.baggett@avalara.com	www.avalara.com	Software for automated sales tax compliance
Jessica Burkholder	National Account Executive	**EBay Enterprise/ Magento**	1075 First Avenue, King of Prussia, PA 19406	+1 610-491-7449	jschrenker@ebay.com	http://www.ebayinc.com/ http://www.ebayenterprise.com/	Global commerce platform
Alan Semel	VP Business Development	**Levin Consulting**	23950 Commerce Park Beachwood, OH 44122	+1 216-595-9828 x125	alans@levinconsulting.com	http://levinconsulting.com/	Consulting firm specialized in the technology industry
Yves de Ternay	Director of Sales	**Navidor Merchant Services**	135 W 29th Street Suite 1104 New York, NY 10001	+1 888-688-4542	yves.deternay@navidor.com	http://navidor.com/	Navidor Merchant Services specializes in personalized payment solutions for US and International merchants: credit card Processing, multi-currency processing, mobile processing solutions
Mark Faggiano	Founder	**TaxJar**	8677 Villa La Jolla Dr # 1107, La Jolla, CA 92037	+1 858-876-2004	support@taxjar.com	http://www.taxjar.com/	Software for automated sales tax compliance
Timon Van Den Berg	Country Manager	**Sales Supply**	228 East 45th Street, Suite 9E New York, NY 10017	+1 310-807-5041	t.vandenberg@salesupply.com	www.salesupply.com	Fast and scalable solutions for successful e-commerce. Sales Supply provides a full range of fast and scalable solutions for successful e-commerce: research and strategy consulting, effective localization of web shops and local marketplaces setup,

							followed by complete operational support, traffic generation and brand management.
Thomas Charbit	Web Project Manager	**June22**	73 rue St Anne, 75002 Paris, France	+33 142442121	thomas.charbit@june22.eu	www.june21.eu	June22 is a communication and marketing consultancy based in Paris. Past clients have included McDonald's, SNCF, Orange, Hermes, and Lacoste.
Kelly Dempsey	Import Manager	**Logistics Plus**	1406 Peach Street Erie, PA 16501	+1 814-461-7625	Kelly.Dempsey@logisticsplus.net	www.logisticsplus.net	Logistics Plus Inc. (LP) is a leading worldwide provider of transportation, warehousing, global logistics and supply chain solutions.
Vincent Duconge	Trade Lane Manager France	**Geodis**	75 B Northfield Avenue Edison, NJ 08837	+ 1 732 874 1813	vincent.duconge@geodis.com	www.geodis.com	GEODIS is a Lead Logistics Provider who manages its customers' supply chain by providing end-to-end solutions enabled by its infrastructure, its people, processes and systems.

Next Steps

Contact

The Consulate General of India – New York serves the residents of ten states in the United States: Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island and Vermont.

Each individual State offers a range of incentives/ services to Indian companies to assist with market entry. For instance, incentives offered by the state of New Jersey can be viewed at the following links: http://www.choosenj.com/ ; http://njeda.com/financing_incentives

The Commercial Wing of the Consulate can be contacted by Email: commerce.newyork@mea.gov.in