REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

SECOND DIVISION

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EMERSON ELECTRIC (ASIA) LIMITED - ROHQ, Petitioner,	**CTA CASE NO. 8532**
	Members:
- versus -	**CASTAÑEDA, JR.,** *Chairperson,* **CASANOVA,** *and* **COTANGCO-MANALASTAS,** ***JJ.***
COMMISSIONER OF INTERNAL REVENUE, Respondent.	**Promulgated:** AUG 1 0 2016

x- -x
10:45 a.m.

AMENDED DECISION

CASANOVA, *J.*:

Submitted before this Court are respondent's **Motion for Reconsideration** filed on November 4, 2015, with petitioner's **Comment [on the Motion for Reconsideration of Respondent Commissioner of Internal Revenue]** filed on November 23, 2015; and, petitioner's **Motion for Reconsideration (Of the Decision dated October 19, 2015)** filed on November 4, 2015, without respondent's comment as per Records Verification dated December 7, 2015.

In the Resolution[1] dated January 26, 2016, this Court ordered the setting of the case for hearing on March 9, 2016 at 9:00 a.m. for the presentation of petitioner's additional evidence in support of its Motion for Reconsideration and, at the same time, held the resolution of parties' respective Motions for Reconsideration.

During the scheduled hearing, petitioner presented its Tax and Compliance Specialist, Ms. Jeszica Clarisse Alinghawa, to prove, among

[1] Docket (Vol. III), pp. 1116-1119

others, that petitioner's sales to its non-resident foreign corporation clients are duly supported by the Securities and Exchange Commission (SEC)'s Negative Certifications. As such, petitioner filed its Formal Offer of Exhibits (In Support of Petitioner's Motion for Reconsideration dated November 9, 2015)[2] on April 1, 2016.

On May 6, 2016, this Court promulgated a Resolution[3] admitting petitioner's exhibits and, thereafter, giving the parties a period of thirty (30) days within which to file their Memoranda. In addition, upon receipt thereof or lapse of the period given, the parties' respective Motions for Reconsideration shall be deemed submitted for resolution. Thus, in compliance thereon, respondent filed his Memorandum[4] on June 10, 2016, while petitioner filed its Memorandum (In Support of Petitioner's Motion for Reconsideration)[5] on June 13, 2016. Accordingly, the instant Motions for Reconsideration were then deemed submitted for resolution.

This Court shall first address petitioner's Motion for Reconsideration.

In its Motion for Reconsideration, petitioner claims that it was able to prove that the recipients of its services are non-resident foreign corporations and the sales thereto were duly substantiated as zero-rated transactions. Petitioner points out that this Court erred in disallowing its input value-added tax (VAT) claim to the extent of ₱9,805,481.98, considering that it was already found, examined and verified by the court-commissioned Independent Certified Public Accountant (ICPA) as duly substantiated. All told, petitioner prays that judgment be rendered granting its entire claim for refund of excess input VAT as originally prayed for, or at the very least, an additional amount of ₱1,841,197.21, for a total refundable amount of ₱3,585,995.15[6].

More so, in its supplemental evidence, petitioner presented the following documents to prove that the recipients of its services are non-resident foreign corporations, *to wit*:

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[2] *Ibid.*, pp. 1156-1161
[3] *Id.*, pp. 1195-1196
[4] *Id.*, pp. 1197-1205
[5] *Id.*, pp. 1206-1222
[6] ₱1,841,197.21 + ₱1,744,797.94 (as per Decision dated October 19, 2015)

Recipient	Sales	Articles of Incorporation	SEC Certificates
AIR COMFORT PRODUCTS	₱ 253,065.63	"LL-1"	"MM-1"
CIM-INDUSTRIAL MOTORS DIVISION	53,326,950.53	"LL-7"	"MM-13"
DANIEL MEASUREMENT & CONTROL (CA)	5,066,722.55	"LL-12"	"MM-19"
DANIEL MEASUREMENT & CONTROL (TX)	21,325,290.02	"LL-13"	"MM-20"
EMERSON CLIMATE TECHNOLOGIES (HK)	2,440,981.00	"LL-16"	"MM-25"
EMERSON CLIMATE TECHNOLOGIES (USA)	125,463,853.99	"LL-17"	"MM-26"
EMERSON NETWORK POWER – EMBEDDED POWER	2,813,509.87	"LL-22"	"MM-36"
EMERSON NETWORK POWER (THAILAND) CO. LTD. – VIETNAM REPRESENTATIVE OFFICE	22,913.46	"LL-27"	"MM-44"
EMERSON NETWORK POWER ELECTRICAL RELIABILITY SERVICES	4,416,187.46	"LL-30"	"MM-47"
EMERSON PROCESS MANAGEMENT (FRANCE)	141,461.19	"LL-37"	"MM-54"
EMERSON PROCESS MANAGEMENT GMBH & CO. OHG ARGELSRI	4,675,588.70	"LL-39"	"MM-58"
EMERSON PROCESS MANAGEMENT NV/SA	152,690.12	"LL-40"	"MM-60"
FUSITE	2,793,903.49	"LL-47"	"MM-71"
INTERMETRO	19,436,505.67	"LL-51"	"MM-76"
REGULATOR TECHNOLOGIES, INC.	23,406,458.47	"LL-58"	"MM-87"
EMERSON POWER TRANSMISSION	41,035,643.96	"LL-35"	"O"
ASCO POWER TECHNOLOGIES, LP	28,643,072.83	"LL-5"	"U-5"
EMERSON NETWORK POWER UK LTD.	11,128,906.68	"LL-33"	"U-6"
TOTAL AMOUNT	**₱346,543,705.61**		

Hence, petitioner posits that the amount of ₱346,543,705.61 should be added to its duly-substantiated zero-rated sales.

After due consideration of the arguments advanced by petitioner, this Court finds no merit in petitioner's Motion for Reconsideration.

In the assailed Decision dated October 19, 2015, it was held that to be considered as a non-resident foreign corporation doing business outside the Philippines, each entity must be supported, at the very least, by **both** SEC Certificate of Non-Registration **and** proof of incorporation or registration in a foreign country (*e.g.* Certificate of Incorporation, Memorandum and Articles of Association and Certificate of

Registration). After careful scrutiny of the supplemental evidence presented by petitioner, this Court arrived at the following observations, *viz*:

1. Petitioner failed to prove that two (2) of its clients, AIR COMFORT PRODUCTS and FUSITE, were indeed registered in a foreign country during the period subject for refund, *i.e.*, FY 2010.

   The Registrations of Fictitious Name supported by *Exhibits LL-1.5 and LL-47.5,* which purportedly support the registration of the aforementioned clients, were filed only on June 8, 2012 and October 23, 2012, respectively.

2. Certain names of petitioner's clients differ from that which are indicated in their respective Articles of Incorporation/Certificate of Registration/Association. Having such difference, this Court cannot verify whether they are one and the same entity, *to wit*:

   CIM-INDUSTRIAL MOTORS DIVISION. Based on the Registration of Fictitious Name *(Exhibit LL-7.5)*, the entity under registration is "Emerson Industrial Motors and Systems";

   EMERSON NETWORK POWER (THAILAND) CO. LTD. - VIETNAM REPRESENTATIVE OFFICE - the registered name indicated in *Exhibit LL-27.3* is CONG TY TNHH Emerson Network Power (Vietnam); and

   EMERSON NETWORK POWER ELECTRICAL RELIABILITY SERVICES. The Certificate of Full Registry Record and Articles of Association *(Exhibits LL-30.22 to LL-30.27)* only reflects the incorporation of Emerson Japan, Ltd.

3. There are clients whose names are virtually identical to another; it must be stressed that even a slight difference in name can sometimes refer to another entity. *E.g.* DANIEL MEASUREMENT & CONTROL (CA) and DANIEL MEASUREMENT & CONTROL (TX). While the two seemed the same, it appears, however, to be two different entities based on the list of petitioner's clients. Likewise, a perusal of *Exhibits LL-12.4 and LL-13.3* shows that the registered name of a corporation therein is

DANIEL MEASUREMENT AND CONTROL, INC., which is also, apparently, different from the names of the other companies petitioner asserts to be validly registered in a foreign country. Simply put, this Court cannot acquiesce to the allegation that Daniel Measurement & Control (CA), Daniel Measurement & Control (TX) and Daniel Measurement and Control, Inc. are one and the same entity.

The same observation goes with the following entities:

a) **EMERSON CLIMATE TECHNOLOGIES (HK)** - the registered name indicated in *Exhibit LL-16.2* is Emerson Climate Technologies;

b) **EMERSON CLIMATE TECHNOLOGIES (USA)** - the registered name indicated in *Exhibits LL-17.3 to 17.4* is Emerson Climate Technologies, Inc.;

c) **EMERSON NETWORK POWER - EMBEDDED POWER** - the registered name indicated in *Exhibit LL-22.4* is Emerson Network Power - Embedded Computing and Power (Hong Kong) Limited;

d) **EMERSON PROCESS MANAGEMENT (FRANCE)** - the registered name indicated in *Exhibit LL-37.2* is Emerson Process Management;

e) **EMERSON PROCESS MANAGEMENT GMBH & CO. OHG ARGELSRI** - the registered name indicated in *Exhibit LL-39.2* is Emerson Process Management GmbH & Co. OHG Argelsrieder Feld 3;

f) **EMERSON PROCESS MANAGEMENT NV/SA** - the registered name indicated in *Exhibit LL-40.3* is Emerson Process Management GmbH & Co. OHG;

g) **INTERMETRO** - the registered name indicated in *Exhibits LL-51.3 and LL-51.8* is Intermetro Industries Corporation;

h) **REGULATOR TECHNOLOGIES, INC.** - the registered name indicated in *Exhibits LL-58.3 and LL-58.10* is Emerson Process Management Regulator Technologies, Inc.;

i) **EMERSON POWER TRANSMISSION** - the registered name indicated in *Exhibit LL-35.4* is Emerson Power Transmission Corporation; and

j) **EMERSON NETWORK POWER UK LTD** - the registered name indicated in *Exhibits LL-33.2 and LL-33.9* is Emerson Network Power Limited.

As such, due to the above-stated reasons, the preceding entities' Certification or Articles of Incorporation/Association/Registration cannot be given weight. Obviously, the said entities cannot be considered as non-resident foreign corporations and petitioner's sales therefrom cannot qualify as zero-rated sales. However, with regard to ASCO POWER TECHNOLOGIES, LP, it should be clarified that this Court had already considered it as a non-resident foreign corporation in the Decision dated October 19, 2015. Thus, petitioner's sales thereto, which were properly supported by invoices, official receipts and proof of inward remittances, were rightfully subjected to zero-rating.

Continuing thereon, petitioner asserts that the disallowances of the following input VAT made by this Court, and that of the ICPA, lack factual and legal bases, *to wit*:

Finding/s by:	Description	Amount
ICPA	Services supported with original ORs but no ATP	₱ 438,571.94
Court	Input tax on purchases of goods supported by invoices not duly registered with the BIR	7,143.75
Court	Input tax on purchases of services supported by invoices not duly registered with the BIR	12,000.00
	Total	**₱ 457,715.69**

In support, petitioner cites the case of *Intel Technology Philippines, Inc. vs. Commissioner of Internal Revenue*[7] *("Intel case")* and BIR Ruling No. 341-2011[8] to bolster its claim, *viz*:

[7] G.R. No. 166732, April 27, 2007
[8] Dated September 8, 2011

"It is clear from the foregoing that while entities engaged in business are required to secure from the BIR an authority to print receipts or invoices and to issue duly registered receipts or invoices, it is not required that the BIR authority to print be reflected or indicated therein. Only the following items are required to be indicated in the receipts or invoices: (1) a statement that the seller is a VAT-registered entity followed by its TIN-V; (2) the total amount which the purchaser pays or is obligated to pay to the seller with the indication that such amount includes the value-added tax; (3) date of the transaction; (4) quantity of merchandise; (5) unit cost; (6) description of merchandise or nature of service; (7) the name, business style, if any, and address of the purchaser, customer or client in the case of sales, receipt or transfers in the amount of P100.00 or more, or regardless of the amount, where the sale or transfer is made by a person liable to VAT to another person also liable to VAT, or where the receipt is issued to cover payment made as rentals, commissions, compensations or fees; and (8) the TIN of the purchaser where the purchaser is a VAT-registered person."[9]

While in BIR Ruling No. 341-2011:

"It has been settled in *Intel Technology Philippines, Inc. v. Commissioner of Internal Revenue* that the ATP need not be reflected or indicated in the invoices or receipts because there is no law or regulation requiring it. Thus, in the absence of such law or regulation, failure to print the ATP on the invoices or receipts should not result in the outright denial of a claim or the invalidation of the invoices or receipts for purposes of claiming a refund.

But while there is no law requiring the ATP to be printed on the invoices or receipts, Section 238 of the NIRC expressly requires persons engaged in business to secure an ATP from the BIR prior to printing invoices or receipts. Failure to do so makes the person liable under Section 264 of the NIRC."[10]

Nonetheless, reliance on the *Intel case* is misplaced.

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[9] Paragraph 21 of petitioner's Motion for Reconsideration, Docket (Vol. II), pp.1055-1056
[10] Par. 22, *ibid.*, p. 1056

Verily, this Court's disallowance of petitioner's invoices and official receipts covering input VAT in the amount of ₱457,715.69 finds support in Section 238 of the National Internal Revenue Code (NIRC) of 1997, as amended, which reads as follows:

> "**SEC. 238.** *Printing of Receipts or Sales or Commercial Invoices.* - **All persons who are engaged in business shall secure from the Bureau of Internal Revenue an authority to print receipts or sales or commercial invoices before a printer can print the same.**
>
> No authority to print receipts or sales or commercial invoices shall be granted unless the receipts or invoices to be printed are serially numbered and shall show, among other things, the name, business style, Taxpayer Identification Number (TIN) and business address of the person or entity to use the same, and such other information that may be required by rules and regulations to be promulgated by the Secretary of Finance, upon recommendation of the Commissioner.
>
> All persons who print receipt or sales or commercial invoices shall maintain a logbook/register of taxpayers who availed of their printing services. The logbook/register shall contain the following information:
>
> (1) Names, Taxpayer Identification Numbers of the persons or entities for whom the receipts or sales or commercial invoices were printed; and
>
> (2) Number of booklets, number of sets per booklet, number of copies per set and the serial numbers of the receipts or invoices in each booklet." *(Emphasis Ours)*

While it is true that in the *Intel case*, it was held that the BIR authority to print need not be specifically indicated in the invoices or receipts *per se*, the Supreme Court, however, further clarified that business entities are **required to secure** from the BIR an authority to print receipts or invoices and that the corresponding receipts or invoices issued are duly registered, thus:

> "It bears reiterating that while the pertinent provisions of the Tax Code and the rules and regulations implementing them require entities engaged in business to secure a BIR authority to print invoices or receipts and to issue duly

registered invoices or receipts, it is not specifically required that the BIR authority to print be reflected or indicated therein. Indeed, **what is important with respect to the BIR authority to print is that it has been secured or obtained by the taxpayer, and that invoices or receipts are duly registered.**" *(Emphasis Ours)*

The above pronouncement was further elucidated in the case of *Silicon Philippines, Inc. (Formerly Intel Philippines Manufacturing, Inc.) vs. Commissioner of Internal Revenue*[11], wherein the Supreme Court ruled as follows:

"***Printing the ATP on the invoices or receipts is not required***

It has been settled in *Intel Technology Philippines, Inc. v. Commissioner of Internal Revenue* that the ATP need not be reflected or indicated in the invoices or receipts because there is no law or regulation requiring it. Thus, in the absence of such law or regulation, failure to print the ATP on the invoices or receipts should not result in the outright denial of a claim or the invalidation of the invoices or receipts for purposes of claiming a refund.

ATP must be secured from the BIR

But while there is no law requiring the ATP to be printed on the invoices or receipts, Section 238 of the NIRC expressly requires persons engaged in business to secure an ATP from the BIR prior to printing invoices or receipts. Failure to do so makes the person liable under Section 264 of the NIRC.

This brings us to the question of whether a claimant for unutilized input VAT on zero-rated sales is required to present proof that it has secured an ATP from the BIR prior to the printing of its invoices or receipts.

We rule in the affirmative.

Under Section 112 (A) of the NIRC, a claimant must be engaged in sales which are zero-rated or effectively zero-rated. To prove this, duly registered invoices or receipts evidencing zero-rated sales must be presented. However, since the ATP is

[11] G.R. No. 172378, January 17, 2011

> not indicated in the invoices or receipts, the only way to verify whether the invoices or receipts are duly registered is by requiring the claimant to present its ATP from the BIR. Without this proof, the invoices or receipts would have no probative value for the purpose of refund. In the case of *Intel,* we emphasized that:
>
> It bears reiterating that while the pertinent provisions of the Tax Code and the rules and regulations implementing them require entities engaged in business to secure a BIR authority to print invoices or receipts and to issue duly registered invoices or receipts, it is not specifically required that the BIR authority to print be reflected or indicated therein. Indeed, what is important with respect to the BIR authority to print is that it has been secured or obtained by the taxpayer, and that invoices or receipts are duly registered." *(Citations Omitted)*

Accordingly, considering that petitioner failed to show that its suppliers had properly secured a BIR authority to print, or that the said invoices and official receipts were duly registered with the BIR, then the invoices and official receipts covering the input VAT of ₱457,715.69 shall still remain as disallowed.

As to other reasons for the denial of its claimed input VAT, petitioner insists that this Court erroneously disregarded the findings of the ICPA who, after having meticulously examined and verified each of the voluminous documents submitted, attested to the facts in his ICPA Report.

This Court is not swayed.

Time and again, this Court has ruled that the Court is not bound by the findings of the ICPA. The report submitted by the ICPA is but a tool or guide to aid the Court in the resolution of the case. The determination of the merit or the probative value of such report is still within the province of the Court. The Court is free to adopt or disregard, completely or partially, the findings of the ICPA. It can even make its own audit and evaluation of the documents pertinent to the case presented during the trial in order to intelligently resolve the conflict brought before it.[12]

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[12] First Lepanto Taisho Insurance Corporation vs. CIR, CTA *En Banc* Case No. 563, March 1, 2011

As held in the case, *Davao City Water District vs. Commissioner of Internal Revenue*[13], thus:

> "In any event, let it be stressed that the Court is not bound by the finding of the ICPA. The ICPA is commissioned merely to assist the Court in the determination of merit of taxpayer's claim for refund/tax credit. The Court may adopt totally or partially the ICPA's Report depending on its own appreciation of the documents upon which the ICPA report is based. In other words, the Court will examine and verify the documents audited or examined by the ICPA. Precisely, the requirements to present to the Court and formally offer each and every document in support of taxpayer's claim for refund/tax credit. In fact, on the basis of its own finding, the Court may render judgment without considering the ICPA Report. The ICPA Report is only persuasive in nature and not conclusive upon the Court. On the matter, Section 3, Rule 13 of the RRCTA, relevantly provides, thus:
>
> > SEC. 3. *Findings of independent CPA.* - <u>The submission by the independent CPA of pre-marked documentary exhibits shall be subject to verification and comparison with the original documents</u>, the availability of which shall be the primary responsibility of the party possessing such documents and, secondarily, by the independent CPA. **The findings and conclusions of the independent CPA may be challenged by the parties and shall not be conclusive upon the Court, which may, in whole or in part, adopt such findings and conclusions subject to verification.** *(Underscoring and boldfacing supplied)*
>
> Evidently, the availment of the services of an ICPA pursuant to Rule 13 of the Revised Rules of the CTA does not relieve petitioner of the mandatory requisites of premarking photocopies of documentary exhibits and **submitting them all to the Court after the ICPA shall have examined and compared them with the originals. Without presentation and formal offer of these premarked documents - from which the alleged summary and schedules were based - the Court cannot**

[13] CTA Case Nos. 8505 & 8575, April 27, 2016

verify the authenticity and veracity of the ICPA's conclusions.[14]"

With that having been settled, this Court shall now proceed with respondent's Motion for Reconsideration.

In his Motion for Reconsideration, respondent mainly argues that petitioner's claim for refund should have been denied in its entirety. He asserts that petitioner failed to comply with the invoicing requirements mandated under Sections 110(A)(1) and 113, and as implemented by Section 4.110-8 of Revenue Regulations (RR) No. 16-2005, as amended, in relation to Section 237, of the NIRC of 1997, as amended. Respondent argues that the use of the word "shall" in said Sections is imperative, and commonly operates to impose an obligation or duty which should be enforced, particularly on the stating of information in the VAT invoices or official receipts. Thus, respondent concludes that there is a need to verify whether the offered VAT invoices and official receipts in support of petitioner's claim for refund included, not only the name of the issuer, but also the issuer's tax identification number (TIN), registered address, and business style, if any.

After due consideration of respondent's arguments, this Court finds partial merit in the same.

A second look at the VAT invoices and official receipts presented by petitioner unveils that, in addition to the previous disallowances made by this Court in the assailed Decision, the input VAT in the total amount of ₱6,623,985.30, should likewise be disallowed for the reasons stated hereafter, *to wit*:

Exhibit	Supplier	Disallowed Input VAT
1. Input VAT on purchases of goods supported by invoices without petitioner's TIN		
W-16	CITY STATIONERY	₱ 222.86
W-170	AVESCO MARKETING CORPORATION	1,095.64
W-229	SOLDER INDUSTRIAL SALES	879.14
W-291	TANTEKO STATIONERY	1,740.52

[14] Philippine Long Distance Telephone Company vs. Commissioner of Internal Revenue, G.R. No. 157264, January 31, 2008; *citing* Atlas Consolidated Mining and Development Corporation vs. Commissioner of Internal Revenue, G.R. No. 145526, March 16, 2007, and Commissioner of Internal Revenue vs. Manila Mining Corporation, G.R. No. 153204, August 31, 2005

Exhibit	Supplier	Disallowed Input VAT
W-434	ATD ENTERPRISES	728.57
W-435	ATD ENTERPRISES	1,080.00
W-577	TOYOTA MAKATI, INC.	87,642.86
W-627	MANNASOFT TECHNOLOGY CORP.	3,410.76
W-628	MANNASOFT TECHNOLOGY CORP.	1,705.15
W-629	MANNASOFT TECHNOLOGY CORP.	3,410.76
W-630	MANNASOFT TECHNOLOGY CORP.	770.47
W-631	MANNASOFT TECHNOLOGY CORP.	31,258.51
W-632	MANNASOFT TECHNOLOGY CORP.	1,668.81
W-633	MANNASOFT TECHNOLOGY CORP.	1,705.15
W-634	MANNASOFT TECHNOLOGY CORP.	1,705.15
W-635	MANNASOFT TECHNOLOGY CORP.	1,540.94
W-636	MANNASOFT TECHNOLOGY CORP.	1,668.81
W-637	MANNASOFT TECHNOLOGY CORP.	535.88
W-638	MANNASOFT TECHNOLOGY CORP.	42,289.79
W-639	MANNASOFT TECHNOLOGY CORP.	146,247.01
W-640	MANNASOFT TECHNOLOGY CORP.	3,410.76
W-641	MANNASOFT TECHNOLOGY CORP.	683.53
W-642	MANNASOFT TECHNOLOGY CORP.	1,705.15
W-795	GB DISTRIBUTORS, INC.	10,285.71
W-796	GB DISTRIBUTORS, INC.	10,285.71
W-845	PHILIPPINE VENDING CORPORATION	874.29
W-846	PHILIPPINE VENDING CORPORATION	19,138.86
W-864	YNZAL MARKETING CORPORATION	2,785.71
W-865	YNZAL MARKETING CORPORATION	5,357.14
W-924	MAGIC-AIRE INDUSTRIES, INC.	321.43
W-925	MANNASOFT TECHNOLOGY CORP.	688.60
W-926	MANNASOFT TECHNOLOGY CORP.	5,170.06
W-927	MANNASOFT TECHNOLOGY CORP.	1,544.49
W-928	MANNASOFT TECHNOLOGY CORP.	2,727.06
W-929	MANNASOFT TECHNOLOGY CORP.	688.60
W-930	MANNASOFT TECHNOLOGY CORP.	6,724.74
W-931	MANNASOFT TECHNOLOGY CORP.	761.35
W-932	MANNASOFT TECHNOLOGY CORP.	55,346.61
W-933	MANNASOFT TECHNOLOGY CORP.	688.60
W-934	MANNASOFT TECHNOLOGY CORP.	1,376.74
W-935	MANNASOFT TECHNOLOGY CORP.	1,681.19
W-936	MANNASOFT TECHNOLOGY CORP.	1,681.19
W-937	MANNASOFT TECHNOLOGY CORP.	5,043.56
W-1104	COLUMBIA TECHNOLOGIES, INC.	1,650.00
W-1105	COLUMBIA TECHNOLOGIES, INC.	2,250.00
W-1106	COLUMBIA TECHNOLOGIES, INC.	503.57
W-1107	COLUMBIA TECHNOLOGIES, INC.	5,946.43
W-1108	COLUMBIA TECHNOLOGIES, INC.	2,844.11

Exhibit	Supplier	Disallowed Input VAT
W-1157	MANNASOFT TECHNOLOGY CORP.	7,024.82
W-1158	MANNASOFT TECHNOLOGY CORP.	670.58
W-1159	MANNASOFT TECHNOLOGY CORP.	1,672.83
X-35	DHL EXPRESSS (PHILIPPINES) CORP.	2,587.00
X-37	DHL EXPRESSS (PHILIPPINES) CORP.	1,078.00
X-38	DHL EXPRESSS (PHILIPPINES) CORP.	2,463.00
X-39	DHL EXPRESSS (PHILIPPINES) CORP.	1,398.00
X-48	DHL GLOBAL FORWARDING (PHILIPPINES), INC.	503.06
Y- 1	ACE MILLENNIUM GRAPHIC PRINTER	384.00
	Subtotal	**₱ *501,253.26***
2. Input VAT on purchases of goods supported by invoices without petitioner's address		
W-611	J CUBE UNLIMITED RESOURCES INC.	₱ 579.11
W-612	J CUBE UNLIMITED RESOURCES INC.	566.79
W-613	J CUBE UNLIMITED RESOURCES INC.	665.36
W-808	J CUBE UNLIMITED RESOURCES INC.	640.72
W-809	J CUBE UNLIMITED RESOURCES INC.	579.11
W-810	J CUBE UNLIMITED RESOURCES INC.	517.50
W-811	J CUBE UNLIMITED RESOURCES INC.	702.32
W-812	J CUBE UNLIMITED RESOURCES INC.	591.43
W-813	J CUBE UNLIMITED RESOURCES INC.	566.79
W-814	J CUBE UNLIMITED RESOURCES INC.	677.68
W-815	J CUBE UNLIMITED RESOURCES INC.	532.29
W-816	J CUBE UNLIMITED RESOURCES INC.	529.82
W-817	J CUBE UNLIMITED RESOURCES INC.	603.75
W-818	J CUBE UNLIMITED RESOURCES INC.	468.21
W-906	J CUBE UNLIMITED RESOURCES INC.	517.50
W-907	J CUBE UNLIMITED RESOURCES INC.	246.43
	Subtotal	**₱ *8,984.81***
3. Input VAT on purchases of services supported by ORs without petitioner's TIN		
Y- 223	ROBINSONS LAND CORPORATION	₱ 579.78
Y- 224	ROBINSONS LAND CORPORATION	432,084.78
Y- 225	ROBINSONS LAND CORPORATION	5,907.38
Y- 249	DIRECTORIES PHILIPPINES CORPORATION	3,049.61
Y- 250	EINSTEE REALTY INC.	420.00
Y- 251	EINSTEE REALTY INC.	35,850.00
Y- 252	EINSTEE REALTY INC.	420.00
Y- 253	EINSTEE REALTY INC.	420.00
Y- 287	SAN MIGUEL CORPORATION RETIREMENT PLAN	93,252.00
Y- 397	DIRECTORIES PHILIPPINES CORPORATION	3,049.61
Y- 798	DHL GLOBAL FORWARDING (PHILIPPINES), INC.	161.43
Y- 799	DHL GLOBAL FORWARDING (PHILIPPINES), INC.	188.87
Y- 807	EINSTEE REALTY INC.	420.00

Exhibit	Supplier	Disallowed Input VAT
Y- 808	EINSTEE REALTY INC.	420.00
Y- 809	EINSTEE REALTY INC.	420.00
Y- 1552	ROBINSONS LAND CORPORATION	432,084.78
Y- 1562	ROBINSONS LAND CORPORATION	432,084.78
Y- 1577	ROBINSONS LAND CORPORATION	432,084.78
Y- 1586	ROBINSONS LAND CORPORATION	466,651.56
Y- 1588	ROBINSONS LAND CORPORATION	466,651.56
Y- 1591	ROBINSONS LAND CORPORATION	466,651.56
Y- 1647	BUAN AND TEMPROSA LAW OFFICES	10,392.00
Y- 1649	BUAN AND TEMPROSA LAW OFFICES	2,976.00
Y- 1653	BUAN AND TEMPROSA LAW OFFICES	1,560.00
Y- 1655	BUAN AND TEMPROSA LAW OFFICES	288.00
	Subtotal	***₱ 3,288,068.48***
4. Input VAT on purchases of services supported by ORs without petitioner's address		
Y- 8	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	₱ 3,600.00
Y- 9	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	1,200.00
Y- 10	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	22,790.88
Y- 11	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	6,056.03
Y- 12	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	1,680.00
Y- 13	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	1,200.00
Y- 14	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	4,800.00
Y- 78	MICASA REALTY HOLDINGS, INC.	40,628.67
Y- 87	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	6,056.03
Y- 88	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	2,400.00
Y- 89	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	1,200.00
Y- 90	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	1,200.00
Y- 91	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	1,680.00
Y- 92	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	22,790.88
Y- 117	EINSTEE REALTY INC.	1,524.60
Y- 127	MICASA REALTY HOLDINGS, INC.	40,628.67
Y- 219	MICASA REALTY HOLDINGS, INC.	40,628.67
Y- 221	RIZADEL REALTY CORPORATION	210,825.48
Y- 222	RIZADEL REALTY CORPORATION	210,825.48
Y- 241	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	8,397.34
Y- 242	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	22,790.88
Y- 243	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	1,680.00
Y- 244	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	1,200.00
Y- 245	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	1,200.00
Y- 285	RIZADEL REALTY CORPORATION	210,825.48
Y- 331	DATAONE ASIA (PHILIPPINES),INC.	7,748.08
Y- 486	RIZADEL REALTY CORPORATION	210,825.48
Y- 692	SAN MIGUEL CORPORATION RETIREMENT PLAN	93,252.00
Y- 737	BUAN AND TEMPROSA LAW OFFICES	360.00

Exhibit	Supplier	Disallowed Input VAT
Y- 738	BUAN AND TEMPROSA LAW OFFICES	26,376.00
Y- 739	BUAN AND TEMPROSA LAW OFFICES	6,000.00
Y- 740	BUAN AND TEMPROSA LAW OFFICES	240.00
Y- 743	DATAONE ASIA (PHILIPPINES),INC.	7,740.43
Y- 851	RIZADEL REALTY CORPORATION	210,825.48
Y- 854	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	1,200.00
Y- 855	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	1,680.00
Y- 856	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	6,661.64
Y- 857	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	22,790.88
Y- 858	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	1,200.00
Y- 879	SAN MIGUEL CORPORATION RETIREMENT PLAN	99,456.24
Y- 1031	JOBSTREET.COM PHILIPPINES INC.	240.00
Y- 1126	EINSTEE REALTY INC.	420.00
Y- 1127	EINSTEE REALTY INC.	420.00
Y- 1128	EINSTEE REALTY INC.	420.00
Y- 1344	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	6,661.64
Y- 1345	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	1,200.00
Y- 1346	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	22,790.88
Y- 1347	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	1,680.00
Y- 1348	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	1,200.00
Y- 1351	DATAONE ASIA (PHILIPPINES),INC.	7,775.67
Y- 1352	DATAONE ASIA (PHILIPPINES),INC.	7,674.12
Y- 1554	SAN MIGUEL PROPERTIES,INC.	90,732.00
Y- 1555	SAN MIGUEL PROPERTIES,INC.	90,732.00
Y- 1556	SAN MIGUEL PROPERTIES,INC.	43,500.00
Y- 1557	SAN MIGUEL PROPERTIES,INC.	47,232.00
Y- 1558	SAN MIGUEL PROPERTIES,INC.	43,500.00
Y- 1559	SAN MIGUEL PROPERTIES,INC.	90,732.00
Y- 1560	SAN MIGUEL PROPERTIES,INC.	90,732.00
Y- 1561	SAN MIGUEL PROPERTIES,INC.	47,232.00
Y- 1563	SAN MIGUEL PROPERTIES,INC.	90,732.00
Y- 1564	SAN MIGUEL PROPERTIES,INC.	90,732.00
Y- 1565	SAN MIGUEL PROPERTIES,INC.	43,500.00
Y- 1566	SAN MIGUEL PROPERTIES,INC.	47,232.00
Y- 1573	DAIICHI PROPERTIES AND DEVELOPMENT, INC.	22,790.88
Y- 1582	SAN MIGUEL PROPERTIES,INC.	90,732.00
Y- 1583	SAN MIGUEL PROPERTIES,INC.	90,732.00
Y- 1584	SAN MIGUEL PROPERTIES,INC.	47,232.00
Y- 1585	SAN MIGUEL PROPERTIES,INC.	43,500.00
Y- 1590	SAN MIGUEL CORPORATION RETIREMENT PLAN	99,456.24
	Subtotal	***₱ 2,825,678.75***
	GRAND TOTAL	**₱6,623,985.30**

Furthermore, this Court equally finds that the following input VAT accumulated from prior year's purchases of capital goods exceeding ₱1Million should correspondingly be further deducted from petitioner's claim for refund since its TIN was not indicated in the supporting VAT invoices, thus:

Date	Supplier	Exhibit	Disallowed Input VAT
2007			
October	EMERSON NETWORK POWER	DD-4	₱ 17,753.62
October	MANNASOFT TECHNOLOGY CORP.	DD-5	2,048.37
October	MANNASOFT TECHNOLOGY CORP.	DD-6	4,096.29
November	GREAT YEAR INDUSTRIES CORP.	DD-16	6,800.62
November	MANNASOFT TECHNOLOGY CORP.	DD-19	9,615.72
November	MANNASOFT TECHNOLOGY CORP.	DD-20	9,215.64
November	MANNASOFT TECHNOLOGY CORP.	DD-21	1,989.90
November	MANNASOFT TECHNOLOGY CORP.	DD-22	5,968.38
November	MANNASOFT TECHNOLOGY CORP.	DD-23	3,979.36
November	MANNASOFT TECHNOLOGY CORP.	DD-24	1,989.90
November	TOYOTA CUBAO INCORPORATED	DD-26	149,249.91
December	MANNASOFT TECHNOLOGY CORP.	DD-39	3,906.03
December	MICROTECHNICS COMPUTER	DD-40	1,919.83
December	TOYOTA CUBAO INCORPORATED	DD-41	7,553.45
2008			
January	AVCP TRADING SYSTEMS	DD-44	11,785.59
January	MANNASOFT TECHNOLOGY CORP.	DD-48	1,791.42
January	MANNASOFT TECHNOLOGY CORP.	DD-50	219.82
January	MANNASOFT TECHNOLOGY CORP.	DD-51	1,527.89
January	MANNASOFT TECHNOLOGY CORP.	DD-52	12,222.73
February	FEDERAL PROTECTION SYSTEMS	DD-58	12,490.64
February	MANNASOFT TECHNOLOGY CORP.	DD-62	5,970.71
February	MANNASOFT TECHNOLOGY CORP.	DD-63	14,927.58
February	MANNASOFT TECHNOLOGY CORP.	DD-64	1,493.08
February	MANNASOFT TECHNOLOGY CORP.	DD-65	5,970.71
February	MANNASOFT TECHNOLOGY CORP.	DD-66	1,493.08
March	3G CABLENET AND CONSULTANCY	DD-71	4,285.66
March	AVCP TRADING SYSTEMS	DD-73	3,000.00
March	AVCP TRADING SYSTEMS	DD-74	23,451.51
March	AVCP TRADING SYSTEMS	DD-75	32,785.66
March	FEDERAL PROTECTION SYSTEMS	DD-78	1,832.52
March	GREAT YEAR INDUSTRIES CORP.	DD-80	1,971.07
March	MANNASOFT TECHNOLOGY CORP.	DD-82	2,316.22
March	SPECTRAMIND SYSTEMS TECHNOLOGY	DD-83	5,302.77
April	FEMAC MARKETING INC.	DD-86	111,353.73
April	FEMAC MARKETING INC.	DD-87	167,625.06
April	GREAT YEAR INDUSTRIES CORP.	DD-89	3,942.57

Date	Supplier	Exhibit	Disallowed Input VAT
April	MANNASOFT TECHNOLOGY CORP.	DD-90	3,456.51
April	MANNASOFT TECHNOLOGY CORP.	DD-91	343.32
April	MANNASOFT TECHNOLOGY CORP.	DD-92	1,202.25
April	MANNASOFT TECHNOLOGY CORP.	DD-93	2,232.63
April	MANNASOFT TECHNOLOGY CORP.	DD-94	15,438.20
June	ABENSON,INC.	DD-95	4,446.27
June	MANNASOFT TECHNOLOGY CORP.	DD-98	268.45
June	MANNASOFT TECHNOLOGY CORP.	DD-99	1,208.46
June	MANNASOFT TECHNOLOGY CORP.	DD-100	402.68
June	MANNASOFT TECHNOLOGY CORP.	DD-101	939.58
June	MANNASOFT TECHNOLOGY CORP.	DD-102	134.23
June	MANNASOFT TECHNOLOGY CORP.	DD-103	1,879.59
June	MANNASOFT TECHNOLOGY CORP.	DD-104	939.58
June	MANNASOFT TECHNOLOGY CORP.	DD-105	268.45
June	MANNASOFT TECHNOLOGY CORP.	DD-106	134.23
June	MANNASOFT TECHNOLOGY CORP.	DD-107	309.45
June	MANNASOFT TECHNOLOGY CORP.	DD-108	1,030.64
June	MANNASOFT TECHNOLOGY CORP.	DD-109	171.77
June	MANNASOFT TECHNOLOGY CORP.	DD-110	171.77
June	MANNASOFT TECHNOLOGY CORP.	DD-111	171.77
June	MANNASOFT TECHNOLOGY CORP.	DD-112	306,288.32
June	MANNASOFT TECHNOLOGY CORP.	DD-113	240,168.33
June	MANNASOFT TECHNOLOGY CORP.	DD-114	374,211.07
June	MANNASOFT TECHNOLOGY CORP.	DD-115	1,585.24
June	MANNASOFT TECHNOLOGY CORP.	DD-116	22,187.31
June	MANNASOFT TECHNOLOGY CORP.	DD-117	3,170.48
June	MANNASOFT TECHNOLOGY CORP.	DD-118	11,732.84
June	MANNASOFT TECHNOLOGY CORP.	DD-119	1,585.24
June	NEXUS TECHNOLOGIES INC.	DD-120	10,427.28
June	NEXUS TECHNOLOGIES INC.	DD-121	7,261.98
July	FEMAC MARKETING INC.	DD-129	174,107.03
July	MANNASOFT TECHNOLOGY CORP.	DD-130	3,235.24
July	MANNASOFT TECHNOLOGY CORP.	DD-131	3,297.36
July	MANNASOFT TECHNOLOGY CORP.	DD-132	4,854.18
July	MANNASOFT TECHNOLOGY CORP.	DD-133	4,853.30
July	MANNASOFT TECHNOLOGY CORP.	DD-134	45,968.72
July	MANNASOFT TECHNOLOGY CORP.	DD-135	14,559.03
July	MANNASOFT TECHNOLOGY CORP.	DD-136	3,233.92
July	MANNASOFT TECHNOLOGY CORP.	DD-137	5,232.60
July	MANNASOFT TECHNOLOGY CORP.	DD-138	3,993.83
July	MANNASOFT TECHNOLOGY CORP.	DD-139	16,175.77
July	MANNASOFT TECHNOLOGY CORP.	DD-140	1,912.78
July	MANNASOFT TECHNOLOGY CORP.	DD-141	324,937.86
July	MANNASOFT TECHNOLOGY CORP.	DD-142	172,191.62

Date	Supplier	Exhibit	Disallowed Input VAT
July	MANNASOFT TECHNOLOGY CORP.	DD-143	8,056.39
July	MANNASOFT TECHNOLOGY CORP.	DD-144	9,225.99
July	MANNASOFT TECHNOLOGY CORP.	DD-145	8,088.55
July	MANNASOFT TECHNOLOGY CORP.	DD-146	6,471.37
July	MANNASOFT TECHNOLOGY CORP.	DD-147	4,853.30
July	NEXUS TECHNOLOGIES INC.	DD-148	1,864.32
July	NEXUS TECHNOLOGIES INC.	DD-149	2,753.74
July	TECHNICOM ELECTRONICS TRADING	DD-150	985.90
August	MANNASOFT TECHNOLOGY CORP.	DD-155	6,707.21
August	MANNASOFT TECHNOLOGY CORP.	DD-156	2,565.68
August	MANNASOFT TECHNOLOGY CORP.	DD-157	134.45
August	MANNASOFT TECHNOLOGY CORP.	DD-158	1,073.86
August	MANNASOFT TECHNOLOGY CORP.	DD-159	671.38
August	MANNASOFT TECHNOLOGY CORP.	DD-160	536.93
August	MANNASOFT TECHNOLOGY CORP.	DD-161	402.92
August	MANNASOFT TECHNOLOGY CORP.	DD-162	134.45
August	MANNASOFT TECHNOLOGY CORP.	DD-163	268.47
August	MANNASOFT TECHNOLOGY CORP.	DD-164	134.45
August	MANNASOFT TECHNOLOGY CORP.	DD-165	402.92
August	MANNASOFT TECHNOLOGY CORP.	DD-166	671.38
August	MANNASOFT TECHNOLOGY CORP.	DD-167	4,871.74
August	MANNASOFT TECHNOLOGY CORP.	DD-168	4,894.74
August	MANNASOFT TECHNOLOGY CORP.	DD-169	7,611.23
August	MANNASOFT TECHNOLOGY CORP.	DD-170	1,288.81
August	MANNASOFT TECHNOLOGY CORP.	DD-171	4,009.73
August	MANNASOFT TECHNOLOGY CORP.	DD-172	12,030.08
August	MANNASOFT TECHNOLOGY CORP.	DD-173	22,053.96
August	MANNASOFT TECHNOLOGY CORP.	DD-174	4,694.38
August	MANNASOFT TECHNOLOGY CORP.	DD-175	1,624.50
August	TOYOTA MAKATI, INC.	DD-176	148,960.64
September	3G CABLENET AND CONSULTANCY	DD-183	1,585.73
September	ACCENT SYSTEMS, INC.	DD-186	2,635.57
September	FEDERAL PROTECTION SYSTEMS	DD-189	3,666.21
September	GREAT YEAR INDUSTRIES CORP.	DD-192	657.06
September	GREAT YEAR INDUSTRIES CORP.	DD-193	23,839.51
September	MANNASOFT TECHNOLOGY CORP.	DD-199	3,165.52
September	MANNASOFT TECHNOLOGY CORP.	DD-200	2,346.59
September	MANNASOFT TECHNOLOGY CORP.	DD-201	1,877.00
September	MANNASOFT TECHNOLOGY CORP.	DD-202	234.57
September	MANNASOFT TECHNOLOGY CORP.	DD-203	234.57
September	MANNASOFT TECHNOLOGY CORP.	DD-204	469.14
September	MANNASOFT TECHNOLOGY CORP.	DD-205	234.57
September	MANNASOFT TECHNOLOGY CORP.	DD-206	6,884.77
September	MANNASOFT TECHNOLOGY CORP.	DD-207	3,358.94

Date	Supplier	Exhibit	Disallowed Input VAT
September	MANNASOFT TECHNOLOGY CORP.	DD-208	8,288.07
September	MANNASOFT TECHNOLOGY CORP.	DD-209	5,037.49
September	MANNASOFT TECHNOLOGY CORP.	DD-210	3,358.02
September	MANNASOFT TECHNOLOGY CORP.	DD-211	25,180.16
September	MANNASOFT TECHNOLOGY CORP.	DD-212	1,679.47
September	MANNASOFT TECHNOLOGY CORP.	DD-213	25,548.24
September	MANNASOFT TECHNOLOGY CORP.	DD-214	1,967.54
September	MANNASOFT TECHNOLOGY CORP.	DD-215	14,949.70
September	MANNASOFT TECHNOLOGY CORP.	DD-216	107,016.47
September	MANNASOFT TECHNOLOGY CORP.	DD-217	45,246.46
September	MANNASOFT TECHNOLOGY CORP.	DD-218	12,588.94
September	MANNASOFT TECHNOLOGY CORP.	DD-219	1,679.47
September	NEXUS TECHNOLOGIES INC.	DD-220	1,810.70
September	NEXUS TECHNOLOGIES INC.	DD-221	679.01
September	NEXUS TECHNOLOGIES INC.	DD-222	905.35
September	NEXUS TECHNOLOGIES INC.	DD-223	4,753.09
September	NEXUS TECHNOLOGIES INC.	DD-224	121,995.89
September	NEXUS TECHNOLOGIES INC.	DD-225	452.67
September	NEXUS TECHNOLOGIES INC.	DD-226	4,526.75
September	NEXUS TECHNOLOGIES INC.	DD-227	1,131.69
September	NEXUS TECHNOLOGIES INC.	DD-228	2,489.71
September	NEXUS TECHNOLOGIES INC.	DD-229	905.35
September	NEXUS TECHNOLOGIES INC.	DD-230	1,358.02
September	NEXUS TECHNOLOGIES INC.	DD-231	452.67
September	TOYOTA MAKATI, INC.	DD-236	364.43
September	TOYOTA MAKATI, INC.	DD-237	857.34
October	GREAT YEAR INDUSTRIES CORP.	DD-248	143,035.48
October	MANNASOFT TECHNOLOGY CORP.	DD-251	4,884.11
October	MANNASOFT TECHNOLOGY CORP.	DD-252	6,433.30
October	MANNASOFT TECHNOLOGY CORP.	DD-253	3,474.93
October	MANNASOFT TECHNOLOGY CORP.	DD-254	10,856.67
October	MANNASOFT TECHNOLOGY CORP.	DD-255	1,737.46
October	MICRODATA SYSTEMS	DD-256	26,785.71
October	TOYOTA MAKATI, INC.	DD-264	149,035.48
November	MANNASOFT TECHNOLOGY CORP.	DD-271	7,102.01
November	MANNASOFT TECHNOLOGY CORP.	DD-272	1,775.38
November	MANNASOFT TECHNOLOGY CORP.	DD-273	8,877.39
December	ACCENT MICRO TECHNOLOGIES, INC.	DD-280	23,357.32
December	HEWLETT-PACKARD PHILIPPINES	DD-282	11,889.55
December	MAIN HARDWARE, INC.	DD-283	257,142.92
December	MANNASOFT TECHNOLOGY CORP.	DD-284	2,178.41
December	MANNASOFT TECHNOLOGY CORP.	DD-286	134,275.86
December	MANNASOFT TECHNOLOGY CORP.	DD-287	1,852.57
2009			

Date	Supplier	Exhibit	Disallowed Input VAT
January	ACCENT SYSTEMS, INC.	DD-291	8,252.69
January	MANNASOFT TECHNOLOGY CORP.	DD-298	427,957.06
January	MANNASOFT TECHNOLOGY CORP.	DD-299	1,731.43
January	MANNASOFT TECHNOLOGY CORP.	DD-300	55,989.26
February	MANNASOFT TECHNOLOGY CORP.	DD-306	8,759.92
February	MANNASOFT TECHNOLOGY CORP.	DD-307	10,429.11
February	MANNASOFT TECHNOLOGY CORP.	DD-308	3,504.25
February	MANNASOFT TECHNOLOGY CORP.	DD-309	26,279.77
February	MANNASOFT TECHNOLOGY CORP.	DD-310	5,256.14
February	MANNASOFT TECHNOLOGY CORP.	DD-311	4,338.85
February	MANNASOFT TECHNOLOGY CORP.	DD-312	3,921.08
February	MANNASOFT TECHNOLOGY CORP.	DD-313	1,751.89
February	MANNASOFT TECHNOLOGY CORP.	DD-314	171,956.52
February	MANNASOFT TECHNOLOGY CORP.	DD-315	12,263.71
February	MANNASOFT TECHNOLOGY CORP.	DD-316	1,751.89
February	TECHNICOM ELECTRONICS TRADING	DD-317	126,000.00
February	TECHNICOM ELECTRONICS TRADING	DD-318	5,142.72
February	TOYOTA CUBAO INCORPORATED	DD-319	140,142.72
March	3G CABLENET AND CONSULTANCY	DD-328	2,137.48
March	MANNASOFT TECHNOLOGY CORP.	DD-337	384.95
March	MANNASOFT TECHNOLOGY CORP.	DD-338	14,415.82
March	MANNASOFT TECHNOLOGY CORP.	DD-339	4,428.85
March	MANNASOFT TECHNOLOGY CORP.	DD-340	1,788.23
March	MANNASOFT TECHNOLOGY CORP.	DD-341	19,165.46
March	MANNASOFT TECHNOLOGY CORP.	DD-342	3,576.46
March	MANNASOFT TECHNOLOGY CORP.	DD-343	4,428.85
March	TECHNICOM ELECTRONICS TRADING	DD-344	5,142.79
March	TECHNICOM ELECTRONICS TRADING	DD-345	58,114.33
May	AVCP TRADING SYSTEMS	DD-348	877.40
May	TECHNICOM ELECTRONICS TRADING	DD-352	1,028.37
June	MANNASOFT TECHNOLOGY CORP.	DD-355	234.43
June	MANNASOFT TECHNOLOGY CORP.	DD-356	234.43
June	MANNASOFT TECHNOLOGY CORP.	DD-357	938.68
June	MANNASOFT TECHNOLOGY CORP.	DD-358	938.68
June	MANNASOFT TECHNOLOGY CORP.	DD-359	6,994.81
June	MANNASOFT TECHNOLOGY CORP.	DD-360	31,476.41
June	MANNASOFT TECHNOLOGY CORP.	DD-361	26,230.19
June	MANNASOFT TECHNOLOGY CORP.	DD-362	15,738.21
June	MANNASOFT TECHNOLOGY CORP.	DD-363	5,246.23
June	MANNASOFT TECHNOLOGY CORP.	DD-364	1,748.58
June	MANNASOFT TECHNOLOGY CORP.	DD-365	1,748.58
June	MANNASOFT TECHNOLOGY CORP.	DD-366	1,748.58
June	YNZAL MARKETING CORPORATION	DD-369	1,926.42
July	MANNASOFT TECHNOLOGY CORP.	DD-376	250,731.89

Date	Supplier	Exhibit	Disallowed Input VAT
July	MANNASOFT TECHNOLOGY CORP.	DD-377	1,790.82
July	MANNASOFT TECHNOLOGY CORP.	DD-378	26,863.77
July	MANNASOFT TECHNOLOGY CORP.	DD-379	118,202.42
July	MANNASOFT TECHNOLOGY CORP.	DD-380	1,790.82
July	MANNASOFT TECHNOLOGY CORP.	DD-381	17,909.66
July	MANNASOFT TECHNOLOGY CORP.	DD-382	3,581.64
July	MANNASOFT TECHNOLOGY CORP.	DD-383	5,372.46
July	MANNASOFT TECHNOLOGY CORP.	DD-384	5,391.30
August	ACCENT SYSTEMS, INC.	DD-394	56,881.82
August	ACCENT SYSTEMS, INC.	DD-395	11,571.29
August	ALL VISUAL AND LIGHTS SYSTEMS	DD-396	5,978.47
September	ACCENT SYSTEMS, INC.	DD-418	3,414.01
September	ACCENT SYSTEMS, INC.	DD-419	11,843.96
September	ACCENT SYSTEMS, INC.	DD-420	1,200.00
September	MANNASOFT TECHNOLOGY CORP.	DD-432	192.27
September	MANNASOFT TECHNOLOGY CORP.	DD-433	192.27
September	MANNASOFT TECHNOLOGY CORP.	DD-434	192.27
September	MANNASOFT TECHNOLOGY CORP.	DD-435	192.27
September	MANNASOFT TECHNOLOGY CORP.	DD-436	385.02
September	MANNASOFT TECHNOLOGY CORP.	DD-437	385.02
September	MANNASOFT TECHNOLOGY CORP.	DD-438	27,681.16
September	MANNASOFT TECHNOLOGY CORP.	DD-439	3,581.64
September	MANNASOFT TECHNOLOGY CORP.	DD-440	3,581.64
September	MANNASOFT TECHNOLOGY CORP.	DD-441	1,790.82
September	MANNASOFT TECHNOLOGY CORP.	DD-442	3,581.64
September	MANNASOFT TECHNOLOGY CORP.	DD-443	8,952.17
September	MANNASOFT TECHNOLOGY CORP.	DD-444	35,481.16
September	MANNASOFT TECHNOLOGY CORP.	DD-445	2,214.49
September	TECHNICOM ELECTRONICS TRADING	DD-456	9,428.50
September	TECHNICOM ELECTRONICS TRADING	DD-457	11,237.20
September	TECHNICOM ELECTRONICS TRADING	DD-458	1,285.51
September	TECHNICOM ELECTRONICS TRADING	DD-459	12,857.01
September	TOYOTA MAKATI, INC.	DD-460	181,928.51
December	ACCENT MICRO	DD-463	2,458.93
December	MAIN HARDWARE, INC.	DD-465	39,275.65
December	MANNASOFT TECHNOLOGY CORP.	DD-466	40,031.46
TOTAL			**₱6,090,871.84**
Divided by life of capital goods			60 months
Multiply by number of months amortized (January to September 2010)			9 months
Input VAT amortization on purchases of capital goods from prior years			**₱ 913,630.78**

As a result thereof, petitioner's substantiated excess input VAT for the second, third and fourth quarters of fiscal year (FY) 2010 should have only amounted to ₱3,485,983.58, computed as follows:

Claimed input VAT *(Net of Output VAT)*		₱ 36,959,792.49
Less: Disallowances per assailed Decision		
ICPA Report	₱16,130,710.85	
Court's Further Verification	9,805,481.98	25,936,192.83
Additional Disallowances per this MR		
Input VAT on purchases of goods and services (other than capital goods)	₱ 6,623,985.30	
Input VAT amortization on purchases of capital goods	913,630.78	7,537,616.08
Substantiated Excess Input VAT		**₱ 3,485,983.58**

In view of the foregoing, petitioner's duly substantiated excess input VAT attributable to its valid zero-rated sales for the FY 2010 will be further reduced to ₱676,196.57, as shown below:

Substantiated zero-rated sales/receipts	₱ 362,595,648.52
Divided by total reported zero-rated sales/receipts	1,869,282,602.11
Multiply by substantiated excess input VAT	3,485,983.58
Excess Input VAT Attributable to the Valid Zero-Rated Sales/Receipts	**₱ 676,196.57**

WHEREFORE, premises considered, petitioner's Motion for Reconsideration (Of the Decision dated October 19, 2015) is hereby **DENIED**. Conversely, respondent's Motion for Reconsideration is **PARTIALLY GRANTED**. Accordingly, the Decision dated October 19, 2015 is hereby amended to read as follows:

> "**WHEREFORE**, premises considered, the instant Petition for Review is **PARTIALLY GRANTED** in the reduced amount of **₱676,196.57** representing the petitioner's unutilized input VAT attributable to its zero-rated sales for the second to fourth quarters of FY 2010.
>
> **SO ORDERED.**"

SO ORDERED.

CAESAR A. CASANOVA
Associate Justice

We Concur:

JUANITO C. CASTAÑEDA, JR.
Associate Justice

AMELIA R. COTANGCO-MANALASTAS
Associate Justice

ATTESTATION

I attest that the conclusions in the above Decision were reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

JUANITO C. CASTAÑEDA, JR.
Associate Justice
Chairperson, Second Division

CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution, and the Division Chairperson's Attestation, it is hereby certified that the conclusions in the above Decision were reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

ROMAN G. DEL ROSARIO
Presiding Justice