

Wong & Partners.

Member Firm of
Baker & McKenzie International

For further details please contact:

Stephanie Jacob
Senior Communications Executive
(O) +603 22996408 / (M) +6012 372 5917
stephanie.jacob@wongpartners.com

Taxpayer triumphs in landmark case against tax authority

Kuala Lumpur, 27 May 2024 - Wong & Partners has acted for Keysight Technologies Malaysia Sdn Bhd in its significant legal victory against the Malaysian tax authority, the Inland Revenue Board of Malaysia (IRB).

This landmark Court of Appeal decision disrupts the recent trend of the IRB attempting to tax the capital sale of intellectual properties. In a crucial aspect of the decision, the Court of Appeal has affirmed the application of the "Badges of Trade" test in Malaysia on Capital versus Income issues, and limits the IRB's ability to confine the applicability of the test to real property cases, ensuring a consistent and fair approach across all types of transactions.

Additionally, the ruling adds to a line of existing case law that limits the IRB's ability to use the "negligence" excuse to lift the time bar, providing greater certainty and safeguards for businesses operating in Malaysia.


This outcome sets a critical benchmark for future cases, ensuring a predictable legal and tax environment. Wong & Partners remains committed to advocating for our clients' rights and upholding the principles of fair taxation.

The Wong & Partners team included Tax Disputes Partner Jason Liang and Associates Yeoh Yao Huang, Jeff Sum and Tan Wen Ying. Dato' Cyrus Das of Cyrus Das Advocates & Solicitors served as counsel before the Court of Appeal.

- Ends -

About Wong & Partners

Wong & Partners is a Malaysian law firm dedicated to providing solution-oriented legal services to its clients. As a member firm of Baker McKenzie International, we bring a unique combination of local knowledge and global experience to every matter. Since its establishment in 1998, Wong & Partners has grown steadily and now consists of more than 20 partners and 50 associates and legal assistants. The Firm's lawyers are able to deliver comprehensive and integrated advice to clients, and are trusted by respected domestic and multinational corporations for their needs in Malaysia and throughout Asia. The Firm's lawyers are committed to helping clients apply industry-specific, innovative and practical solutions. (www.wongpartners.com)

Follow us on 

Wong & Partners.

Member Firm of
Baker & McKenzie International

For further details please contact:

Stephanie Jacob
Senior Communications Executive
(O) +603 22996408 / (M) +6012 372 5917
stephanie.jacob@wongpartners.com