OKLAHOMA TAX COMMISSION

TAX POLICY AND RESEARCH DIVISION
TONY MASTIN, DIRECTOR

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September 14, 2006

Re: Our File Number LR-06-054; Sales tax on the refill of computer ink cartridges

This is in response to your inquiry concerning the sales tax implications of the two transactions you set out in your letter as "issue 1" and "issue 2." The difference between them was that in "issue 2" supplied the customer with a replacement cartridge for the customer's defective cartridge. In both "issues", cartridges were filled with ink and the title to and possession of the ink is transferred to the customer for the payment of the sales price.

The transactions described by both "issues" are "sales" as that term is defined in Oklahoma Tax Commission Rule 710:65-1-2 and they are therefore taxable. A copy of this rule is enclosed.

This response applies only to the circumstances set out in your request of March 21, 2006. Pursuant to Commission Rule 710:1-3-73(e), this Letter Ruling may be generally relied upon **only** by the entity to whom it is issued, assuming that all pertinent facts have been accurately and completely stated, and that there has been no change in applicable law.

If I can be of further assistance, please feel free to contact me.

Sincerely,
OKLAHOMA TAX COMMISSION

Michael G. Pillow
Tax Policy Analyst