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RICHARD B. BUCKING  
CLERK: U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 SAN FRANCISCO DIVISION

CR 09

0247

11 UNITED STATES OF AMERICA

Case No. CR

12 INFORMATION

13 v.

14 VIOLATIONS:  
Title 15, United States Code,  
Section 1 (Price Fixing)

15 HITACHI DISPLAYS LTD.,

San Francisco Venue

16 Defendant.  
17  
18

19  
20 The United States of America, acting through its attorneys, charges:

21 DESCRIPTION OF THE OFFENSE

22 1. HITACHI DISPLAYS LTD. ("defendant") is made a defendant on the charge  
23 stated below.

24 2. From on or about April 1, 2001 to on or about March 31, 2004, defendant and its  
25 coconspirators entered into and engaged in a combination and conspiracy in the United States  
26 and elsewhere to suppress and eliminate competition by fixing the prices of thin-film transistor  
27 liquid crystal display panels ("TFT-LCD") sold to Dell Inc. or its subsidiaries ("Dell") for use in  
28 desktop monitors and notebook computers. The combination and conspiracy engaged in by the

INFORMATION - HITACHI

1 defendant and its coconspirators was in unreasonable restraint of interstate and foreign trade and  
2 commerce in violation of Section 1 of the Sherman Act (15 U.S.C. § 1).

3 3. The charged combination and conspiracy consisted of a continuing agreement,  
4 understanding, and concert of action among the defendant and its coconspirators, the substantial  
5 terms of which were to agree to fix the prices of TFT-LCD to be sold to Dell.

6 4. For the purpose of forming and carrying out the charged combination and  
7 conspiracy, the defendant and its coconspirators did those things that they combined and  
8 conspired to do, including, among other things:

- 9 (a) participating in bilateral meetings, conversations, and communications in  
10 Japan, Korea, and the United States to discuss the prices of TFT-LCD to  
11 be sold to Dell;
- 12 (b) agreeing, during those bilateral meetings, conversations, and  
13 communications, to charge prices of TFT-LCD to be sold to Dell at certain  
14 predetermined levels;
- 15 (c) issuing price quotations in accordance with the agreements reached; and  
16 (d) exchanging information on sales of TFT-LCD sold to Dell, for the purpose  
17 of monitoring and enforcing adherence to the agreed-upon prices.

18 DEFENDANT AND COCONSPIRATORS

19 5. HITACHI DISPLAYS LTD. is a corporation organized and existing under the  
20 laws of Japan. During the period covered by this Information, HITACHI DISPLAYS LTD.  
21 engaged in the business of producing and selling TFT-LCD to customers in the United States and  
22 elsewhere.

23 6. Various corporations and individuals, not made defendants in this Information,  
24 participated as coconspirators in the offense charged in this Information and performed acts and  
25 made statements in furtherance of it.

26 7. Whenever in this Information reference is made to any act, deed, or transaction of  
27 any corporation, the allegation means that the corporation engaged in the act, deed, or  
28 transaction by or through its officers, directors, employees, agents, or other representatives while

1 they were actively engaged in the management, direction, control, or transaction of its business  
2 or affairs.

3 TRADE AND COMMERCE

4 8. TFT-LCD are glass panels composed of an array of tiny pixels that are  
5 electronically manipulated to display images. TFT-LCD are manufactured in a broad range of  
6 sizes and specifications for use in televisions, notebook computers, desktop monitors, mobile  
7 devices, and other applications.

8 9. During the period covered by this Information, the defendant and its  
9 coconspirators sold and distributed TFT-LCD in a continuous and uninterrupted flow of  
10 interstate and foreign trade and commerce to customers located in states or countries other than  
11 the states or countries in which the defendant and its coconspirators produced TFT-LCD.

12 10. The business activities of the defendant and its coconspirators that are the subject  
13 of this Information were within the flow of, and substantially affected, interstate and foreign  
14 trade and commerce.

15 JURISDICTION AND VENUE

16 11. The combination and conspiracy charged in Count One of this Information was  
17 carried out, in part, in the Northern District of California, within the five years preceding the  
18 filing of this Information.

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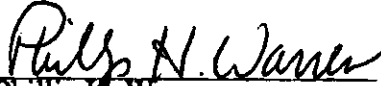
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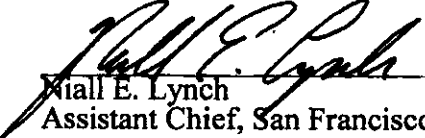
2 ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.

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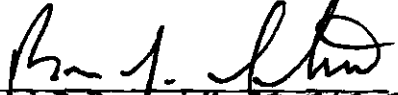
4   
5 Scott D. Hammond  
6 Acting Assistant Attorney General

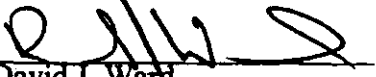
  
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