

1 NIAL E. LYNCH (State Bar No. 157959)  
MICHAEL L. SCOTT (State Bar No. 165452)  
2 HEATHER S. TEWKSBURY (State Bar No. 222202)  
ALEXANDRA J. SHEPARD (State Bar No. 205143)  
3 DAVID J. WARD (State Bar No. 239504)  
Antitrust Division  
4 U.S. Department of Justice  
450 Golden Gate Avenue  
5 Box 36046, Room 10-0101  
San Francisco, CA 94102  
6 Telephone: (415) 436-6660

FILED  
09 AUG 25 11:09 AM  
MICHAEL L. SCOTT  
CLERK OF COURT  
E-filing  
SAN FRANCISCO DISTRICT COURT

**MHP**

7 Attorneys for the United States

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

**0854**

11 UNITED STATES OF AMERICA

09 Case No. CR

**INFORMATION**

12 v.

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

13 EPSON IMAGING DEVICES CORPORATION,

San Francisco Venue

14 Defendant.

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

16 DESCRIPTION OF THE OFFENSE

17 1. EPSON IMAGING DEVICES CORPORATION ("defendant") is made a  
18 defendant on the charge stated below.

19 2. From in or about the fall of 2005 to in or about the middle of 2006, defendant and  
20 its coconspirators entered into and engaged in a combination and conspiracy in the United States  
21 and elsewhere to suppress and eliminate competition by fixing the prices of thin-film transistor  
22 liquid crystal display panels ("TFT-LCD") sold to Motorola Inc. ("Motorola") for use in Razer  
23 mobile phones. The combination and conspiracy engaged in by the defendant and its

1 coconspirators was in unreasonable restraint of interstate and foreign trade and commerce in  
2 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 Motorola for use in Razzr  
6 mobile phones.

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

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

19 DEFENDANT AND COCONSPIRATORS

20 5. EPSON IMAGING DEVICES CORPORATION is a corporation organized and  
21 existing under the laws of Japan. During the period covered by this Information, Sanyo Epson  
22 Imaging Devices Corporation, a joint venture between Seiko Epson Corporation and Sanyo  
23 Electric Co., Ltd. and a corporation organized and existing under the laws of Japan, engaged in  
24 the business of producing and selling TFT-LCD to customers in the United States and elsewhere.  
25 Effective December 28, 2006, Sanyo Epson Imaging Devices Corporation became a wholly  
26 owned subsidiary of Seiko Epson Corporation and changed its name to EPSON IMAGING  
27 DEVICES CORPORATION.

28 6. Various corporations and individuals, not made defendants in this Information,  
INFORMATION - EPSON IMAGING DEVICES CORPORATION 2

1 participated as coconspirators in the offense charged in this Information and performed acts and  
2 made statements in furtherance of it.

3 7. Whenever in this Information reference is made to any act, deed, or transaction of  
4 any corporation, the allegation means that the corporation engaged in the act, deed, or  
5 transaction by or through its officers, directors, employees, agents, or other representatives while  
6 they were actively engaged in the management, direction, control, or transaction of its business or  
7 affairs.

8 TRADE AND COMMERCE

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

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

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

20 JURISDICTION AND VENUE

21 11. The combination and conspiracy charged in this Information was carried out, in  
22 part, in the Northern District of California, within the five years preceding the filing of this  
23 Information.

24 ///

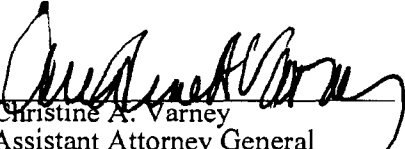
25 ///

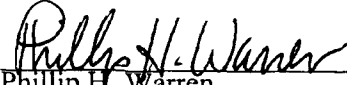
26 ///

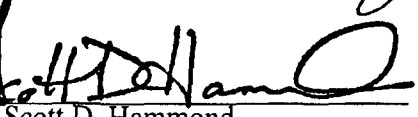
27 ///

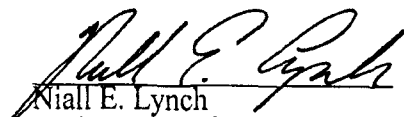
28 ///

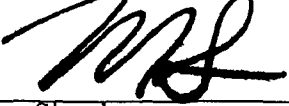
1 ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.

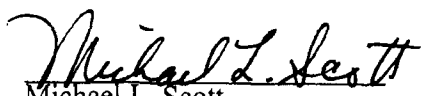
2   
3 Christine A. Varney  
4 Assistant Attorney General

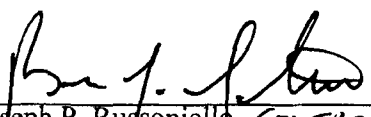
  
Phillip H. Warren  
Chief, San Francisco Office

5   
6 Scott D. Hammond  
7 Deputy Assistant Attorney General

  
Niall E. Lynch  
Assistant Chief, San Francisco Office

8   
9 Marc Siegel  
10 Director of Criminal Enforcement  
11 United States Department of Justice  
12 Antitrust Division

  
Michael L. Scott  
Heather S. Tewksbury  
Alexandra J. Shepard  
David J. Ward  
Attorneys  
United States Department of Justice  
Antitrust Division  
450 Golden Gate Avenue  
Box 36046, Room 10-0101  
San Francisco, CA 94102  
(415) 436-6660

13   
14 Joseph P. Russoniello *FOR JTR*  
15 United States Attorney