

MITSUBISHI ELECTRIC CORPORATION
PUBLIC RELATIONS DIVISION
7-3, Marunouchi 2-chome, Chiyoda-ku, Tokyo, 100-8310 Japan

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Media Inquiries

Public Relations Division
Mitsubishi Electric Corporation
prd.gnews@nk.MitsubishiElectric.co.jp
<http://www.MitsubishiElectric.com/news/>

European Union Court of Justice Rules against Mitsubishi Electric in Gas Insulated Switchgear Case

TOKYO, December 20, 2013 – [Mitsubishi Electric Corporation](#) (TOKYO: 6503) announced today that the Court of Justice of the European Union on December 19 upheld a ruling by the European General Court regarding the question of Mitsubishi Electric's infringement of EU competition law in respect of sales of gas insulated switchgear (GIS). Mitsubishi Electric had appealed to the Court of Justice of the EU to assert that the European General Court's judgment incorrectly upheld a finding of the EU Commission in July 2011.

Mitsubishi Electric regrets that the Court of Justice of the EU has rejected the assertion that the company did not breach EU competition law in respect of GIS sales. Nevertheless, Mitsubishi Electric will work to ensure legal compliance to avoid any possible infringement going forward.

The judgment will not affect the company's financial forecast for the fiscal year ending March 31, 2014.

Mitsubishi Electric's appeal to the European General Court for a recalculation and reduction of the fine is still pending.

Background

- (a) In January 2007, the European Commission imposed a fine for alleged infringement of EU competition law regarding GIS sales in Europe by several manufacturers, including Mitsubishi Electric. The fine was set at 113,925,000 euros, and another fine of 4,650,000 euros was to be borne jointly with Toshiba Corporation. In April 2007, Mitsubishi Electric appealed to the European General Court to assert that the European Commission's decision incorrectly attributed liability to Mitsubishi Electric.
- (b) In response to the appeal, the European General Court issued a ruling in July 2011 that annulled the fine against Mitsubishi Electric on the basis that the Commission demonstrated unequal treatment of the

different parties involved when setting the fine. However, the Court upheld the Commission's finding that EU competition law had been infringed. Mitsubishi Electric filed a separate appeal against this finding with the Court of Justice of the EU in September 2011.

- (c) Based on the European General Court's ruling, the European Commission revised part of the fine calculation method and reissued a fine of 74,817,000 euros, and another fine of 4,650,000 euros to be borne jointly with Toshiba Corporation. Mitsubishi Electric filed an appeal with the European General Court to revise the calculation method and reduce the fine in September 2012.

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