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European General Court Rules against Mitsubishi Electric in Gas Insulated Switchgear Case

TOKYO, January 20, 2016 – [Mitsubishi Electric Corporation](#) (TOKYO: 6503) announced today that the European General Court on January 19 rejected the company's appeal for a recalculation and reduction of a fine that had been imposed by the European Commission in June 2012 in regard to sales of gas insulated switchgear (GIS).

The judgment, which Mitsubishi Electric is still reviewing, rejects the company's appeal in September 2012 to revise the calculation method and reduce the fine of 74,817,000 euros, and a separate fine of 4,650,000 euros to be borne jointly with Toshiba Corporation.

The judgment will not affect the company's financial forecast for the fiscal year ending March 31, 2016.

Mitsubishi Electric regrets that European General Court has rejected its assertion. Nevertheless, Mitsubishi Electric will continue to ensure its legal compliance with all relevant laws, as before.

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, in June 2012, 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 in September 2012 with the European General Court to revise the calculation method and reduce the fine.
- (d) In December 2013, the Court of Justice of the EU upheld the finding reached by the European General Court in July 2011, rejecting the assertion that the company had not breached EU competition law with respect to GIS sales.

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