

Cease and Desist Orders and Surcharge Payment Orders against  
Manufacturers of Shutters  
(Tentative Translation)

June 9, 2010

The Japan Fair Trade Commission

The Japan Fair Trade Commission (JFTC), under the provisions of the Antimonopoly Act (AMA), has investigated companies engaged in manufacturing and selling shutters and found that they were in violation of Article 3 (prohibition of unreasonable restraint of trade) of the AMA throughout Japan and in the Kinki region respectively, as detailed below. Accordingly, the JFTC today issued two cease and desist orders pursuant to Paragraph 2, Article 7 of the AMA and seven surcharge payment orders pursuant to Paragraph 1, Article 7-2 of the AMA.

1. The violating companies and the companies subject to the cease and desist orders and to the surcharge payment orders, and the amount of the surcharge.

	The violating companies	Price-fixing cartels in all over Japan		Bid riggings in the Kinki region		Total amount of the surcharge (yen)
		cease and desist orders	surcharge payment orders(yen)	cease and desist orders	surcharge payment orders(yen)	
1	Sanwa Shutter Corporation	○	2,516,150,000	○	258,990,000	2,775,140,000
2	Bunka Shutter Co., Ltd.	○	1,781,670,000	○	244,250,000	2,025,920,000
3	Toyo Shutter Co., Ltd.	○	525,490,000	○	154,830,000	680,320,000
4	Sanwa Holdings Corporation	/	/	—	40,260,000	40,260,000
Total		3	4,823,310,000	3	698,330,000	5,521,640,000

(Note 1) “○” in the above table shows the company is a recipient of the cease and desist order.

(Note 2) “—” in the above table shows the company is a violating company but not a recipient of the cease and desist order.

(Note 3) “/” in the above table shows the company is not a violating company.

## 2 Outline of the violation

### (1) Price-fixing cartels throughout Japan

The three companies — Sanwa Shutter Corporation, Bunka Shutter Co., Ltd. and Toyo Shutter Co., Ltd. (these three companies shall be hereinafter referred to as the “Three Companies”) jointly made an agreement to raise the prices for customers of specified shutters (Note 4), and thereby substantially restrained competition in the field of sales of specified shutters in Japan, contrary to the public interest.

### (2) Bid riggings in the Kinki region

Three Companies and Sanwa Holdings Corporation (these four companies shall be hereinafter referred to as the “Four Companies”) jointly designated the successful bidder for specified shutters in the Kinki region (Note 5) and ensured that the designated successful bidder would receive the orders, and that if other company received an order with the successful bidder, the company would receive the order at the same level price as quotation price which the successful bidder had offered to the construction company. The Four Companies thereby substantially restrained competition in the field of trade of specified shutters in the Kinki region, contrary to the public interest.

(Note 4) The term “specified shutters” means that lightweight shutters and heavyweight shutters (both light and heavy shutters include grille shutters, and if services such as installation of those shutters are ordered together, such services will be included.).

(Note 5) The term “specified shutters in the Kinki region” means that shutters and the like (Note 6) installed in buildings and other structures in the Kinki region ordered by construction companies, and the estimated price (except for the estimated price of other articles such as doors and that of services such as installation of these articles) of any of Four Companies is 50 million yen or more.

(Note 6) The term “shutters and the like” means that heavyweight shutters, lightweight shutters, overhead doors, sheet shutters, other shutters and other related products such as devices for protection of hazard (if other articles such as doors or services such as installation are ordered together, such articles and services will be included.).