

Application Form for Approval or Extension of Concerted Actions

- The following documents are submitted according to the proviso of Article 15(1) of the Fair Trade Act for approval of the concerted action.
- The following documents are submitted according to Article 16(2) of the Fair Trade Act for extension of the concerted action.
- If the electronic files have been uploaded to the Pre-merger Notification and Concerted Action Online Filing System. Case Number: _____

| Name of the Enterprises ¹ | Representative | Agent ² |
|--------------------------------------|--------------------|--------------------|
| (company seal) | (seal/signature) | |
| (company seal) | (seal/signature) | |
| (company seal) | (seal/signature) | |
| (company seal) | (seal/signature) | |
| (company seal) | (seal/signature) | |
| (company seal) | (seal/signature) | |

Pattern of the Concerted Action (Tick off all corresponding answers if the concerted

- 1.unifying the specifications or models of goods or services for the purpose of reducing costs, improving quality, or increasing efficiency
- 2.joint research and development on goods, services, or markets for the purpose of upgrading technology, improving quality, reducing costs, or increasing efficiency
- 3.each developing a separate and specialized area for the purpose of rationalizing operations
- 4.entering into agreements concerning solely the competition in foreign markets for the purpose of securing or promoting exports
- 5.joint acts in regards to the importation of foreign goods, or services for the purpose of strengthening trade
- 6.joint acts limiting the quantity of production and sales, equipment, or prices for the purpose of meeting the demand orderly, because of economic downturn, that the enterprises in the same industry have difficulty to maintain their business or encounter a situation of overproduction
- 7.joint acts for the purpose of improving operational efficiency or strengthening the competitiveness of small and medium enterprises
- 8.joint acts required for the purposes of improving industrial development, technological innovation, or operational efficiency.

MM_____ DD_____ YYYY_____

1 As specified in Article 12 of the Enforcement Rules of Fair Trade Act, an application for concerted action permission shall be filed jointly by all the participating enterprises, and the same regulation shall apply when an application for permission extension is filed. The application form shall require the seal or signature of each participant. If any participant is a juristic person, the seal or signature of its representative shall be required. If an applicant has delegated an agent, the seal or signature of the applicant shall not be needed. Use extra sheets of paper if the space in the enterprise field is inadequate.

2 Delegated agents shall present identification documents.

Outline description of the participating enterprises³ :

³ Outline the business operations of the participating enterprises and also submit (1) basic information on participating enterprise (Appendix 1); (2) quarterly reports of each participating enterprise on the prices, production, and sales values (volumes) of those products or services relevant to the concerted action (Appendix 2); (3) financial statement and operating report of each participating enterprise for the preceding fiscal year (could be substituted by balance sheet or income statement); (4) information of the market structure relating to horizontal competition relations of the participating enterprises (Appendix 3); information of the market structure relating to vertical competition relations of the participating enterprises (Appendix 4).

(Use more sheets of paper if the space on this page is insufficient)

Details of the concerted action⁴ :

⁴ The details of the application shall at least include (1) the names of the goods or services to which the concerted action applies; (2) numbers of the participating enterprises in the concerted action; (3) the implementation period; (4) the implementation area; (5) the contract, agreement or other document evidencing agreement to the concerted action; (6) the concrete substance and implementation methods of the concerted action; (7) the assessment report on the concerted action (According to the item stipulated in Article 14 Article 20 of the Enforcement Rules of Fair Trade Act).

(Use more sheets of paper if the space on this page is insufficient)

Description on overall economic benefits and public interests⁵ :

⁵ The description shall at least include: benefits and effects of the concerted action on the overall economy and public interests (including the influences on relevant markets as well as upstream and downstream markets).

(Use more sheets of paper if the space on this page is insufficient)

Information on the Participating Enterprises⁶

| | | | |
|---------------------------------------|--|------|--|
| Name of Business | | | |
| Address | | | |
| Unified Business No. | | Tel. | |
| Representative (Manager) | | | |
| Residence of Representative (Manager) | | | |
| Capital (NT\$10 thousand) | | | |
| Business Items | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| Main Products | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| Revenue in the Previous Fiscal Year | | | |

⁶ Every merging party is required to fill out this form and also submit a photocopy of its business registration.

Product (Service) Production and Sales Data of the Participating Enterprises⁷

Name of Participating Enterprise :

Product (Service) item⁸ :

| Year ⁹ | Quarters | Production Volume ¹⁰ (Unit) | Sales Volume (Unit) | Sales Price ¹¹ (Unit) | Sales Amount (NT\$10 thousand) | Domestic Market Share |
|----------------------|----------------|---|------------------------|-------------------------------------|-----------------------------------|-----------------------|
| | First Quarter | | | | | % |
| | Second Quarter | | | | | % |
| | Third Quarter | | | | | % |
| | Fourth Quarter | | | | | % |
| | Total | | | | | % |
| | First Quarter | | | | | % |
| | Second Quarter | | | | | % |
| | Third Quarter | | | | | % |
| | Fourth Quarter | | | | | % |
| | Total | | | | | % |
| | First Quarter | | | | | % |
| | Second Quarter | | | | | % |
| | Third Quarter | | | | | % |
| | Fourth Quarter | | | | | % |
| | Total | | | | | % |
| Note ¹² : | | | | | | |

⁷ Each participating enterprise shall fill in this form respectively.

⁸ If there are more than one products (services) related to the concerted action, please fill in the form separately.

⁹ Please provide statistics on quarterly basis for the last three years. If the business begins its operation for less than 3 years, fill in the form base in the fact.

¹⁰ Fill in the units of sales. For service industries, the sales volume may be the number of subscribers, number of passengers, deposits and loans, number of cards issued, number of completed securities transactions, etc.

¹¹ The sales price shall be the average price. For service industries, it may include various fees, interests and annual fees and all such items shall be listed.

¹² Write down in the Note field the sources of market share statistics cited. Market share calculation shall be based on the total sales amount (volume) or conducted according to the approaches conventionally adopted in the industry in concern.

Horizontal Competition Market Structure Data ¹³

Name of Participating Enterprise:

Product (Service) Items:

| Market Structure Data Year ¹⁴ | Market Ranking | ¹⁵ Competitor | Domestic Sales (Unit) | Domestic Market Share | Market Share Difference with the Leading Business |
|---|----------------|---|-----------------------|-----------------------|---|
| Year | No. 1 | | | % | — |
| | No. 2 | | | % | % |
| | No. 3 | | | % | % |
| | No. 4 | | | % | % |
| | No. 5 | | | % | % |
| | No. _ | | | % | % |
| | No. _ | Aggregate number competitors participating enterprises in this concerted action | | | % |
| Year | No. 1 | | | % | — |
| | No. 2 | | | % | % |
| | No. 3 | | | % | % |
| | No. 4 | | | % | % |
| | No. 5 | | | % | % |
| | No. _ | | | % | % |
| | No. _ | Aggregate number competitors participating enterprises in this concerted action | | | % |
| Year | No. 1 | | | % | — |
| | No. 2 | | | % | % |
| | No. 3 | | | % | % |
| | No. 4 | | | % | % |
| | No. 5 | | | % | % |
| | No. _ | | | % | % |
| | No. _ | Aggregate number competitors participating enterprises in this concerted action | | | % |
| ¹⁶ Note : | | | | | |

¹³ The market structure data regarding each main product (service) item, as listed in Appendix 2, of each merging party shall be provided separately.

¹⁴ Applicants shall provide statistics for the last three years.

¹⁵ List out each business with a market share over 10% or the top five businesses.

¹⁶ Write down in the Note field the sources of market share statistics cited. Market share calculation shall be based on the total sales amount (volume) or conducted according to the approaches conventionally adopted in the industry in concern

Information on the Participating Enterprises' Upstream and Downstream Businesses

17

Name of Merging Party :

Product (Service) Items:

| | Name of Business | Company Address | Contact Phone No. |
|--------------------------|------------------|-----------------|-------------------|
| Upstream Enterprise | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| Downstream Enterprise | | | |
| | | | |
| | | | |
| | | | |
| | | | |

17 Information on up to five upstream businesses and five downstream businesses of each main product (service) of each participating enterprise shall be provided. In principle, fill in information on 5 upstream and 5 downstream businesses respectively. If the business numbers are less than five, fill in the information based on actual situations.