

國立清華大學 100 學年度碩士班入學考試試題

系所班組別：科法甲 0544/科法乙 0545

科目(代碼)：英文(4402/ 4502)

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* 請在答案卷作答

一、請將以下劃線句子翻譯成中文。(20%)

There is an excellent interview of Ronald Coase conducted in honor of Coase's 100th birthday and the creation of the Coase China society. One part that caught my attention was Coase's discussion of the role of the journal of Law & Economics in advancing the law and economics movement:

Ronald Coase: one way for the Coase China Society to advance the right kind of economics to China, and encourage Chinese economists to do the right kind of work, is to have a journal of its own. When I was editor of the Journal of Law and Economics, I was very active. I would attend seminars and conferences and talk to people to see what kind of research they were doing. I would solicit their articles if I thought they were good ones. And frequently, I would talk to people and encourage them to conduct certain studies with the promise to publish their articles.

Wang Ning: this is indeed very different from the way journals are run now.

二、請將以下名詞翻譯為英文(中翻英)。(10%)

1. 公司社會責任
2. 檢察官
3. 承銷商
4. 關係人交易
5. 非營利機構

三、請將以下名詞翻譯為中文(英翻中)。(10%)

1. subprime mortgage
2. entrepreneur
3. bail-out
4. securitization
5. austerity

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四、請閱讀以下節錄之文章，並以中文回答問題。(30%)

(The New York Times, June 6, 2006) Sperm donor No. F827 aced all the tests. He was healthy, and he said his parents and grandparents were, too. His deposits to a Michigan sperm bank during the 1990's produced 11 children. But he passed a serious gene defect to five of those children, a blood disease that leaves them at risk for leukemia and in need of daily shots of an expensive drug to prevent infections. They also have a 50-50 chance of passing the disease to their children.

The Michigan case could be a warning signal to sperm banks and their customers, because the buying and selling of sperm is an intensely private, largely unregulated business. A lot is not known, and many participants want it that way. Most donors are anonymous, and sperm banks strictly guard their privacy and that of their recipients. Tracking the health of the children that are born as a result is not required, and there are no laws to limit the number of offspring per donor. The Netherlands allows no more than 10, but in the United States that decision is left to individual sperm banks, and they make their own rules.

The Michigan case came to light only because all four families with sick children happened to consult the same specialist at the University of Michigan, Dr. Laurence A. Boxer. The disorder, severe congenital neutropenia, is so rare — it affects only one child in five million — that when Dr. Boxer suddenly saw several cases in one year he suspected that something strange was going on.

All the parents said they had used sperm donors, and when Dr. Boxer asked, all showed him cards bearing the same donor number, F827. Genetic tests on all five children showed they had identical copies of the defective gene, but none of their mothers had it. That left only the sperm donor. Dr. Boxer and his colleagues suspected that the man probably had an unusual condition, in which he carried the bad gene only in his sperm cells, and not the rest of his body. Otherwise, he would have been ill, too. The doctors figured that he probably had no symptoms, and no idea that he carried the mutation.

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But they could not prove their theory, because they could not test him or his sperm. He had moved, and the sperm bank, International Cryogenics in Birmingham, Michigan, said it could not find him. No sperm bank could have prevented what happened in Michigan, the director of the sperm bank, Mary Ann Brown said. Banks test for the most common genetic disorders, like cystic fibrosis and sickle cell anemia, but not for rare ones like severe congenital neutropenia, because it would require a huge amount of time and money. So the banks and their customers take a bit of a gamble, knowing that odd mutations occur from time to time, but that sperm donors have no more risk of them than men who conceive babies the old-fashioned way.

But sperm donors do differ from most other men in an important way: they can have a lot more children, and father them simultaneously instead of one at a time. Private deals that involve conception might seem like a fine way of doing business to the people who sign the papers, but what suits the grown-ups may not always be in the best interests of the children.

1. 請簡短說明本文所謂“the Michigan case”的事實發生經過。(15%)
2. 請依據本文，指出導致“the Michigan case”的各項理由。(15%)

五、請閱讀以下文章並以英文回答問題。(30%)

Antitrust: Commission fines six LCD panel producers €648 million for price fixing cartel (IP/10/1685, Brussels, 8 December 2010)

Today the Commission fined six producers of liquid crystal display (LCD) panels a total of €648 925 000 for operating a cartel between October 2001 and February 2006. LCD panels are the main component of thin, flat screens used in televisions, computer monitors and electronic notebooks. The companies are Samsung Electronics and LG Display of Korea and Taiwanese firms AU Optronics, Chimei InnoLux Corporation, Chunghwa Picture Tubes and HannStar Display Corporation. During the four years, the companies agreed prices, including price ranges and minimum prices, exchanged information on future production planning, capacity utilization, pricing and other commercial conditions. The cartel members held monthly multilateral meetings and

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further bilateral meetings. In total they met around 60 times mainly in hotels in Taiwan for what they called "the Crystal meetings".

These agreements had a direct impact on customers in the European Economic Area because the vast majority of televisions, computer monitors and notebooks incorporating those LCD panels and sold in the EEA comes from Asia.

The investigation gathered by the Commission shows that the companies were aware they were breaking competition rules and took steps to conceal the venue and results of the meetings. A document requested everybody "to take care of security/confidentiality matters and to limit written communication" reminding of the DRAM investigation started in 2002.

The Commission faced the companies with a Statement of Objections on May 2009 on which they had the opportunity to comment and be heard and after which the Commission reduced the proven duration of the infringement by four months.

The fines

In setting the level of the fines, the Commission took into account the companies' sales of the products concerned in the EEA, the very serious nature of the infringement, its EEA-wide scope and its duration.

Samsung Electronics received full immunity under the Commission's 2002 Leniency Notice, as it brought the cartel to the Commission's attention and provided valuable information to prove the infringement. The fines of the following undertakings were also reduced for their cooperation with the Commission: LG Display (50%), AU Optronics (20%) and Chunghwa Picture Tubes (5%). Besides this reduction LG Display also received a full reduction of fine for its participation in the cartel in 2006, as it was the first company to bring forward evidence showing that the cartel continued after 2005 (so-called "partial immunity").

None of the companies met the conditions for a reduction of the fine under paragraph 35 of the Commission's 2006 Guidelines on Fines (inability-to-pay claims). Two had applied.

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The individual fines are as follows:

| | | Fine (€)* | Includes reduction (%) under the 2002 Leniency Notice |
|----|------------------------------|-------------|-------------------------------------------------------|
| 1. | Samsung | 0 | 100% |
| 2. | LG Display | 215 000 000 | 50% and "partial immunity" for 2006 |
| 3. | AU Optronics | 116 800 000 | 20% |
| 4. | Chimei InnoLux Corporation | 300 000 000 | 0% |
| 5. | Chunghwa Picture Tubes | 9 025 000 | 5% |
| 6. | HannStar Display Corporation | 8 100 000 | 0% |

(*) Legal entities within the undertaking may be held jointly and severally liable for the whole or part of the fine imposed.

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1. What were the main purposes of “the Crystal meetings”? (10%)
2. Why do Samsung Electronics and LG Display receive full immunity or full reduction of fine? (10%)
3. Do you agree that Samsung Electronics and LG Display are entitled to such immunity or full reduction? If yes, please state your reasons. If not, why? (10%)