



## Edgar Filing: TAIWAN SEMICONDUCTOR MANUFACTURING CO LTD - Form 6-K

Therefore, the court ordered that, effective immediately, SMIC must provide advance notice and an opportunity for TSMC to object before disclosing items enumerated in the Court Order to SMIC's third party partners.

3. The Court issued the Order instead of a full pre-trial injunction not due to lack of merit in TSMC's case, but because of other considerations. Those considerations include:
  - a. The Court was "reluctant to issue a preliminary injunction that will almost certainly require ongoing discovery and repeated compliance hearings in the next 12-16 months."
  - b. Breach of contract damages to TSMC for the period September 2007 through a trial in late 2008 do not constitute "irreparable harm" to TSMC as "injury from lost sales can be recovered after trial".
  - c. The Court found there was no demonstration that SMIC is distributing its assets or in imminent danger of bankruptcy.
  - d. The Court also found "if an injunction is issued in error, the intangible injury to the significantly smaller SMIC would be severe in terms of loss of cash flow, customer relationships, and reputation".
4. Finally, the Court stated that it expects to move promptly to full discovery and to a trial on the merits, which both parties have anticipated will take place in 2008.

The full text of the Court's Order is available on the Court's website at <http://apps.alameda.courts.ca.gov/fortecgi/fortecgi.exe?ServiceName=DomainWebService&TemplateName=index.html>, using case number RG06286111.

# # #

### TSMC SPOKESPERSON:

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### TSMC ACTING SPOKESPERSON:

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### FOR FURTHER INFORMATION, PLEASE CONTACT:

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SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

Taiwan Semiconductor Manufacturing Company Ltd.

Date: September 14, 2007

By /s/ Lora Ho

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Lora Ho  
Vice President & Chief Financial Officer