

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Jon Leibowitz, Chairman
J. Thomas Rosb
Edith Ramirez
Julie Brill
Maureen K. Ohlhausen

In the Matter of)	
)	
)	
JOHNSON & JOHNSON,)	Docket No. C-4363
a corporation.)	
)	

COMPLAINT

Pursuant to the Clayton Act and the Federal Trade Commission Act, and its authority thereunder, the Federal Trade Commission ("Commission"), having reason to believe that Respondent Johnson & Johnson ("J&J"), a corporation subject to the jurisdiction of the

the public interest, hereby issues its Complaint, stating its charges as follows:

I. DEFINITIONS

1. "Commission" means the Federal Trade Commission.
2. "J&J" or "Respondent J&J" means Johnson & Johnson, its directors, officers, employees, agents, representatives, predecessors, successors, and assigns; its joint ventures, subsidiaries, divisions, groups and affiliates controlled by Johnson & Johnson, and the respective directors, officers, employees, agents, representatives, successors, and assigns of each.
3. "Synthes" means Synthes, Inc., its directors, officers, employees, agents, representatives, predecessors, suc, suc, suc,

groups, and affiliates controlled by Synthes, and the respective directors, officers, employees, agents, representatives, successors, and assigns of each.

4. "Volar distal radius plating system" means a plating system used to treat fractures of the distal portion of the radius bone that is implanted from the bottom of the wrist.

5. "DVR" means the DVR Anatomic Volar Plating System, the volar distal radius plating system owned by Respondent J&J.

6. "FDA" means the United States Food and Drug Administration.

II. RESPONDENT

7. Respondent is a corporation organized, existing, and doing business under and by virtue of the laws of the state of New Jersey, with its office and principal place of business located at One Johnson & Johnson Plaza, New Brunswick, New Jersey 08933. J&J, among other things, is engaged in the research, development, marketing and sale of trauma products, including the DVR.

8. Respondent is, and at times relevant herein has been, engaged in commerce, as "commerce" is defined in Section 1 of the Clayton Act as amended, 15 U.S.C. § 12, and is a corporation whose business is in or affects commerce as "commerce" is defined in Section 4 of the Federal Trade Commission Act, as amended, 15 U.S.C. § 44.

III . P

- and
- b. increasing J&J's ability to raise prices unilaterally in the relevant market;
 - c. reducing research and development in the relevant market.

VIII. VIOLATIONS CHARGED

15. The Purchase Agreement described in Paragraph 9 constitutes a violation of Section 5 of the FTC Act, as amended, 15 U.S.C. § 45.

16. The Acquisition described in Paragraph 9, if consummated, would constitute a violation of Section 7 of the Clayton Act, as amended, 15 U.S.C. § 18, and Section 5 of the FTC Act, as amended, 15 U.S.C. § 45.

WHEREFORE, THE PREMISES CONSIDERED, the Federal Trade Commission on this seventh day of June 2012, issues its Complaint against said Respondent.

By the Commission.

Donald S. Clark
Secretary

SEAL: