

***Case No COMP/M.2368 -  
GILDE / CAPVIS /  
SOUDRONIC***

Only the English text is available and authentic.

**REGULATION (EEC) No 4064/89  
MERGER PROCEDURE**

---

Article 6(1)(b) NON-OPPOSITION  
Date: 16/03/2001

*Also available in the CELEX database  
Document No 301M2368*



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 16.03.2001

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties

Dear Madam and Sir,

**SUBJECT: CASE NO. COMP/M.2368 – GILDE/CAPVIS/SOUDRONIC**

Notification of 16.02.2001 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89<sup>1</sup>  
Publication in the Official Journal of the European Communities No. C 58 of 23.02.2001.

1. On 16.02.2001, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89<sup>2</sup> by which the undertakings Gilde Buy-Out Fund II B.V. ("Gilde") belonging to the group Coöperatieve Centrale Raiffeisen-Boerenleenbank B.A. (Rabobank, Netherlands) and CapVis (C.I.) Ltd. ("CapVis", Channel Islands), belonging to the Union Bank of Switzerland group ("UBS") group, acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Soudronic Holding AG ("Soudronic", Switzerland) by way of purchase of shares in a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are:
  - for Gilde: venture capital fund
  - for Rabobank: banking and financial services
  - for CapVis: private equity organisation
  - for UBS: banking
  - for Soudronic: manufacture of metal packaging production systems, production of machinery for welding of metal parts and components.

---

<sup>1</sup> OJ L 395, 30.12.1989 p. 1; corrected version OJ L 257 of 21.9.1990, p. 13, as last amended by Regulation (EC) No 1310/97, OJ L 180, 9.7.1997, p. 1, corrigendum in OJ L 40, 13.2.1998, p. 17.

<sup>2</sup> OJ L 395, 30.12.1989 p. 1; corrigendum OJ L 257 of 21.9.1990, p. 13; Regulation as last amended by Regulation (EC) No 1310/97 (OJ L 180, 9. 7. 1997, p. 1, corrigendum OJ L 40, 13.2.1998, p. 17).

3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EEC) No. 4064/89 and of paragraph 4, subparagraph (b), of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89<sup>3</sup>.
4. To the extent that restrictions specified by the parties are directly related and necessary to the implementation of the concentration, these restrictions are covered pursuant to Article 6(1)(b), second subparagraph, of Council Regulation (EEC) No. 4064/89.
5. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EEC) No. 4064/89.

For the Commission,  
Mario Monti  
Member of the Commission

---

<sup>3</sup> OJ C 217, 29.07.2000, p. 32.