

***Case No COMP/M.4090 -
WEST LB / ODEWALD /
ASH***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 07/02/2006

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 07/02/2006

SG-Greffe (2006) D/200560

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

Dear Madam and Sirs,

**Subject: Case No. COMP/M.4090 – WestLB / Odewald / ASH
Notification of 03.01.2006 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C 6, 11.01.2006,
page 7**

1. On 03.01.2006, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertakings WestLB AG (“WestLB”, Germany) and Odewald & Compagnie Gesellschaft für Beteiligungen mbH (“Odewald”, Germany) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking ASH Automotive Systems Holding GmbH (“ASH”, Germany), holding company of the Westfalia group, 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 WestLB: international universal bank;
 - for Odewald: investment funds;
 - for ASH: development, manufacturing and distribution of tow bars and related products (electrical systems) for cars.

¹ OJ L 24, 29.1.2004 p. 1

3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph 5, subparagraph b of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004².
4. 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 (EC) No. 139/2004.

For the Commission
(signed)
Neelie KROES
Member of the Commission

² OJ C 56, 05.3.2005 p.32