

***Case No COMP/M.4769 -
SUMITOMO / ITOCHU /
TOYO / AK&N***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 20/08/2007

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 20-08-2007

SG-Greffe(2007) D/205102/205103/205104

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties:

Dear Madam(s) and/or Sir(s),

**Subject: Case No. COMP/M.4769 - SUMITOMO/ ITOCHU/ TOYO/ AK&N
Notification of 18/07/2007 pursuant to Article 4 of Council Regulation (EC) No.
139/2004¹
Publication in the Official Journal of the European Union No. C 174 of
27/07/2007, page 37.**

1. On 18/07/2007, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which Sumitomo Chemical Company, ("Sumitomo", Japan), Itochu Corporation ("Itochu" Japan) and Toyo Ink Mfg. ("Toyo" Japan) acquire, within the meaning of Article 3(1) (b) of the Council Regulation, joint control of AK&N UK Ltd. ("AK&N", UK) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for Sumitomo: production of chemicals
 - for Itochu: general trading company
 - for Toyo: printing inks and equipment, chemicals, resins.
 - for AK&N: manufacture and marketing of thermoplastic compound materials

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, subparagraphs a and c 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 by P.Csiszar
Philip LOWE
Director General

² OJ C 56, 05.3.2005 p.32