

***Case No COMP/M.5041 -
BERKSHIRE
HATHAWAY / MARMON
HOLDINGS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 06/03/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 06.03.2008

SG-Greffe(2008) D/201006

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying party

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

**Subject: Case No. COMP/M.5041 – Berkshire Hathaway/ Marmon Holdings
Notification of 07.02.2008 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C 40, 14.02.2008,
page 16**

1. On 07.02.2008, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which Berkshire Hathaway Inc. ("Berkshire", USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of Marmon Holdings Inc. ("Marmon", USA) by way of purchase of shares.

The business activities of the undertakings concerned are:

- for Berkshire : conglomerate holding company;
 - for Marmon : conglomerate holding company.
2. 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

¹ OJ L 24, 29.1.2004 p. 1

5, subparagraph b of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004².

3. 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,
Philip LOWE
Director General

² OJ C 56, 05.3.2005 p.32