

***Case No COMP/M.6336 -
WALTER FREY
HOLDING/ MITSUBISHI
MOTORS CORPORATION***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 29/08/2011

***In electronic form on the EUR-Lex website under document
number 32011M6336***



EUROPEAN COMMISSION

Brussels, 29.8.2011
C(2011) 6253

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

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

**Subject: Case No COMP/M.6336 - WALTER FREY HOLDING/ MITSUBISHI
MOTORS CORPORATION
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 27.07.2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Walter Frey Holding AG ("WFH", Switzerland) and Mitsubishi Motors Europe B.V ("MME", The Netherlands), belonging to the group Mitsubishi Motors Corporation, acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Mitsubishi Motors France SAS ("MMF", France) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - For WFH: import and distribution of new and used motor vehicles of different brands, including distribution of original equipment spare parts,

¹ OJ L 24, 29.1.2004, p. 1 ("the Merger Regulation"). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ("TFEU") has introduced certain changes, such as the replacement of "Community" by "Union" and "common market" by "internal market". The terminology of the TFEU will be used throughout this decision.

- For MME: organize and coordinate the activities of its local subsidiaries which are in charge of the wholesale distribution of Mitsubishi branded spare parts manufactured in different States of the EEA,
 - For MMF: imports and distributes Mitsubishi-branded vehicles (passenger cars and light commercial vehicles) and spare parts for France².
3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004³.
 4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation.

For the Commission
(signed)
Alexander ITALIANER
Director General

² Publication in the Official Journal of the European Union No C228,03.08.2011, p.7

³ OJ C 56, 5.3.2005, p. 32.