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COMP/M.5809 - MITSUBISHI / JGC / EBARA / EES

SECTION 1.2

Description of the concentration

On 17 February 2010, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) 139/2004 by which the undertakings Mitsubishi Corporation ("**MC**"), JGC Corporation ("**JGC**") and Ebara Corporation ("**Ebara**") propose to acquire, within the meaning of Article 3(1)(b) of the Regulation, joint control of Ebara Engineering Service Co., Ltd ("**EES**"), by way of a transfer of shares (the "**Proposed Transaction**").

EES is currently wholly owned and controlled by Ebara.

The business activities of the undertakings concerned are:

- (i) For MC: general trading activities in various industries including energy, metals, machinery, chemicals, food and general merchandise.
- (ii) For JGC: design, construction and operation of industrial plants and refineries.
- (iii) For Ebara: fluid machinery and systems, environmental engineering and precision machinery.
- (iv) For EES: water treatment and related services in Asia, primarily in Japan.

In view of the absence of any horizontal overlaps or vertical effects in the European Economic Area, the Notifying Parties submit that the Proposed Transaction will not give rise to competitive concerns.