

*Disclaimer :*

*The Competition DG makes the information provided by the notifying parties in section 1.2 of Form CO available to the public in order to increase transparency. This information has been prepared by the notifying parties under their sole responsibility, and its content in no way prejudices the view the Commission may take of the planned operation. Nor can the Commission be held responsible for any incorrect or misleading information contained therein.*

**M. 9097 - BOEING / EMBRAER**

**SECTION 1.2**

**Description of the concentration**

The Commission has received notification of a proposed concentration pursuant to Article 4 of the EUMR. On 30 August 2019, Boeing notified its intention to acquire sole control of Embraer's commercial aviation business and related operations and engineering capability, as well as joint control of a joint venture company, EB Defense, LLC, to build a production facility for Embraer's KC-390 military transport airplane. The transaction is a concentration within the meaning of Article 3(1)(b) of the EUMR.

The areas of activities of the undertakings concerned by the notified concentration are as follows:

- i. **Boeing** – Boeing is an American aerospace and defense company based in Chicago, Illinois. Boeing designs, manufactures, and markets commercial airplanes, military airplanes, and spacecraft, as well as defense, space, and security systems. Boeing also provides aftermarket services for the aerospace market including performance-based logistics and training.
- ii. **Embraer** – Embraer is a Brazilian company based in São José dos Campos, São Paulo, with businesses in commercial and executive aviation, defense, and security.
- iii. **Embraer's Commercial Aviation Business** – Embraer's commercial aviation business designs, manufactures, and markets commercial airplanes below 150 seats and provides aftermarket services for its airplanes including operational and technical support and training.
- iv. **EB Defense, LLC** – EB Defense, LLC, is a newly formed joint venture company under the laws of the state of Delaware, and will carry out the final assembly, marketing and sales, and aftermarket services in relation to Embraer's KC-390 military transport airplane currently under certification.