

***Case No COMP/M.5845 -  
BAIN CAPITAL/ STYRON  
BUSINESS***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 27/04/2010

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EUROPEAN COMMISSION

Brussels, 27/04/2010  
SG-Greffe(2010) D/6029  
C(2010) 2827

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

**To the notifying party:**

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

**Subject: Case No COMP/M.5845 – BAIN CAPITAL/ STYRON BUSINESS**  
**Notification of 23/03/2010 pursuant to Article 4 of Council Regulation (EC) No 139/2004<sup>1</sup>**  
**Publication in the Official Journal of the European Union No C 85, 31/03/2010, p.30**

1. On **23/03/2010**, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Bain Capital Investors LLC ("Bain Capital", USA) acquires within the meaning of Article 3(1)(b) of the EC Merger Regulation control of the whole of Styron LLC and Styron Holding BV ("The Styron Business", USA) by way of purchase of shares.

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<sup>1</sup> OJ L 24, 29.1.2004, p 1 (the "Merger Regulation"). With effect from 1 December 2009, Articles 81 and 82 of the EC Treaty have become Articles 101 and, 102, respectively, of the Treaty on the Functioning of the European Union ("TFEU"). The two sets of provisions are, in substance, identical. For the purposes of this Decision, references to Articles 101 and 102 of the TFEU should be understood as references to Articles 81 and 82, respectively, of the EC Treaty where appropriate. The TFEU also introduced certain changes in terminology, 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

The business activities of the undertakings concerned are:

- for Bain Capital: private equity investment;
  - for The Styron Business: the manufacture of latexes, synthetic rubber and certain plastics products.
2. 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(b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004<sup>2</sup>.
  3. 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

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<sup>2</sup> OJ C 56, 05.3.2005, p. 32 ("Notice on a simplified procedure").