

***Case No COMP/M.2920 -
OUTOKUMPU /
LENNOX***

Only the English text is available and authentic.

**REGULATION (EEC) No 4064/89
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 22/08/2002

*Also available in the CELEX database
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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 22.08.2002

SG (2002) D/231270

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

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

**Subject: Case No. COMP/M.2920 - Outokumpu Oy/Lennox International Inc.
Notification of 19/07/2002 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 181/12
of 30.07.02**

1. On 19/07/2002, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which which the undertakings Outokumpu Oy, (Outokumpu) Finland and Lennox International Inc. (Lennox) USA acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of Heatcraft, a joint venture consisting of Outokumpu Heatcraft LLC (USA) and Outokumpu Heatcraft BV (Netherlands) by way of purchase of shares in two newly created companies constituting a joint venture.
2. The business activities of the undertakings concerned are :
 - Outokumpu: Copper products, metallurgy, stainless steel and other operations such as mining,
 - for Lennox: climate control solutions, heating, ventilation, air-conditioning, refrigeration and heat transfer,

¹ OJ L 395, 30.12.1989 p. 1; corrected version OJ L 257 of 21.9.1990, p. 13, as last amended by Regulation (EC) No 1310/97, OJ L 180, 9.7.1997, p. 1, corrigendum in OJ L 40, 13.2.1998, p. 17.

- for Heatcraft: heat transfer components, pressure vessels.
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EEC) No. 4064/89 and of paragraph 4, subparagraphs a and c of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².
 4. 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 (EEC) No. 4064/89.

For the Commission

David BYRNE
Member of the Commission

² OJ C 217, 29.07.2000, p. 32.