

***Case No COMP/M.3098 -
NISSHO IWAI /
NICHIMEN***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 28/03/2003

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 28/03/2003

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PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

Dear Sirs,

**Subject: Case No. COMP/M.3098 - NISSHO IWAI / NICHIMEN
Notification of 27.02.2003 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 52,
6.03.2003, page 13**

1. On 27.02.2003, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which by which the Japanese companies Nissho Iwai Corporation ('NIC') and the Nichimen Corporation ('NC') enter into a full merger within the meaning of Article 3(1)(a) of the Council Regulation.
2. The business activities of the undertakings concerned are :
 - NIC : trading of machinery, metals and other products;
 - NC : trading of machinery, metals and other products.

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.

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, subparagraph 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

Signed by Mario MONTI
Member of the Commission

² OJ C 217, 29.07.2000, p. 32.