

***Case No COMP/M.3340 -  
BLACKSTONE / APAX /  
SULO***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 15/01/2004

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15.01.2004

**SG-Greffe(2004) D/200100-200101**

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

**To the notifying parties**

Dear Sirs,

**Subject: Case No. COMP/M.3340 – Blackstone / Apax / SULO  
Notification of 4 December 2003 pursuant to Article 4 of Council Regulation  
(EEC) No. 4064/89<sup>1</sup>, as last amended by Regulation (EC) No 1310/97<sup>2</sup>  
Publication in the Official Journal of the European Union No. C 301 of  
12/12/2003, page 9**

1. On 4 December 2003, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertakings Blackstone Capital Partners IV Merchant Banking Fund L.P. («Blackstone», USA), belonging to the Blackstone Group, and Apax Europe V L.P. («Apax», Guernsey, Channel Islands) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the whole of the undertakings of the SULO group («SULO», Germany) by way of purchase of shares in a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are :
  - for Blackstone: Financial advisory services, private equity investing and property investing,

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<sup>1</sup> OJ L 395, 30.12.1989 p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.

<sup>2</sup> OJ L 180, 9. 7. 1997, p. 1; corrigendum OJ L 40, 13.2.1998, p. 17.

- for Apax: Investment partnerships with shareholdings in a range of industries,
  - for SULO: Environmental technology (bin systems), environmental services (collection and recycling of waste) and industrial packaging (steel and plastic drums).
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 (b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89<sup>3</sup>.
  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**

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<sup>3</sup> OJ C 217, 29.07.2000, p. 32.