

***Case No COMP/M.3342 -  
TPG / JPMP / KRATON***

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: 18/12/2003

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 18/12/2003

SG (2003) D/233794/233795

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties  
via the legal representative

Dear Sirs,

**Subject: Case No. COMP/M.3342 - TPG/JPMP/KRATON  
Notification of 20.11.2003 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 285,  
28/11/2003, page 21.**

1. On 20.11.2003, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which by which the undertakings Texas Pacific Group Advisors III, Inc (“TPG”, USA) and JPMP Capital Corp (“JPMP”, USA) belonging to the J.P. Morgan Chase & Co. Group acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Kraton Polymers LLC (“Kraton”, USA) by way of purchase of shares.
2. The business activities of the undertakings concerned are :
  - for TPG: Investment fund.
  - for JPMP: Provision of equity and capital financing primarily to private companies.

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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 Kraton: Production of synthetic elastomers.

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/  
Mario MONTI  
Member of the Commission

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