

***Case No COMP/M.3504 -
UTC / IHI***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 29/07/2004

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 29.07.2004

SG-Greffe(2004) D/203310/203311

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

Dear Madam and/or Sir,

**Subject: Case No. COMP/M.3504 – UTC / IHI / JV
Notification of 28/06/2004 pursuant to Article 4 of Council Regulation (EEC)
No 4064/89¹. Publication in the Official Journal of the European Union No. C
174 of 06/07/2004, page 18**

1. On 28/06/2004, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 by which the US undertaking United Technologies Corporation (“UTC”) and the Japanese company Ishikawajima-Harima Heavy industries (“IHI”) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of a newly created company, constituting a joint venture (“JV”).
2. The business activities of the undertakings concerned are :
 - for UTC: industrial conglomerate with activities including elevators (Otis), Heating, Ventilation and Air Conditioning equipment (Carrier), Security products and

¹ OJ L 395, 30.12.1989 p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.

services (Chubb), commercial and military jet engines (Pratt & Whitney) and flight systems (Hamilton Sundstrand).

- for IHI: industrial conglomerate with activities including shipbuilding, logistics, industrial machinery and aero-engines.
 - for the JV to be formed : manufacturing of air compressors in China.
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) 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 4064/89.
 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 (EC) No. 4064/89.

For the Commission

(Signed)
Pavel Telicka
Member of the Commission