

***Case No COMP/M.3526 –  
KKR / AUTO-TEILE-  
UNGER***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004  
MERGER PROCEDURE**

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Article 6(1)(b) NON-OPPOSITION  
Date: 12/08/2004

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

Brussels, 12-VIII-2004

SG-Greffe(2004) D/203505

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying party

Dear Sirs,

**Subject: Case No. COMP/M.3526 – KKR/AUTO-TEILE-UNGER**

Notification of 13.07.2004 pursuant to Article 4 of Council Regulation (EC) No. 139/2004<sup>1</sup>

Publication in the Official Journal of the European Communities No. C 192, 28.07.2004, page 30.

1. On 13.07.2004, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertaking Rally Drei Beteiligungs GmbH, Germany (“Rally”), part of Kohlberg Kravis Roberts group (“KKR”), acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking A.T.U Auto-Teile-Unger Holding AG, (“ATU”) Germany, by way of purchase of shares.

2. The business activities of the undertakings concerned are:

For **Rally/KKR**: private equity investments,

For **ATU**: retail sale of spare and replacement parts for cars, operation of a network of vehicle workshops offering vehicle maintenance, repairs and parts fitting services, vehicle inspections, diagnostics and exhaust testing in Germany, Austria and in the Czech Republic.

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<sup>1</sup> OJ L 24, 29.1.2004 p. 1.

3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph 5, subparagraph b, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004<sup>2</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 (EC) No. 139/2004.

For the Commission,  
Mario MONTI  
Member of the Commission

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<sup>2</sup> [http://europa.eu.int/comm/competition/mergers/legislation/consultation/simplified\\_tru.pdf](http://europa.eu.int/comm/competition/mergers/legislation/consultation/simplified_tru.pdf).