

***Case No COMP/M.3631 -
APAX / ACP / EVE JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 13/01/2005

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 13/1/2005

SG-Greffe(2005) D/200192-200193

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party

Dear Madam(s) and/or Sir(s),

Subject: Case No. COMP/M.3631 – APAX/ACP/EVE JV
Notification of 05/12/2004 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C 307, dated 11/12/2004, page 14

1. On 05/12/2004, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which Allianz Capital Partners GmbH ('ACP', Germany), part of the Allianz Group, and Apax Europe V ('Apax', UK), acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the whole of Eve Holding NV ('Eve', Belgium) by way of purchase of shares.
2. The business activities of the undertakings concerned are :
 - ACP : private equity,
 - Apax: investment funds,

¹ OJ L 24, 29.1.2004 p. 1

- Eve: industrial gearboxes.

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 “c” of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No139/2004².
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

(signed)

Neelie KROES
Member of the Commission

² Available on DG COMP website:
http://europa.eu.int/comm/competition/mergers/legislation/consultation/simplified_tru.pdf.