

***Case No COMP/M.3651 -
APAX / CINVEN / CBR
GROUP***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 20/12/2004

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 20/12/2004

SG-Greffe(2004) D/206019/20

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

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

**Subject: Case No. COMP/M.3651 – APAX/CINVEN/CBR
Notification of 18/11/2004 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C 289 of 26/11/2004, page 5**

1. On 18/11/2004, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertakings Apax Europe V, an investment fund controlled by The Hirzell Trust (“Apax, Channel Islands) and Cinven Ltd. (“Cinven”, UK) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertakings CBR Holding GmbH & Co. KG, Street One GmbH & Co. KG, Cecil GmbH & Co. KG, One Touch GmbH & Co. KG, CBR Companies GmbH & Co. KG, Street One Markenrecht GmbH & Co. KG, Cecil Markenrecht GmbH & Co. KG and One Touch Markenrecht GmbH & Co. KG (“CBR Group”, Germany) by way of purchase of shares by Apax from Cinven.

¹ OJ L 24, 29.1.2004 p. 1

2. The business activities of the undertakings concerned are :
- for Apax: financial investment
 - for Cinven : financial investment
 - for CBR Group : design and wholesale distribution of women's apparel.
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.