

***Case No COMP/M.3655 -  
CERBERUS /  
PEGUFORM***

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: 16/12/2004

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 16/12/2004

SG-Greffe(2004) D/205875

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. 3655 – Cerberus/Peguform  
Notification of 18.11.04 pursuant to Article 4 of Council Regulation (EC) No.  
139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No. C 288,  
25.11.2004, 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 Cerberus Group (“Cerberus”, USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of substantially the whole of Peguform GmbH & Co. KG i.L (“Peguform”, Germany), by way of purchase of shares and assets.
2. The business activities of the undertakings concerned are :
  - Cerberus : investment, including investments in the manufacturing and informatics sectors
  - Peguform : automotive components

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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(b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No139/2004.
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