

***Case No COMP/M.3743 -  
DUPONT / DDE***

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: 12/04/2005

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 12/04/2005

SG-Greffe (2005)D/201721

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying party

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

**Subject: Case No. COMP/M. 3743 – DuPont / DDE**  
**Notification of 04.03.2005 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 62, date 12/3/2005, page 9**

1. On 04.03.2005, the Commission received a notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of Council Regulation (EC) No 139/2004 by which the undertaking E.I. du Pont de Nemours and Company (“DuPont”, USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of parts of the undertaking DuPont Dow Elastomers L.L.C. (“DDE”, USA) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - for undertaking DuPont: worldwide diversified company active in several sectors such as agriculture, nutrition, electronics, communications, safety and protection, home and construction and transportation.
  - for undertaking DDE: research development, production and marketing of elastomers.

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

(signed)  
Neelie KROES  
Member of the Commission

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<sup>2</sup> OJ C 56, 05.3.2005 p.32.