

***Case No COMP/M.3784 -  
TRIDONICATCO /  
TOYODA GOSEI / LED  
JV***

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: 19/10/2005

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 19.X.2005

SG-Greffe(2005) D/205817/18

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties

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

**Subject: Case No. COMP/M.3784 – TRIDONICATCO / TOYODA GOSEI / LED JV  
Notification of 14/09/2005 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 233, 22/09/2005, page 3.**

1. On 14/09/2005, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings TridonicAtco GmbH & Co KG (“Tridonic”, Austria), belonging to the Zumtobel group and ultimately controlled by KKR, and Toyoda Gosei (Japan), part of the Toyota Motor Company, acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of NewCo, a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are :
  - for Tridonic : lighting components
  - for Zumtobel : lighting equipment
  - for KKR : private equity investor
  - for Toyoda Gosei : manufacturing and sales of automotive parts and optoelectronics

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

- for Toyota Motor Company : car manufacturing
  - for NewCo : development, manufacturing and sales of high brightness light emitting diodes (HB-LEDs)
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) 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,  
signed  
Neelie KROES  
Member of the Commission

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