

EN

***Case No COMP/M.3837 -
THIEL LOGISTIK /
MONDI / PROXAR***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 16/06/2005

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 16.06.2005

SG-Greffe(2005) D/202671/2

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

Dear Madam, dear Sir,

**Subject: Case No. COMP/M.3837-Thiel Logistik / Mondi / Proxar
Notification of 11.05.2005 pursuant to Article 4 of Council Regulation (EC) No.
139/2004¹
Publication in the Official Journal of the European Union No. C119,
20.05.2005, page 8.**

1. On 11.05.2005, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Thiel Logistik AG ("Thiel Logistik", Luxembourg), controlled by Mr Stefan Quandt, and Mondi Business Paper SCP a.s. ("Mondi", Slovakia), controlled by Anglo American plc. ("Anglo American", UK), acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Proxar Slovakia Internationale Spedition a.s. ("Proxar", Slovakia) by way of purchase of shares. Proxar is currently solely controlled by Mondi.
2. The business activities of the undertakings concerned are:

¹ OJ L 24, 29.1.2004 p. 1

- for Thiel Logistik: transport and logistic services;
 - for Mondi: production of paper;
 - for Anglo American: production or extraction of materials such as gold, diamonds, metals, coal, paper, minerals and wood;
 - for Proxar: transport and logistic services.
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, subparagraphs a and c of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004².
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 OJ C 56, 05.3.2005 p.32