

***Case No COMP/M.3854 -  
IPIC / OMV / 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: 01/08/2005

***In electronic form on the EUR-Lex website under document  
number 32005M3854***



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 01.08.2005

SG-Greffe(2005) D/ 204135

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.3854 – IPIC/OMV/JV  
Notification of 24.06.2005 pursuant to Article 4 of Council Regulation  
(EC) No. 139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No. C163 of  
5.07.2005, page 5.**

1. On 24.06.2005, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertakings International Petroleum Investment Company (“IPIC”, Abu Dhabi, United Arab Emirates) and OMV Aktiengesellschaft (“OMV”, Austria) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking AMI Agrolinz Melamine International GmbH (“AMI”, Austria), currently solely controlled by OMV, by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - for undertaking IPIC: investments in energy-related companies outside the United Arab Emirates.
  - for undertaking OMV: exploration, production, refining and distribution of mineral oil products.

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

- for undertaking AMI: production of chemicals, in particular melamine, fertilizers and wood additives.

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 b, 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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2 OJ C 56, 05.3.2005 p.32