

EN

***Case No COMP/M.3927 -
INDUSTRI KAPITAL /
BONNA SABLA***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 20/09/2005

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 20.09.2005

SG-Greffe(2005) D/205154

PUBLIC DECISION

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. 3927 Industri Kapital / Bonna Sabla

Notification of 16/08/05 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹

Publication in the Official Journal of the European Union No. C207, dated 24/08/2005, page 7

1. On 16/08/05, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking Industri Kapital BV (“Industri Kapital”, the Netherlands), through the vehicle company Sinclair SAS, acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Bonna Sabla SA (“Bonna Sabla”, France) by way of purchase of shares.

¹ OJ L 24, 29.1.2004 p. 1

2. The business activities of the undertakings concerned are :
 - for undertaking Industri Kapital: private equity fund
 - for undertaking Bonna Sabla: manufacture and sale of pre-cast concrete products, primarily for infrastructure purposes, and of metro, railway and tram sleepers.
2. 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. 139/2004².
3. 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