

***Case No COMP/M.4182 -  
HÖRMANN / MN / ACP  
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: 25/09/2006

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 25.09.2006

SG-Greffe(2006) D/205378

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.4182 – HÖRMANN/MN/ACP JV**  
**Notification of 21.08.2006 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 204, dated 26.08.2006, page 34**

1. On 21.08.2006, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertakings MAN Nutzfahrzeuge AG (“MN, Germany), belonging to the MAN-group (“MAN”, Germany) and Hörmann GmbH & Co. Beteiligungs KG (“Hörmann”, Germany) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Automotive Components Penzberg GmbH (“ACP”, Germany), by way of purchase of shares.
2. The business activities of the undertakings concerned are :

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

- for MN: design, manufacture and marketing of trucks, buses, components and related services;
  - for MAN : commercial vehicles, diesel engines, turbo engines, industrial services, engineering services, construction engineering;
  - for Hörmann: electrical, machine and construction engineering, radio engineering and related services;
  - for ACP: production of metal structural components for heavy trucks.
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 (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  
Philip LOWE  
Director General