

***Case No COMP/M.4363 -
YUM / PIZZA HUT***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 06/09/2006

***In electronic form on the EUR-Lex website under document
number 32006M4363***



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 06.09.2006
SG-Greffe(2006) D/205001

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.4363 - YUM / PIZZA HUT

Notification of 08.08.2006 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹

Publication in the Official Journal of the European Communities No. C 191 of 15/08/2006, page 3.

1. On 8 August 2006, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking Yum! Restaurant Holdings (“Yum”, UK) controlled by Yum Brands Inc. (USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Pizza Hut UK Limited (“Pizza Hut”, UK) by way of purchase of shares.
2. The business activities of the undertakings concerned are :
 - for undertaking Yum : holding company for the Yum group activities in the informal restaurant market;
 - for undertaking Pizza Hut : to operate and manage informal restaurants.
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

¹ OJ L 24, 29.1.2004 p. 1.

5(d) 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
Philip LOWE
Director General

² OJ C 56, 05.3.2005 p.32