

***Case No COMP/M.4717 -
TAC / TOWER
AUTOMOTIVE***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 12/07/2007

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 12/07/2007

SG-Greffe(2007) D/204434

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.4717 – TAC/Tower
Notification of 15/06/2007 pursuant to Article 4 of Council Regulation (EC) No.
139/2004¹
Publication in the Official Journal of the European Union No. C 138 of
22.06.2007, page 41**

1. On 15 June 2007, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking TA Acquisition Company ("TAC", USA) [controlled by the Cerberus Group, USA] acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of Tower Automotive Inc. ("Tower", USA), including its foreign operations, by way of purchase of assets.

¹ OJ L 24, 29.1.2004 p. 1

2. The business activities of the undertakings concerned are :
 - for the Cerberus Group : Investment company.
 - for Tower Automotive Inc. : Designer and producer of structural metal components used by automobile manufacturers.
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 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
Philip LOWE
Director General

² OJ C 56, 05.3.2005 p.32