

***Case No COMP/M.5164 -  
MSREF / CROWNE  
PLAZA WIESBADEN  
HOTEL***

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: 26/09/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26.09.2008

SG-Greffe(2008) D/205798/205799

C(2008)5586

PUBLIC VERSION

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.5164 - MSREF/ CROWNE PLAZA WIESBADEN HOTEL  
Notification of 26.08.2008 pursuant to Article 4 of Council Regulation (EC) No.  
139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No. C226 of 3  
September 2008, p.24**

1. On 26/08/2008, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Morgan Stanley Real Estate Fund VI International-GP, LLC. ("MSREF VI", US) controlled by Morgan Stanley (US), and InterContinental Hotels Group, PLC ("IHG", UK) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of seven InterContinental-branded hotels located in the European Union (the "Portfolio Hotels"), owned by IHG, via purchase of shares and management contracts, and MSREF VI acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of one Crowne Plaza branded hotel business ("Crowne Plaza Wiesbaden hotel", D) controlled by IHG via purchase of assets.
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 MSREF VI : real estate investment and management.

- for IHG: ownership, management and franchising of hotels on a world-wide basis.

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. 139/2004<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  
(*P.O. Lowri EVANS*  
Signed)  
Philip LOWE  
Director General

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<sup>2</sup> OJ C 56, 05.3.2005 p.32