

***Case No COMP/M.5279 -
LINDE / FLOWSERVE /
JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 27/08/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 27/08/2008

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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.5279 – Linde/ Flowserve/ JV
Notification of 24.07.2008 pursuant to Article 4 of Council Regulation (EC) No 139/2004¹
Publication in the Official Journal of the European Union No C 195,
01.08.2008, page 12

1. On 24 July 2008, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Flowserve Corporation ("Flowserve", USA) and Linde AG ("Linde", Germany) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Flowserve Compression Systems GmbH ("Flowserve Compression", Austria) by way of purchase of shares in a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are:
 - for Flowserve: Industrial pumps, valves
 - for Linde: Industrial gases, development of natural gas plants, logistics
 - for Flowserve Compression: Refuelling systems for natural gas vehicles

¹ OJ L 24, 29.1.2004, p. 1.

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(a) 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.