

***Case No COMP/M.5306 -
METSO POWER /
WÄRTSILÄ FINLAND /
JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 14/11/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 14/11/2008
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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.5306 – Metso Power/ Wärtsilä Finland/ JV
Notification of 10.10.2008 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 264 du 17-10-
2008, p.17**

1. On 10.10.2008, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Metso Power Oy ("Metso Power", Finland) and Wärtsilä Finland Oy ("Wärtsilä Finland", Finland) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the newly created joint venture Noviter Oy ("Noviter", Finland).
2. The business activities of the undertakings concerned are:
 - for Metso Power: engineering, development and manufacture of machinery, including boiler plants
 - for Wärtsilä Finland: production of power systems, engines and turbines and power and heat plants
 - for Noviter: design and manufacture of boiler plants

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.