

***Case No COMP/M.5420 -
KYOCERA MITA /
TRIUMPH-ADLER***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 21/01/2009

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 21.01.2009
SG-Greffe (2009) D/229
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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.5420 – Kyocera Mita/ Triumph-Adler
Notification of 08.12.2008 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 322,
17.12.2008, p. 24**

- (1) On 08 December 2008, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation 139/2004 (the “Merger Regulation”) by which the undertakings Kyocera Mita Corporation (“KMC”, Japan) wholly owned by publicly quoted Kyocera Corporation (“KC”, Japan) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of publicly quoted TA Triumph-Adler AG (“TA”, Germany) by way of public bid announced on 18/11/2008.

The business activities of the undertakings concerned are:

- for KMC: production and distribution of office automation products and related services
- for TA: distribution of office automation products and related services.

¹ OJ L 24, 29.1.2004, p. 1.

- (2) 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.
- (3) 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.