

EN

***Case No COMP/M.5528 -  
MUBADALA / UTC / JV***

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: 13/08/2009

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 13/08/2009  
SG-Greffe(2009) D/4922  
C(2009) 6463

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. 5528 – MUBADALA / UTC / JV  
Notification of 15.07.2009 pursuant to Article 4 of Council Regulation (EC) No  
139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No C 174,  
28.07.2009, p.16**

1. On 15.07.2009, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which Mubadala Development Company PJSC (“Mubadala”, Abu Dhabi) and Sikorsky Aircraft Corporation (“Sikorsky”, USA, belonging to the United Technologies ("UTC") group) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of MIL MRO JV ("JV", United Arab Emirates) by way of purchase of shares in a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are:
  - UTC : high technology products and services for the building systems and aerospace industries worldwide
  - Mubadala : global investing in a wide range of strategic sectors, including energy, utilities, real estate, public-private partnerships, aerospace, basic industries and services

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<sup>1</sup> OJ L 24, 29.1.2004, p. 1.

- JV : maintenance, repair and overhaul (“MRO”) services for military fixed wing and rotary wing aircraft as well as related modification and upgrade services, supply chain management services and maintenance contract management services
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(a) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004<sup>2</sup>.
  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

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