



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 20.11.2009  
SG-Greffe(2009) D/9132  
C(2009) 9318

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.5556 - JPMC / SCHOELLER ARCA SYSTEMS  
Notification of 16.10.2009 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 255 on  
24/10/2009, p. 22**

1. On 16 October 2009, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking One Equity Partners II, L.P. ("OEP", USA) controlled by JPMorgan Chase & Co ("JPMC", USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Schoeller Arca Systems Services B.V. ("SAS", Netherlands) a company currently jointly controlled by OEP and Schoeller Holding GmbH, by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - for undertaking OEP: private equity fund.
  - for undertaking SAS: designing, manufacture, distribution and marketing of plastic materials handling products.

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<sup>1</sup> 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 paragraphs 5(b) and (d) 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  
(*signed*)  
Philip LOWE  
Director General

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<sup>2</sup> OJ C 56, 5.3.2005, p. 32.