

***Case No COMP/M.5571 -  
OAO LUKOIL/ TRN***

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: 03/08/2009

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 03/08/2009  
SG-Greffe(2009) D/6138  
C(2009) 6269

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.5571 - OAO LUKOIL/ TRN  
Notification of 03/07/2009 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 160,  
14.07.2009, p.10.**

1. On 03/07/2009, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking OAO Lukoil ("Lukoil", Russian Federation) acquire within the meaning of Article 3(1)(b) of the Council Regulation control of part of Dow Chemical ("Dow Refinery Business", Netherlands) which is made up of a 45% stake in the capital of Total Raffinaderij Nederland NV ("TRN") by way of purchase of shares and assets.
2. The business activities of the undertakings concerned are:
  - Lukoil: a vertically integrated oil and energy company;
  - Dow Refinery Business/TRN: refining of crude oil.

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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 paragraph 5(c) 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 by*  
*Irmfried Schwimman*  
*On behalf of)*  
Philip LOWE  
Director General

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