

***Case No COMP/M.5574 -
IPIC/ OMV/ NOVA***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 26/10/2009

***In electronic form on the EUR-Lex website under document
number 32009M5574***



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26.10.2009
SG-Greffe(2009) D/7772/ 7773
C(2009)8430

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties:

Dear Sir/Madam,

**Subject: Case No COMP/M.5574 – IPIC/ OMV/ NOVA
Notification of 25.09.2009 pursuant to Article 4 of Council Regulation (EC) No 139/2004¹
Publication in the Official Journal of the European Union No C238, 03.10.2009,
page 7.**

- (1) On 25.09.2009, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings International Petroleum Investment Company ("IPIC", United Arab Emirates) and OMV Aktiengesellschaft ("OMV", Austria) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking NOVA Chemicals Corporation ("NOVA", Canada) by way of purchase of shares.
- (2) The business activities of the undertakings concerned are:
 - for IPIC : investment company concentrating on petroleum refining and related upstream and downstream distribution and service networks.
 - for OMV : oil exploration and production, refining and distribution of mineral oil products, petrochemical industry, exploration, production and distribution of gas.
 - for Nova : ethylene, polyethylene and chemical and energy co-products, styrene-based polymers.

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(c) 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 by Nadia Calviño, DDG,
on behalf of)
Philip LOWE
Director General

² OJ C 56, 05.3.2005, p. 32.