

***Case No COMP/M.5809 -
MITSUBISHI/ JGC/
EBARA / EES***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 16/03/2010

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EUROPEAN COMMISSION

Brussels, 16.03.2010
SG-Greffe(2010) D/3214/3215/3216
C(2010)1866

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.5809 - MITSUBISHI/ JGC/ EBARA/ EES
Notification of 17.02.2010 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 46, 24.02.2010,
p.12**

1. On 17.02.2010, the European Commission received notification of a proposed concentration pursuant to Article 4 of the EC Merger Regulation by which the undertakings Mitsubishi Corporation ('Mitsubishi', Japan), JGC Corporation ('JGC', Japan) and Ebara Corporation ('Ebara', Japan) will acquire within the meaning of Article 3(1)(b) of the EC Merger Regulation joint control of the Ebara Engineering Service Co. Ltd ('EES', Japan) by way of sale and purchase of shares.
2. The business activities of the undertakings concerned are:
 - for Mitsubishi: a conglomerate active worldwide in many sectors including energy, metals, machinery, chemicals, food and general merchandise,
 - for JGC: design, construction and operation of industrial plants and refineries,

¹ OJ L 24, 29.1.2004, p. 1 (the "EC Merger Regulation").

- for Ebara: fluid transfer machinery (pumps, compressors, etc.), environmental facilities and related equipment (water waste, solid waste treatment etc.) and precision machinery for semiconductor industry,
 - for EES: design, construction and operation of water treatment facilities and the provision of related services.
3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the EC Merger Regulation and of paragraph 5(a) 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 European 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 the EC Merger Regulation.

For the Commission
(*Signed*)
Alexander ITALIANER
Director General

² OJ C 56, 05.3.2005, p. 32 ("Notice on a simplified procedure").