

***Case No COMP/M.6202 -
SAMSUNG LED/ SUMITOMO
CHEMICAL/ JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 13/04/2011

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EUROPEAN COMMISSION

Brussels, 13/04/2011
C(2011) 2728 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

Dear Madam(s) and/or Sir(s),

Subject: Case No COMP/M.6202 – SAMSUNG LED/ SUMITOMO CHEMICAL/ JV
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹

1. On 16/03/2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Samsung LED Co., Ltd., ("Samsung LED", Korea), and Sumitomo Chemical Co., Ltd., ("Sumitomo Chemical", Japan), acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control in a newly created company constituting a joint venture (the "JV"), which will produce, initially, sapphire substrates and, eventually, a variety of advanced chemicals and materials for LED applications, in Korea.²
2. The business activities of the undertakings concerned are:
 - For Samsung LED: development and manufacture of LED (Light Emitting Diode) technologies;
 - For Sumitomo Chemical: parent company of a group of companies active mainly in the chemical sectors (basic chemicals, petrochemicals and plastics, fine chemicals, IT-related chemicals, agricultural chemicals, and pharmaceuticals).

¹ OJ L 24, 29.1.2004, p. 1 ("the Merger Regulation"). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ("TFEU") has introduced certain changes, such as the replacement of "Community" by "Union" and "common market" by "internal market". The terminology of the TFEU will be used throughout this decision.

² Publication in the Official Journal of the European Union No C 093, 25/03/2011, p.24

3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the 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 139/2004³.
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 internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation.

*For the Commission
(signed)*

*Alexander ITALIANER
Director General*

³ OJ C 56, 5.3.2005, p. 32.