

*Case No COMP/M.6216 -  
IHC/ DEME/  
OCEANFLORE JV*

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: 22/02/2012

*In electronic form on the EUR-Lex website under document  
number 32012M6216*



EUROPEAN COMMISSION

Brussels, 22.02.2012  
C(2012) 1321 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying parties:**

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

**Subject: Case No COMP/M.6216-IHC/ DEME/ OCEANFLORE JV  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No  
139/2004<sup>1</sup>**

1. On 23 January 2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which IHC Merwede Holding B.V ("IHC", the Netherlands) and DEME N.V. ("DEME", Belgium) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking OceanfLORE B.V. ("OceanfLORE JV", the Netherlands) by way of purchase of shares in a newly created company constituting a joint venture. The business activities of the undertakings concerned are:
  - IHC: development of technology and construction of equipment for dredging activities, dredging related activities, marine mining and various offshore activities,
  - DEME: provision of services in the field of dredging, land reclamation, marine hydraulic engineering, and environmental sectors,
  - OceanfLORE JV: provision of deep sea mining services<sup>2</sup>.
2. 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

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<sup>1</sup> 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.

<sup>2</sup> Publication in the Official Journal of the European Union No C 23, 28.1.2012, p. 37.

the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004<sup>3</sup>.

3. 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*

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<sup>3</sup> OJ C 56, 5.3.2005, p. 32.