

***Case No COMP/M.6239 -
ONEX / JELD-WEN***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION

Date: 17/06/2011

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EUROPEAN COMMISSION

Brussels, 17.06.2011
C(2011) 4441 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party

Dear Madams and Sirs,

**Subject: Case No COMP/M. 6239 - Onex/JELD-WEN
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 10 may 2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Onex Corporation ("ONEX", Canada) and Nancy Wendt, Roderic C. Wendt and Mark Wendt (WENDT Family) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking JELD-WEN Holding, inc. ("JELD-WEN", USA) by way of purchase of securities.
2. The business activities of the undertakings concerned are:
 - for ONEX: investments, administration and divestment of participations in companies through a number of private equity funds.
 - Nancy Wendt, Roderick Wendt and Mark Wendt (WENDT Family members) are the three trustees of the Trust of Mr. Richard Wendt, which exercises control over substantial stock in JELD-WEN. Mr Roderick Wendt is CEO of JELD-WEN.

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.

- for JELD-WEN: manufacturer and distributor of windows and doors. JELD-WEN is also active in real estate, resort development and hotel operations in the US and Mexico, marketing and escrow/title services.²
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(b) 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*

² Publication in the Official Journal of the European Union No C 153, 24.05.2011, p.20.

³ OJ C 56, 5.3.2005, p. 32.