

***Case No COMP/M.6279 -
TOSHIBA / LANDIS+GYR***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION

Date: 07/07/2011

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EUROPEAN COMMISSION

Brussels, 07/07/2011
C(2011) 5069

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

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

**Subject: Case No COMP/M.6279 – TOSHIBA / LANDIS+GYR
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 1 June 2011, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which Toshiba Corporation ("Toshiba"-Japan), acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of Landis+Gyr AG and its subsidiaries ("Landis+Gyr"-Switzerland) by way of purchase of shares².
2. The business activities of the undertakings concerned are:
 - for undertaking Toshiba : active in the manufacturing and marketing of a diverse range of high technology electronic and electrical products;

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 176, 16.6.2011, p. 12

- for undertaking Landis+Gyr : active in the manufacturing and sale of electricity, gas, heat and water metering products to utilities and consumers which improve energy efficiency and the sustainable use of energy resources.
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*

³ OJ C 56, 5.3.2005, p. 32.