

EN

***Case No COMP/M.6291 -
CD&R FUND VIII / SPIE***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 20/07/2011

***In electronic form on the EUR-Lex website under document
number 32011M6291***



EUROPEAN COMMISSION

Brussels, 20.07.2011
C(2011) 5369

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

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

**Subject: Case No COMP/M.6291 – CD&R FUND VIII / SPIE
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 23 June 2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Clayton, Dubilier & Rice Fund VIII, L.P. having its seat in the Cayman Islands and belonging to the Clayton, Dubilier & Rice group ('CD&R', United States) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Financière SPIE S.A.S. ('SPIE', France) by way of purchase of shares².
2. The business activities of the undertakings concerned are:
 - For CD&R: a private equity investment group.

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 C189, 29.06.2011, p.32

- For SPIE: a provider of multi-technical services which include the provision of electrical, heating ventilation and air-conditioning and mechanical engineering services to industrial, commercial and public sector customers and of services to the nuclear, oil & gas, communications and IT sectors.
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(c) 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.