

***Case No COMP/M.6310 - FUJIFILM
HOLDINGS CORPORATION/
MITSUBISHI CORPORATION/
FUJIFILM DIOSYNTH
BIOTECHNOLOGIES UK & USA***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 30/08/2011



EUROPEAN COMMISSION

Competition DG

Director General

Brussels, 30.08.2011

C(2011) 6297

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

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

**Subject: Case No COMP/M.6310 - FUJIFILM HOLDINGS CORPORATION/
MITSUBISHI CORPORATION/ FUJIFILM DIOSYNTH
BIOTECHNOLOGIES UK & USA
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 28 July 2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Mitsubishi Corporation ("MC", Japan) will acquire, within the meaning of Article 3(1)(b) of the Regulation, joint control of FUJIFILM Diosynth Biotechnologies UK Limited ("FDBUK") and FUJIFILM Dyosynth Biotechnologies U.S.A., Inc. ("FDBUS"). FDBUK and FDBUS are currently wholly owned by FUJIFILM Holdings Corporation ("FH", Japan).² Post-transaction, MC will hold 20% of the shares and FH will hold 80% of the shares in each of FDBUK and FDBUS.

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 229, 04.08.2011, p.12

The business activities of the undertakings concerned are:

- (i) FH: manufacturing and marketing of imaging, information and document systems;
 - (ii) MC: general trading activities in various industries, including energy, metals, machinery, chemicals, food and general merchandise; and
 - (iii) FDBUK and FDBUS: biologics contract manufacturing services.
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 the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004³.
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

³ OJ C 56, 5.3.2005, p. 32.