

***Case No COMP/M.6408 -
EAH/ MITSUBISHI
ELECTRIC/ MITSUBISHI/
ETAM***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 30/11/2011

***In electronic form on the EUR-Lex website under document
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EUROPEAN COMMISSION

Brussels, 30.11.2011
C(2011) 9066 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

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

**Subject: Case No COMP/M.6408- EAH/ MITSUBISHI ELECTRIC/ MITSUBISHI/ ETAM
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹**

1. On 31 October 2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings ETA Ascon Holding LLC ('EAH', United Arab Emirates), Mitsubishi Electric Corporation ('Mitsubishi Electric', Japan) and Mitsubishi Corporation ('Mitsubishi', Japan) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of ETA Melco Elevator Company LLC ('ETAM', United Arab Emirates) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for EAH: investment and holding company active in numerous divisions in the construction industry,
 - for Mitsubishi Electric: manufacture and sale of electric and electronic equipment used in energy and energy systems, industrial automation, information and communication systems, electronic devices and home appliances,

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 Mitsubishi: general trading company active in various industries including energy, metals, machinery, chemicals, food and general merchandise,
 - for ETAM: the supply, installation and maintenance of elevators and escalators in Asia and the Middle East².
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(a) and 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 324, 9.11.2011, p.12.

³ OJ C 56, 5.3.2005, p. 32.