

EN

***Case No COMP/M.6593 -
AUDI / DUCATI MOTOR
HOLDING***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 28/06/2012

***In electronic form on the EUR-Lex website under document
number 32012M6593***



EUROPEAN COMMISSION

Brussels, 28/06/2012
C(2012)4558

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

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

**Subject: Case No COMP/M.6593 – AUDI / DUCATI MOTOR HOLDING
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 31.05.2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Audi AG ("Audi", Germany) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of Ducati Motor Holding S.p.A., ("Ducati", Italy). Audi is controlled by Volkswagen AG.
2. The business activities of the undertakings concerned are:
 - Volkswagen AG: design, manufacture, supply and distribution of cars and manufacture and supply of spare parts for cars.

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.

- Audi: design, manufacture, supply and distribution of cars and manufacture and supply of spare parts for cars.
 - Ducati: design, manufacturing, distribution and sale of motorbikes as well as supply of spare parts and accessories.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 161, 07/06/2012, p.27

³ OJ C 56, 5.3.2005, p. 32.