

EN

***Case No COMP/M.6601 -
VOITH / IHI / VOITH
IHI ECOSOLUTIONS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 04/09/2012

***In electronic form on the EUR-Lex website under document
number 32012M6601***



EUROPEAN COMMISSION

Brussels, 04.09.2012
C(2012) 6224

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties

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

**Subject: Case No COMP/M.6601-Voith/IHI/Voith IHI Ecosolutions
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)
No 139/2004¹**

1. On 1 August 2012 the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Voith Paper GmbH & Co. KG ("Voith Paper", Germany), a wholly-owned subsidiary of the Voith GmbH ("Voith", Germany), and IHI Corporation ("IHI", Japan) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Voith IHI Ecosolutions GmbH & Co. KG ("JV", Germany), a newly created company constituting a joint venture, by way of purchase of shares.²
2. The business activities of the undertakings concerned are:
 - for Voith Paper: with its broad portfolio of systems, products and industrial services, Voith serves five essential markets – energy, oil & gas, paper, raw materials and

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 238, 08.08.2012, p.10.

transport & automotive; Voith Paper is active in the supply of equipment and complete production lines to the pulp and paper industry.

- for IHI: aero engines and space operations, energy systems (including boilers), storage plants & process plants & pharmaceutical plants, social infrastructure and security related technology, physical distribution systems & materials handling equipment, industrial machinery, standard machinery, construction & agricultural machinery, facilities & products for civil use as well as ships & offshore facilities.
 - for the JV: provision of fluidized bed boilers.
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.