

***Case No COMP/M.6616 - LION CAPITAL/ ALAIN
AFFLELOU GROUP***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 16/07/2012

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EUROPEAN COMMISSION

Brussels, 16.7.2012
C(2012) 5101 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party

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

**Subject: Case No COMP/M.6616 - LION CAPITAL/ ALAIN AFFLELOU GROUP
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)
No 139/2004¹**

1. On 11 June 2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Lion/Seneca France 2 ("LF2", France), ultimately controlled by Lion Capital LLP ("Lion Capital", UK), acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of 3 AB Optique Developpement ("3ABOD", France) by way of purchase of securities.²
2. The business activities of the undertakings concerned are:
 - for Lion Capital: private equity investment manager focused on investments in companies engaged in the production and/or sale of consumer-branded goods;
 - for 3ABOD: ultimate parent of Alain Afflelou Group which is active in distribution of optical products through a national and international network of both franchised and fully-owned retail outlets.

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 175, 19.6.2012, p. 33.

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) delete as appropriate of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.³
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.