

***Case No COMP/M.6620 - PLATINUM
EQUITY/ CATERPILLAR LOGISTICS
SERVICES***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 19/07/2012

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EUROPEAN COMMISSION

Brussels, 19.07.2012
C(2012) 5229

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

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

**Subject: Case No COMP/M.6620 – PLATINUM EQUITY/ CATERPILLAR
LOGISTICS SERVICES
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

- (1) On 19 June 2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Platinum Equity LLC ("Platinum", USA) will acquire within the meaning of Article 3(1)(b) of the EU Merger Regulation sole control of Caterpillar Logistics Services LLC ("CLS", USA) from Caterpillar Inc. ("Caterpillar", USA) through the purchase of shares.²
- (2) The business activities of the undertakings concerned are:

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 C186, 26.06.2012, p.10.

- a. **Platinum** is a private equity firm specialising in the acquisition and operation of companies that provide services and solutions to customers in a broad range of businesses including information technology, telecommunications, transportation and logistics, metal services, manufacturing and distribution;
 - b. **CLS** is active in the provision of contract logistics;
 - c. **Caterpillar** is the ultimate parent company of a global, diversified group that is active, *inter alia*, in the provision of machinery, engines and financial products. It manufactures and sells engines and machinery for a large number of applications.
- (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 139/2004.³
- (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.