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***Case No COMP/M.6645 - MITSUBISHI CORPORATION/  
MITSUBISHI ELECTRIC CORPORATION/ MELCO DE  
COLOMBIA***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 09/08/2012

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## EUROPEAN COMMISSION

Brussels, 9.8.2012  
C(2012) 5776

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

### **To the notifying parties:**

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

**Subject: Case No COMP/M.6645 - MITSUBISHI CORPORATION/ MITSUBISHI ELECTRIC CORPORATION/ MELCO DE COLOMBIA  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004<sup>1</sup>**

1. On 13 July 2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Mitsubishi Corporation ("MC", Japan) and Mitsubishi Electric Corporation ("MELCO", Japan) acquire within the meaning of the article 3(1)(b) of the Merger Regulation joint control of Melco de Colombia Ltda. ("MECOL", Colombia) by way of purchase of shares.<sup>2</sup>
2. The business activities of the undertakings concerned are:
  - for MC: general trading company active in various industries including energy, metals, machinery, chemicals, food and general merchandise,
  - for MELCO: manufacture and sale of electric and electronic equipment used in energy and electric systems, industrial automation, information and communication systems, electronic devices, and home appliances,
  - for MECOL: supply, distribution, installation and maintenance of elevators and escalators as well as supply of air-conditioners. Its activities are mainly in South America and Caribbean.
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) of

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<sup>1</sup> 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.

<sup>2</sup> Publication in the Official Journal of the European Union No C 214, 20.7.2012, p. 12.

the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004<sup>3</sup>.

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*

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<sup>3</sup> OJ C 56, 5.3.2005, p. 32.