

***Case No COMP/M.6930 - KKR / SMCP***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION

Date: 07/06/2013

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EUROPEAN COMMISSION

Brussels, 7.6.2013  
C(2013) 3680

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying party**

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

**Subject: Case No COMP/M.6930 - KKR/ SMCP  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)  
No 139/2004<sup>1</sup>**

1. On 2 May 2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking KKR & Co. L.P. ("KKR", USA) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the Groupe SMCP S.A.S. ("SMCP", France) by way of purchase of securities.
2. The business activities of the undertakings concerned are:
  - for undertaking KKR: the provision of a broad range of alternative asset management services to public and private market investors and capital markets solutions for the firm, its portfolio companies and clients; and

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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.

- for undertaking SMCP: design and distribution of fashion apparel and, to a minor extent, footwear and related accessories, for women and men, under three brands, namely Sandro, Maje and Claudie Pierlot.<sup>2</sup>
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)i and (c)ii of 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>2</sup> Publication in the Official Journal of the European Union No C 134, 14.5.2013, p. 38.

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