

*Case No COMP/M.6968 - LUFTHANSA/ CAE/ JV*

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: 11/06/2014

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EUROPEAN COMMISSION

Brussels, 11.06.2014  
C(2014) 4001 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying parties:**

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

**Subject: Case M.6968 - LUFTHANSA/ CAE/ JV  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004<sup>1</sup>**

1. On 13/05/2014, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Deutsche Lufthansa AG ("Lufthansa", Germany) and CAE Inc. ("CAE", Canada) acquire within the meaning of Article 3(4) of the Merger Regulation joint control of a newly created company constituting a joint venture (the "JV") by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - Lufthansa is a global aviation group active in the passenger airline business, logistics, maintenance repair overhaul, catering, IT services and cockpit and cabin crew training services.
  - CAE is active in modelling, simulation, and training for civil aviation and defence. Its business is diversified, ranging from the sale of flight simulation products to providing comprehensive services such as training and aviation services, professional services, in-services support and crew sourcing.

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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.

- The JV will be active in the development and delivery of pilot and cabin crew entitlement and other training service solutions for the Bombardier C-Series aircraft program.<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(a) 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 153, 21/05/2014, p.8.

<sup>3</sup> OJ C 366, 14.12.2013, p. 5.