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***Case No COMP/M.7033 - NIPPON EXPRESS/ NEC
CORPORATION/ NEC LOGISTICS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 21/10/2013

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EUROPEAN COMMISSION

Brussels, 21/10/2013
C(2013) 7099

PUBLIC VERSION
SIMPLIFIED MERGER PROCEDURE

To the notifying parties:

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

Subject: Case No COMP/M.7033 - NIPPON EXPRESS/ NEC CORPORATION/ NEC LOGISTICS
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹

1. On 20/09/2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the Japanese undertakings Nippon Express Co., Ltd. ("Nippon Express") and NEC Corporation ("NEC") acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of NEC Logistics, Ltd. ("NEC Logistics", Japan) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - Nippon Express is a global logistics supplier, including domestic and international relocation and transportation of specialised goods and fine art by rail, sea and air;
 - NEC provides a broad range of IT products and services to business enterprises, communications service providers and governments;

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.

- NEC Logistics (to be renamed Nittsu NEC Logistics) is currently a wholly owned subsidiary of NEC providing freight forwarding, freight transport, warehousing and storage services.²
- 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 139/2004³.
- 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*

² Publication in the Official Journal of the European Union No C 283, 28/09/2013, p42.

³ OJ C 56, 5.3.2005, p. 32.