

EN

***Case No COMP/M.7073 - KKR/ ARLE CAPITAL/ HILDING
ANDERS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 11/12/2013

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EUROPEAN COMMISSION

Brussels, 11.12.2013
C(2013) 9287 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties

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

**Subject: Case No COMP/M.7073 - KKR/ ARLE CAPITAL/ HILDING ANDERS
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)
No 139/2004¹**

1. On 15 November 2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings KKR & Co. L.P. ('KKR', USA) and Arle Capital Partners Limited ('Arle Capital', UK) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking Hilding Anders Midco AB ('Hilding Anders', Sweden), previously solely controlled by Arle Capital, by other means.
2. The business activities of the undertakings concerned are:
 - for KKR: 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,
 - for Arle Capital: a private equity firm that manages a diversified portfolio of investments headquartered in Europe,
 - for Hilding Anders: development, manufacture and marketing of beds, mattresses and related products.²

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.

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 5(c)ii 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

² Publication in the Official Journal of the European Union No C 342, 22.11.2013, p. 10.

³ OJ C 56, 5.3.2005, p. 32.