

EN

***Case No COMP/M.7092 - LIXIL GROUP/ DEVELOPMENT  
BANK OF JAPAN/ GROHE GROUP***

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: 12/12/2013

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EUROPEAN COMMISSION

Brussels, 12.12.2013  
C(2013)9392

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying party:**

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

**Subject: Case No COMP/M.7092 - LIXIL GROUP/ DEVELOPMENT BANK OF JAPAN/ GROHE GROUP  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004<sup>1</sup>**

1. On 18 November 2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings LIXIL Group Corporation ("LIXIL", Japan) and the Development Bank of Japan Inc. ("DBJ", Japan) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Grohe Group S.à.r.l. ("Grohe", Luxembourg) by way of purchase of shares.<sup>2</sup>
2. The business activities of the undertakings concerned are:
  - for LIXIL: supply of building materials and housing equipment; including sanitary products.
  - for DBJ: banking.
  - for Grohe: supply of water technology products for bathrooms and kitchens, in particular sanitary fittings and behind-the-wall flushing and installation systems.

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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 345, 26.11.2013, p. 21.

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