

EN

Case No COMP/M.7114 - JLL / DSM / JV

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 04/02/2014

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EUROPEAN COMMISSION

Brussels, 04.02.2014
C(2014) 731 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

Dear Madam/Sir,

**Subject: Case No COMP/M.7114 - JLL/DSM/JV
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹**

1. On 8 January 2014, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking JLL Patheon Co-Investment Fund, L.P. ("JLL Holdco"), an affiliate of JLL Partners ("JLL") and Koninklijke DSM N.V. ("DSM") will create a joint venture ("JV") within the meaning of Article 3(4) of the Merger Regulation through a multi-step transaction and the contribution of certain businesses, assets and cash².
2. The business activities of the undertakings concerned are:
 - for JLL: private equity firm holding investments in various industries including pharmaceutical contract development and manufacturing outsourcing;
 - for DSM: a global science-based company active in health, nutrition and materials;
 - for JV: pharmaceutical contract development and manufacturing outsourcing.

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.

² Publication in the Official Journal of the European Union No C 12, 16.01.2014, p. 5-5.

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 139/2004³.
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.

Signed

For the Commission

Alexander ITALIANER
Director General

³ OJ C 366, 14.12.2013, p. 5.