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***Case No COMP/M.7130 - FREY AUTOMOBIL
HOLDING DEUTSCHLAND / MITSUBISHI MOTORS
EUROPE / MITSUBISHI MOTORS DEUTSCHLAND***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 31/01/2014

***In electronic form on the EUR-Lex website under document
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EUROPEAN COMMISSION

Brussels, 31.01.2014
C(2014) 634

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

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

**Subject: Case No COMP/M.7130 - FREY AUTOMOBIL HOLDING DEUTSCHLAND / MITSUBISHI MOTORS EUROPE / MITSUBISHI MOTORS DEUTSCHLAND
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹**

1. On 19.12.2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Frey Automobil Holding Deutschland GmbH (Germany, belonging to the Emil Frey Group) and Mitsubishi Motors Europe B.V. (the Netherlands, belonging to the Mitsubishi Motors Corporation) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking MMDA Automobile GmbH (Germany) by way of purchase of shares².
2. The business activities of the undertakings concerned are:
 - for Frey Automobil Holding Deutschland GmbH : the wholesale distribution of motor vehicles of the 'Subaru' brand as well as the retail distribution of vehicles of several other car brands, both in Germany

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 382, 31.12.2013, p. 6.

- for Mitsubishi Motors Europe B.V. : the wholesale distribution of 'original equipment' motor vehicle spare parts of the 'Mitsubishi' brand via subsidiaries in Germany, Sweden, the Netherlands, Belgium and Portugal
 - for MMDA Automobile GmbH : formerly named Mitsubishi Motors Deutschland GmbH, a subsidiary of Mitsubishi Motors Europe B.V., active in the wholesale distribution of vehicles and motor vehicle spare parts of the 'Mitsubishi' brand as well as the retail distribution of passenger cars of the same brand, both in Germany.
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 (c)ii 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

³ OJ C 366, 14.12.2013, p. 5.