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***Case No COMP/M.7192 - BROOKFIELD / MOL / ITI***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 05/03/2014

***In electronic form on the EUR-Lex website under document  
number 32014M7192***



EUROPEAN COMMISSION

Brussels, 5.3.2014  
C(2014) 1588 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying parties:**

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

**Subject: Case COMP/M.7192 – BROOKFIELD / MOL / ITI  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No  
139/2004<sup>1</sup>**

1. On 7 February 2014, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Brookfield Infrastructure Fund GP II LLC ("Brookfield", USA), ultimately controlled by Brookfield Asset Management Inc. (Canada) and Mitsui O.S.K. Lines, Ltd ("MOL", Japan) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking International Transportation Inc. ("ITI", USA) by way of purchase of shares<sup>2</sup>.
2. The business activities of the undertakings concerned are:
  - for Brookfield: asset management with investments in property, renewable power, infrastructure and private equity.

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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 46, 18.02.2014, p. 11.

- for MOL : provision of several shipping and terminal services worldwide.
  - for ITI: provision of stevedoring and other port terminal services from the American ports of Los Angeles and Oakland.
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 139/2004<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 366, 14.12.2013, p. 5.