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***Case No COMP/M.7212 - HML/ MMC/ MMC SUPERALLOY
CORPORATION***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 04/06/2014

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EUROPEAN COMMISSION

Brussels, 4.6.2014
C(2014) 3868 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties

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

**Subject: Case M.7212 - HML/ MMC/ MMC SUPERALLOY CORPORATION
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)
No 139/2004¹**

1. On 6 May 2014, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Hitachi Metals Ltd. ("HML", Japan) and Mitsubishi Materials Corporation ("MMC", Japan) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of MMC Superalloy Corporation ("MMC Superalloy", Japan) by way of purchase of shares. MMC Superalloy is currently a wholly owned subsidiary of MMC.²
2. The business activities of the undertakings concerned are:
 - for HML: manufacturer and supplier of high-functional materials for use in automobile-related products (including engines and exhaust systems), electronics and infrastructure-related products,
 - for MMC: publicly listed company operating across eight different businesses (cement, metals, advanced materials and tools, aluminium, electronic materials and components, energy, precious metals, and recycling),

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 145, 15.5.2014, p. 15.

- for MMC Superalloy: manufacturer of specialist super alloys of non-ferrous metals used in a range of sectors, including aerospace.
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 paragraphs 5(a) and 5(c) 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

³ OJ C 366, 14.12.2013, p. 5.