

EN

***Case No COMP/M.7266 - D'IETEREN /
CONTINENTAL / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 05/08/2014

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EUROPEAN COMMISSION

Brussels, 5.8.2014
C(2014) 5739 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

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

**Subject: Case M.7266 - D'IETEREN/ CONTINENTAL/ JV
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹**

1. On 10 July 2014, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which S.A. D'Ieteren N.V. ("D'Ieteren", Belgium), controlled by the D'Ieteren family, and Continental Automotive Holding Netherlands BV (Netherlands), controlled by Continental AG ("Continental", Germany), acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of a newly created company constituting a joint venture (the "JV") by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for D'Ieteren: in Belgium, distribution of Volkswagen, Audi, Skoda, Seat, Porsche, Bentley, Lamborghini, Bugatti and Yamaha vehicles, spare parts, accessories and after-sale services for the same brands; sale of used vehicles; automotive financial services; operating and financial leasing services; in several countries in the EEA, supply of virtual key systems for car-sharing solutions; internationally, vehicle glass repair and replacement;

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.

- for Continental: internationally, supply of various components to the automotive industry, including braking systems, sensors, tires and electrical and electronic products and systems;
 - for the JV: in several countries in the EEA, key systems to enable access to cars for the purposes of car-sharing solutions; provision of services (via smartphones applications, websites and software) related to car-sharing solutions, including car-booking and selection, invoicing services, reporting services and fleet management services².
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 139/2004³.
 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

² Publication in the Official Journal of the European Union No C 227 on 17.07.2014, p. 22.

³ OJ C 366, 14.12.2013, p. 5.