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***Case No COMP/M.7271 -
RUSSIAN MACHINES /
FRITZMEIER / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 14/07/2014

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EUROPEAN COMMISSION

Brussels, 14.7.2014
C(2014) 5114 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

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

**Subject: Case M.7271- RUSSIAN MACHINES / FRITZMEIER / JV
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 17.06.2014, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Russian Machines RM ("Russian Machines" of Russian Federation), ultimately controlled by Basic Element (of Russian Federation) and Fritzmeier Auslandsholding GmbH & Co. KG ("Fritzmeier" of Germany), ultimately controlled by the Fritzmeier Group (of Germany), acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control over a newly created joint venture ("JV", Russian Federation).
2. The business activities of the undertakings concerned are:
 - for Russian Machines: active in the Russian Federation as manufacturer of a broad range of civilian machines and equipment;
 - for Fritzmeier: active worldwide in manufacturing driver's cabs, system parts and components for the vehicle industry and for agriculture;
 - for JV: will be active, in the Russian Federation and possibly other CIS countries, in the design, engineering, testing, manufacturing, assembly, marketing and selling of

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.

cabs to be used in construction equipment, agricultural machinery, forklifts and other vehicles.²

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 139/2004.³
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

² Publication in the Official Journal of the European Union No C 193, 24.06.2014, p. 24.

³ OJ C 366, 14.12.2013, p. 5.