

EN

Case No COMP/M.7394 - FUJITSU/ PANASONIC/ DBJ/ JV

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 21/01/2015

***In electronic form on the EUR-Lex website under document
number 32015M7394***



EUROPEAN COMMISSION

Brussels, 21.01.2015
C(2015) 333 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties

Dear Madam and Sir,

**Subject: Case M.7394 – FUJITSU / PANASONIC / DBJ / JV
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)
No 139/2004¹ and Article 57 of the Agreement on the European Economic Area²**

1. On 17 December 2014, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Fujitsu Limited ("Fujitsu", Japan), Panasonic Corporation ("Panasonic", Japan) and Development Bank of Japan Inc. ("DBJ", Japan) acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of a newly created joint venture ("NewCo", Japan), by way of contribution of assets.³

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 OJ L 1, 3.1.1994, p.3 ("the EEA Agreement").

³ Publication in the Official Journal of the European Union No C 465, 24.12.2014, p. 28.

2. The business activities of the undertakings concerned are:
 - for Fujitsu: provision of IT products and services;
 - for Panasonic: provision of IT products and services;
 - for DBJ : provision of investment and loan services;
 - NewCo: design, manufacture and sale of large-scale integration semiconductor products, namely logic integrated circuit devices.
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 139/2004.⁴
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 and Article 57 of the EEA Agreement.

For the Commission
(Signed)
Alexander ITALIANER
Director-General

⁴ OJ C 366, 14.12.2013, p. 5.