

***Case No COMP/M.7467 - MITSUBISHI HEAVY
INDUSTRIES/ MITSUBISHI CORPORATION/ MHI
COMPRESSOR INTERNATIONAL***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION

Date: 09/01/2015



EUROPEAN COMMISSION

Brussels, 09.01.2015
C(2015) 84final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

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

**Subject: Case M.7467 - MITSUBISHI HEAVY INDUSTRIES/ MITSUBISHI CORPORATION/ MHI COMPRESSOR INTERNATIONAL
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**

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

1. On 04.12.2014, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Mitsubishi Heavy Industries Ltd. ("MHI", Japan) and Mitsubishi Corporation ("MC", Japan) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control over MHI Compressor International Corporation ("MCO-I", USA).
2. The business activities of the undertakings concerned are:
 - For MHI: international supplier of heavy industrial machinery, active in the business of shipbuilding and ocean development, power systems, nuclear energy systems, compressors and compressor trains, turbines, machinery and steel;
 - For MC: involved in global trading activities including complex project management, strategic finance and investment, marketing, distribution and procurement services;

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").

- For MCO-I: active in North American in the sales and marketing of compressors and compressor trains and related after-sales services.
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 and Article 57 of the EEA Agreement.

For the Commission
(Signed)
Alexander ITALIANER
Director-General

³ Publication in the Official Journal of the European Union No C 444, 12.12.2014, p. 24.

⁴ OJ C 366, 14.12.2013, p. 5.