

EN



EUROPEAN COMMISSION
DG Competition

***Case No M.7542 - GRIFFIN / SKANSKA / STARWOOD /
HOTEL ATRIUM***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 26/11/2015

***In electronic form on the EUR-Lex website under document
number 32015M7542***



EUROPEAN COMMISSION

Brussels, 26.11.2015
C(2015) 8532 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

Dear Sirs,

**Subject: Case M.7542 - GRIFFIN / SKANSKA / STARWOOD / HOTEL ATRIUM
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 30 October 2015, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings GT Netherlands IV B.V. ('Griffin') (Netherlands) ultimately controlled by the Oaktree Capital Group LLC ('Oaktree Group', USA), Skanska Central Europe Holding B.V. ('Skanska') (Netherlands), ultimately controlled by Skanska AB ('Skanska Group') and Starwood EAME License and Services Company BVBA ('Starwood') (Belgium), ultimately controlled by Starwood Hotels & Resorts Worldwide, Inc ('Starwood Group', USA) acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control over Hotel Atrium sp. z o.o. ('Hotel Atrium') (Poland) by way of purchase of shares and contract of management.

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").

2. The business activities of the undertakings concerned are:
- The Oaktree Group specialises in alternative investments. Its Griffin subgroup is active on the real estate market in Central and Eastern Europe. Griffin's main activity consists in renting out and operating of own and leased real estates.
 - The Skanska Group's principal activities are project development, construction services and other services related to real estate. Skanska is a holding company whose affiliates offer real estate development services.
 - The Starwood Group is a worldwide hotel and leisure operator. Its brands include Sheraton, Westin, W, Four Points by Sheraton, St.Regis and the Luxury Collection. Starwood is an operator of, among others, the Westin hotel in Warsaw.
 - Hotel Atrium is the owner of the property located in Warsaw, currently operated as a hotel under the brand name Westin.³
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)
Johannes LAITENBERGER
Director-General

³ Publication in the Official Journal of the European Union No C 370, 07.11.2015, p. 6.

⁴ OJ C 366, 14.12.2013, p. 5.