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***Case No COMP/M.7635 - LINDSAY GOLDBERG/ VDM
METALS GROUP***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION

Date: 11/06/2015

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EUROPEAN COMMISSION

Brussels, 11.6.2015
C(2015) 4148 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

Dear Sirs,

**Subject: Case M.7635 – LINDSAY GOLDBERG/ VDM METALS GROUP
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 18 May 2015, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Goldberg, Lindsay & Co., LLC ("Lindsay Goldberg", United States) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of the undertaking VDM Metals Group consisting of VDM Metals GmbH (Germany), VDM Metals USA, LLC (United States), VDM Metals Italia S.r.l. (Italy), VDM Metals Austria GmbH (Austria), VDM Metals Benelux B.V. (Netherlands), VDM Metals Trading Co. Ltd. (China),

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").

VDM High Performance Metals Trading Co. Ltd. (China) and VDM Metals France S.A.S. (France), by way of purchase of shares.³

2. The business activities of the undertakings concerned are:
 - Lindsay Goldberg is a privately held private equity investment firm managing a number of funds that own companies active in a variety of business sectors;
 - VDM Metals Group is active in the production, sale and trade of high performance alloys, in particular nickel and titanium alloys.
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(b) 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*

³ Publication in the Official Journal of the European Union No C 170, 23.5.2015, p. 8.

⁴ OJ C 366, 14.12.2013, p. 5.