



EUROPEAN COMMISSION  
DG Competition

***Case M.8022 - KKR /  
AIRBUS DEFENCE  
ELECTRONICS***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 03/06/2016

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EUROPEAN COMMISSION

Brussels, 03.06.2016  
C(2016) 3553 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying party**

Dear Sirs,

**Subject: Case M.8022 - KKR / AIRBUS DEFENCE ELECTRONICS  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)  
No 139/2004<sup>1</sup> and Article 57 of the Agreement on the European Economic Area<sup>2</sup>**

1. On 10 May 2016, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking KKR & Co. L.P. ('KKR', United States) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertakings Airbus DS Optronics GmbH ('Optronics GmbH', Germany), Airbus DS Electronics and Border Security GmbH ('Electronics GmbH', Germany) and Airbus DS Electronics and Border Security SAS ('Electronics SAS', France), (together, 'Airbus Defence Electronics') by way of purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - for KKR: ownership, management of private equity funds investing in companies in a variety of sectors,

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<sup>1</sup> 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.

<sup>2</sup> OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

<sup>3</sup> Publication in the Official Journal of the European Union No C 174, 14.5.2016, p. 18.

- for Airbus Defence Electronics: manufacturing and sale of sensor systems, including military radar, military communications, electronic warfare and optronics. Airbus Defence Electronics has been carved out of Airbus Defence & Space GmbH and Airbus Defence & Space SAS, whose activities include (i) the provision of military aircraft; (ii) designing, developing and operating major space systems; and (iii) providing satellite and terrestrial communications systems, intelligence and security solutions.
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.<sup>4</sup>
  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*

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<sup>4</sup> OJ C 366, 14.12.2013, p. 5.