



EUROPEAN COMMISSION  
DG Competition

***Case M.8140 - KION / DEMATIC***

Only the English text is available and authentic.

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

---

Article 6(1)(b) NON-OPPOSITION  
Date: 24/08/2016

***In electronic form on the EUR-Lex website under document  
number 32016M8140***



## EUROPEAN COMMISSION

Brussels, 24.8.2016  
C(2016) 5541 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

To the Notifying Party

Dear Sirs,

**Subject: Case M.8140 - KION / DEMATIC**  
**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 1 August 2016, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Kion Group AG ("Kion", Germany) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertaking DH Services Luxembourg S.à.r.l. ("Dematic", Luxembourg) by way of purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - for Kion: manufacture of forklifts, warehouse equipment, and other industrial trucks. In addition, Kion offers after sales services, including repair, maintenance, full service, and driver trainings as well as stock management systems, transport and truck

---

<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 291, 11.08.2016, p. 17.

control systems, fleet management as well as racking systems and RFID systems. Through Egemin Kion also offers supply chain automation solutions.

- for Dematic: design, manufacture, integration and servicing of a range of automated system solutions that are used in warehousing and distribution operations. These automated systems enhance efficiency within warehouses and distribution chains by offering automated material handling.
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 (c) 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*

---

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