



EUROPEAN COMMISSION
DG Competition

***Case M.8256 - NEC
CORPORATION /
SUMITOMO MITSUI
BANKING CORPORATION
/ BREES CORPORATION***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 30/11/2016

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Brussels, 30.11.2016
C(2016) 8087 final

PUBLIC VERSION

To the notifying parties

**Subject: Case M.8256 - NEC CORPORATION / SUMITOMO MITSUI BANKING CORPORATION / BRES CORPORATION
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 Sir or Madam,

1. On 08.11.2016, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which NEC Corporation, ultimate parent company of the NEC Group ('NEC', Japan) and the Sumitomo Mitsui Banking Corporation ('SMBC', Japan) belonging to the Sumitomo Mitsui Financial Group Inc. acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of brees Corporation ('brees', Japan) by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - **for NEC:** the provision of equipment and IT solutions such as mobile terminals, computer equipment, software products, networking and sensing technologies to the public and private sectors, globally;
 - **for SMBC:** the provision of commercial financial services such as trade finance, syndicated loans, project finance, currency clearing, cash management services and custody and securities services, globally;
 - **for brees:** the provision of services related to payments in convenience stores using mobile barcodes, exclusively active in Japan.

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').

³ Publication in the Official Journal of the European Union No C 421, 16.11.2016, p. 8.

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) and 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)
Johannes LAITENBERGER
Director-General

⁴ OJ C 366, 14.12.2013, p. 5.