



EUROPEAN COMMISSION
DG Competition

Case M.8368 - KKCG/FOXCONN TECHNOLOGY/JV

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 22/02/2017

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EUROPEAN COMMISSION

Brussels, 22.2.2017
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PUBLIC VERSION

To the notifying parties:

**Subject: Case M.8368 - KKCG/Foxconn Technology/JV
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 31.01.2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings KKCG Group (Switzerland), ultimately controlled by the Valea Foundation (Liechtenstein), and Foxconn Technology CZ s.r.o. ("Foxconn Technology", Czech Republic), ultimately controlled by Hon Hai Precision Industry Co., Ltd ("Hon Hai", Taiwan), create within the meaning of Article 3(4) of the Merger Regulation the NewCo (Czech Republic), a joint venture performing on a lasting basis all the functions of an autonomous economic entity.³
2. The business activities of the undertakings concerned are:
 - KKCG Group: strategic investments in various fields, in particular in oil and gas, gaming and entertainment, tourism and the machining industry mainly in Europe,
 - Foxconn Technology: part of Hon Hai, active globally in design, development, manufacturing, assembly and after-sales services for computer, communications and consumer electronics companies,

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 42, 09.02.2017, p. 11.

- The NewCo: private equity investment primarily in technology companies in the EEA.
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)
Johannes LAITENBERGER
Director-General

⁴ OJ C 366, 14.12.2013, p. 5.