



EUROPEAN COMMISSION
DG Competition

Case M.8586 - TPC / JSR / UMG / UBE / MR

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 10/11/2017

***In electronic form on the EUR-Lex website under document
number 32017M8586***



EUROPEAN COMMISSION

Brussels, 10.11.2017
C(2017) 7609 final

PUBLIC VERSION

To the notifying parties:

**Subject: Case M.8586 - TPC / JSR / UMG / UBE / MR
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 16 October 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which JSR Corporation ("JSR", Japan) and UMG ABS, Ltd. ("UMG", Japan), controlled by Ube Industries, Ltd. ("UBE", Japan) and Mitsubishi Chemical Corporation ("MCC", Japan; formerly Mitsubishi Rayon Co., Ltd. - "MR", and ultimately belonging to Mitsubishi Chemical Holdings Corporation - "MCH", Japan) acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of Techno Polymer Co., Ltd. ("TPC", Japan, currently solely controlled by JSR), which will, as a result of the Transaction, comprise the business of both TPC and UMG.³
2. The business activities of the undertakings concerned are:
 - for JSR: chemical manufacturing company, whose core businesses are petrochemical products and fine chemical products,
 - for TPC: wholly-owned subsidiary of JSR, active in the supply of resins and alloys,
 - for UBE: company active in chemicals, pharmaceuticals, cement and construction materials, machinery, and energy and environment,
 - for MCC: manufacturing company, active in chemicals, plastics, and fibres,

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 358, 24.10.2017, p. 6.

- for MCH: chemical manufacturing company, active in performance products, industrial materials, and health care applications,
 - for UMG: joint venture between UBE and MCC, active in the supply of resins and 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(a) 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.