



EUROPEAN COMMISSION
DG Competition

***Case M.8613 - KONICA MINOLTA / INNOVATION
NETWORK CORPORATION OF JAPAN / AMBRY
GENETICS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 05/10/2017

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EUROPEAN COMMISSION

Brussels, 5.10.2017
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PUBLIC VERSION

To the notifying parties:

**Subject: Case M.8613 - KONICA MINOLTA / INNOVATION NETWORK CORPORATION OF JAPAN / AMBRY GENETICS
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 01 September 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Konica Minolta, Inc. ("KM", Japan) and Innovation Network Corporation of Japan ("INCJ", Japan) indirectly acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Ambry Genetics Corp ("AG", USA). The concentration is accomplished by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - for KM: a technology company specializing in imaging products, data analysis optics and nano-fabrication. In this respect, KM develops and manufactures a wide range of hardware and software products that offer solutions to businesses. KM is active in 150 countries, across Europe, USA, Japan, China, Asia and other countries.

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 299, 09.9.2017, p. 4.

- for INCJ: a public-private partnership of the Japanese Government and 26 private companies. INCJ pursues investment activities by providing financial, technological and management support to next generation businesses. It provides risk capital over the medium to long term to innovative enterprises with a growth potential that brings a value to society.
 - for AG: a healthcare company based in the US. It provides genetic laboratory testing services and is active in related genetic research activities. AG operates in California and focuses its business on the US and Canada with negligible activities in the EU.
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 (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.