



EUROPEAN COMMISSION  
DG Competition

***Case M.8683 - APOLLO CAPITAL MANAGEMENT /  
INTERTOYS HOLDING***

Only the English text is available and authentic.

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

---

Article 6(1)(b) NON-OPPOSITION  
Date: 22/11/2017

***In electronic form on the EUR-Lex website under document  
number 32017M8683***



EUROPEAN COMMISSION

Brussels, 22.11.2017  
C(2017) 7910 final

PUBLIC VERSION

**To the notifying party**

**Subject: Case M.8683 - APOLLO CAPITAL MANAGEMENT / INTERTOYS HOLDING  
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>**

Dear Sir or Madam,

1. On 25 October 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Apollo Capital Management L.P. (United States of America) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control over the whole of the undertaking Intertoys Holding B.V. (The Netherlands) by way of purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - Apollo: investment in companies and debt issued by companies active in various businesses throughout the world, by means of investment funds managed by the group. Examples of current investments include, inter alia, companies in the chemical, cruise line, hospital, security, financial services and glass packaging businesses.
  - Intertoys Group: retail sale of a broad range of traditional toys and an up-to-date selection of multimedia items and gifts via physical stores and online websites in the Netherlands, Germany, Luxembourg and Belgium.

---

<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 377, 09.11.2017, p. 23.

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 6 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.