



EUROPEAN COMMISSION
DG Competition

Case M.8739 - KURARAY / PTTGC / SUMITOMO / JV

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 23/05/2018

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EUROPEAN COMMISSION

Brussels, 23.05.2018
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PUBLIC VERSION

To the notifying parties:

**Subject: Case M.8739 - KURARAY / PTTGC / SUMITOMO / 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 23 April 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Kuraray Co., Ltd ("Kuraray", Japan), PTT Global Chemical Public Company Ltd ("PTTGC", Thailand) and Sumitomo Corporation ("Sumitomo", Japan) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of Joint Venture ("JV", Thailand) by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - for Kuraray: manufacturing of specialty chemicals, fibres and other materials,
 - for PTTGC: operations in petrochemicals and natural gas businesses, trading and distribution of fossile fuels and chemical products,
 - for Sumitomo: diversified business activities, including trading of metal products, transportation and construction of systems, environment and infrastructure, chemicals and electronics, media, networks and lifestyle-related goods, mineral resources and energy, and
 - for JV: manufacturing and supply of high performance polyamides and styrenic block copolymers.

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 151, 30.04.2018, p.62.

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.