



EUROPEAN COMMISSION  
DG Competition

## **Case M.9025 - Pizza Hut/Telepizza**

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 03/12/2018

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## EUROPEAN COMMISSION

Brussels, 03.12.2018  
C(2018) 8357 final

PUBLIC VERSION

### **To the notifying parties:**

**Subject: Case M.9025 - Pizza Hut/Telepizza  
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 7 November 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which Pizza Hut International, LLC ("Pizza Hut", United States of America), belonging to the YUM! Group (United States of America), enters into a full merger within the meaning of Article 3(1)(a) of the Merger Regulation with Telepizza Group, S.A. ("Telepizza", Spain), by way of agreements.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - for Pizza Hut: operation, directly or through master franchisees and franchisees, of pizza restaurants under the Pizza Hut brand in more than 100 countries over six continents,
  - for Telepizza: operation, directly or through master franchisees and franchisees, of pizza restaurants under the Telepizza brand in more than 20 countries, notably Spain and Portugal.
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(c) of

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<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 414, 15.11.2018, p. 13.

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*

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<sup>4</sup> OJ C 366, 14.12.2013, p. 5.