



EUROPEAN COMMISSION
DG Competition

Case M.9126 - MHI / DANFOSS / AIP

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 08/02/2019

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EUROPEAN COMMISSION

Brussels, 08.02.2019
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PUBLIC VERSION

To the notifying parties:

**Subject: Case M.9126 - MHI / DANFOSS / AIP
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 January 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Mitsubishi Heavy Industries, Ltd. (“MHI”) and Danfoss A/S (“Danfoss”) acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of Artemis Intelligent Power Limited (“AIP”), a company based in Edinburgh, United Kingdom, currently solely controlled by MHI and active in the provision of technology associated with Digital Displacement hydraulics, by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - for MHI: an international supplier of heavy industrial machinery, headquartered in Tokyo;
 - for Danfoss: a supplier of products and services in areas such as mobile hydraulics, cooling and heating, headquartered in Nordborg.
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

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 28, 23.01.2019, p. 10.

⁴ OJ C 366, 14.12.2013, p. 5.

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