



EUROPEAN COMMISSION
DG Competition

***Case M.9246 - DAIKIN INDUSTRIES / COOL
INTERNATIONAL HOLDING***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 14/02/2019

***In electronic form on the EUR-Lex website under document
number 32019M9246***



EUROPEAN COMMISSION

Brussels, 14.2.2019
C(2019) 1413 final

PUBLIC VERSION

To the notifying party

**Subject: Case M.9246 — Daikin Industries/Cool International Holding
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 Daikin Europe N.V. (Belgium), controlled by Daikin Industries, Ltd (Japan), acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Cool International Holding GmbH (Austria) by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - Daikin Europe N.V. manufactures and supplies heating, ventilation and air-conditioning equipment, including heat pumps and refrigeration equipment,
 - Cool International Holding GmbH manufactures, through its subsidiaries forming the AHT Group, plug-in display cases for food manufacturers and food retailers.
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 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 37, 30.1.2019, p. 17.

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