



EUROPEAN COMMISSION
DG Competition

***Case M.9826 - MITSUBISHI CHEMICAL HOLDINGS /
UBE INDUSTRIES / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 20/07/2020

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EUROPEAN COMMISSION

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PUBLIC VERSION

To the notifying parties

**Subject: M.9826 - Mitsubishi Chemical Holdings / UBE Industries / 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 26 June 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Mitsubishi Chemical Holdings Corporation (“MCHC”, Japan) and Ube Industries, Ltd (“Ube”, Japan) acquire within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control over the whole of the Joint Venture (“JV”, Japan) by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - MCHC: global Japanese chemical manufacturing company, active in performance products, industrial materials, and health care applications, including electrolytes for lithium-ion secondary batteries (“LIBs”);
 - Ube: global Japanese company, active in three main business segments: chemicals, construction materials and machinery;
 - For the JV: global production and sale of electrolytes for LIBs.
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

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 221, 06.07.2020, p. 5.

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)
Olivier GUERSENT
Director-General

⁴ OJ C 366, 14.12.2013, p. 5.