



EUROPEAN COMMISSION

DG Competition

***Case M.11208 - NIDEC MOTOR CORPORATION /
EMBRAER / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION

Date: 20/09/2023

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EUROPEAN COMMISSION

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PUBLIC VERSION

NIDEC MOTOR CORPORATION
8050 West Florissant Ave
63136-1414 Saint Louis, MO
The United States of America

EMBRAER S.A.
Av. Brigadeiro Faria Lima 2170, São
José dos Campos
12227-901 São Paulo
Brazil

**Subject: Case M.11208 – NIDEC MOTOR CORPORATION / EMBRAER / 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 28 August 2023, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which Nidec Motor Corporation ('NMC', United States), controlled by Nidec Corporation (Japan) and Embraer Aircraft Holding Inc ('Embraer', United States), controlled by Embraer S.A. (Brazil) will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of the whole of Nidec Aerospace LLC ('the JV', United States) as a newly created company. The concentration is accomplished by way of purchase of shares in a newly created company constituting a joint venture.³
2. The business activities of the undertakings concerned are the following:
 - NMC is a manufacturer of commercial, industrial and appliance motors and controls for a range of applications, which is part of Nidec Corporation, a Japanese company active in the engineering, manufacture and distribution of a

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 316, 06.09.2023, p. 8.

range of electric motors and motor applications products, as well as compressor products,

- Embraer is a wholly owned subsidiary of Embraer S.A., a global aerospace company headquartered in Brazil. Embraer S.A. is principally engaged in the design, development, manufacture and marketing of commercial, executive and military aircraft, as well as related after-sale customer services and support.
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) and 5(c) 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.