EUROPEAN COMMISSION

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PUBLIC VERSION

**To the notifying parties**

**Subject:** **Case M.9177 - Sumitomo/Metal One/JV**
**Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004[1] and Article 57 of the Agreement on the European Economic Area[2]**

Dear Sir or Madam,

1. On 19 November 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Sumitomo (Japan) and Metal One (Japan), controlled by the Mitsubishi corporation (Japan) acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of Metal One Pipe & Tubular Products Inc. (Japan). Metal One Pipe & Tubular Products Inc. is previously solely-controlled by Metal One. The concentration is accomplished by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – Sumitomo: an integrated trading and investment company which is active in various sectors such as (i) metal products; (ii) transportation and construction systems; (iii) infrastructure; (iv) media and digital related products; (v) living related and real estate; and (vi) mineral resources, energy, chemicals and electronics,

   – Metal One: an integrated steel trading company which supplies various steel products in Japan and internationally,

   – Metal One Pipe & Tubular Products Inc.: wholesale steel pipe and piping equipment distribution.

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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 428, 27.11.2018, p. 3.

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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]

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*

4 OJ C 366, 14.12.2013, p. 5.