Prior notification of a concentration

(Case M.9053 — Sumitomo/Tierra/JV)

Candidate case for simplified procedure

(Text with EEA relevance)

(2018/C 274/04)

1. On 27 July 2018, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 [1].

This notification concerns the following undertakings:

— Sumitomo Corporation ('Sumitomo', Japan),

— Tierra S.p.A. ('Tierra', Italy) a joint venture between Topcon Corporation (Japan) and Elda Ingegneria S.r.l., (Italy),

— A newly formed joint venture (the 'JV', Indonesia).

Sumitomo and Tierra acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of the newly formed joint venture.

The concentration is accomplished by way of purchase of shares in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

— for Sumitomo: Sumitomo is active in various sectors, both within and outside Japan, such as: trading of metal products, transportation and construction systems, environment and infrastructure, chemicals and electronics, media, networks and lifestyle related goods, mineral resources, energy and life sciences,

— for Tierra: Tierra develops and provides telematics information management systems and software solutions. It serves original equipment manufacturers and aftermarket customers in the agriculture, construction, surveying, and general industry sectors worldwide, including in the EEA,

— for the JV: the JV will be active in India and South-East Asia in the provision of IT consultancy services and management of other computer facilities by providing integrated hardware and software for telematics and internet-of-things (IoT) services and solutions, including in particular vehicle and assets tracking and control systems.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the Council Regulation (EC) No 139/2004 [2] it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.9053 — Sumitomo/Tierra/JV

[1] OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
[2] OJ C 366, 14.12.2013, p. 5.

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

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