EUROPEAN COMMISSION

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PUBLIC VERSION

To the notifying party

Subject: **Case M.9233 – FOSUN INTERNATIONAL / TOM TAILOR**
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 21 December 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Fosun International Limited ("Fosun", China) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control over the whole of the undertaking Tom Tailor Holding SE ("Tom Tailor", Germany). The concentration is accomplished by way of other means, linked to reduced attendance rates at Tom Tailor's annual shareholders' meetings.[3]

2. The business activities of the undertakings concerned are:

   – Fosun is part of a Chinese group with activities in (i) pharmaceuticals, medical services and health, (ii) tourism, leisure, fashion and consumer products, and (iii) insurance, finance and investment.

   – Tom Tailor is a German fashion house that mainly offers classic and modern casual wear for men, women and children.

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

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 18, 15.1.2019, p. 43.

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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.