C/2023/1250

28.11.2023

Prior notification of a concentration

(Case M.11310 – MHI / MELCO / JV)

Candidate case for simplified procedure

(Text with EEA relevance)

(C/2023/1250)

1. On 17 November 2023, 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:

— Mitsubishi Heavy Industries, Ltd. ('MHI', Japan) a publicly listed company with a widely dispersed share ownership and not controlled by any third party,

— Mitsubishi Electric Corporation ('MELCO', Japan) a publicly listed company with a widely dispersed share ownership and not controlled by any third party,

— a newly created company, the integration company ('JV', Japan).

MHI and MELCO will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of the JV.

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 the following:

— MHI is active in the businesses of energy systems (power generation systems), plants and infrastructure systems (commercial ships, engineering, etc.), logistics, thermal and drive systems (material handling equipment, engines, air conditioning systems, etc.), aircraft, defence and space,

— MELCO is engaged in the businesses of public utility systems, energy systems, defence and space systems, factory automation systems, automotive equipment, building systems, air conditioning and home products, information systems and network services, and semiconductors,

— the JV will be active in the power-generator systems business.

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 treatment for certain concentrations under Council Regulation (EC) No 139/2004 on the control of concentrations between undertakings ([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.11310 – MHI / MELCO / JV

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

Email: COMP-MERGER-REGISTRY@ec.europa.eu

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 160, 5.5.2023, p. 1.

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