Prior notification of a concentration

(Case M.9059 — CVC/Messer Group/Divestment Business)

(Text with EEA relevance)

(2018/C 335/14)

1. On 14 September 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:

— CVC Capital Partners SICAV-FIS SA ('CVC') (Luxembourg),

— Messer Group GmbH ('Messer') (Germany), and

— Divestment Business, which consists of assets and businesses in North and South America as well as global helium sourcing contracts and assets, being divested in the context of the proposed merger between Praxair, Inc. and Linde AG.

CVC and Messer, through a newly created joint venture, acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the Divestment Business.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for Messer: industrial gases and related businesses as well as services related to those products,

— for CVC: provision of advice to and management of investments funds and platforms,

— for the Divestment Business: industrial gases and related businesses in North and South America as well as helium sourcing activities globally.

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.

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.9059 — CVC/Messer Group/Divestment Business

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

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

Fax +32 22964301

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
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([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').