Prior notification of a concentration

(Case M.10664 – XLCEE / DEROT / BLACK RED WHITE)

Candidate case for simplified procedure

(Text with EEA relevance)

(2022/C 223/05)

1. On 25 May 2022, 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:

— XLCEE-Holding GmbH ('XLCEE', Austria), belonging to the XXXLutz Group ('XXXLutz', Austria),

— Derot Fund S.À R.L. ('Derot', Luxembourg), controlled by Mr Formela,

— BLACK RED WHITE S.A. ('BRW', Poland), controlled by Derot.

XLCEE and Derot will acquire within the meaning of Article 3(1)(b) and Article 3(4) of the Merger Regulation joint control of the whole of BRW.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are the following:

— XLCEE is an investement holding company within the XXXLutz group. XXXLutz is primarily active in the operation of retail brick-and-mortar and online stores for furniture, furnishings and household goods in Europe.

— Derot is an investment holding company, controlled by Mr Formela. Mr Formela also controls BRW Trading Company (Belarus) which operates four retail stores for furniture, furnishings and household goods in Belarus,

— BRW is a furniture manufacturing and retail company active in the manufacturing of furtniture and operation of retail brick-and-mortar stores for furniture, furnishings and household goods mainly in Poland and – to a smaller extent – in Slovakia and Belarus.

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 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.10664 – XLCEE / DEROT / BLACK RED WHITE

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

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

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË