V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.10334 — BMW/Daimler/BP/Digital Charging Solutions)

Candidate case for simplified procedure

(Text with EEA relevance)

(2021/C 358/04)

1. On 27 August 2021, 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:

— Bayerische Motoren Werke Aktiengesellschaft (Germany; together with its subsidiaries, 'BMW'),

— Daimler AG (Germany; together with its subsidiaries, 'Daimler'),

— BP Europa SE (Germany; together with its group companies, 'bp'),

— Digital Charging Solutions GmbH (Germany; together with its subsidiary ([2]), the 'JV').

BMW, Daimler, and bp 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.

2. The business activities of the undertakings concerned are:

— for BMW: With the trademarks BMW, MINI, Rolls Royce and BMW Motorrad, BMW is one of the most successful manufacturers of passenger cars and motorcycles active worldwide, as well as a provider of premium services in the field of individual mobility. Passenger cars include plug-in hybrid vehicles and battery-electric vehicles.

— for Daimler: Daimler is active globally in the development, manufacturing and distribution of automotive products, primarily passenger cars, trucks, vans and buses. Within the Daimler group, Mercedes-Benz AG is responsible for the global business of Mercedes-Benz Cars and Mercedes-Benz Vans and focuses on the development, production and sales of passenger cars (including plug-in hybrid vehicles and battery-electric vehicles), vans and services. Daimler Truck AG comprises the production and sale of commercial vehicles. Daimler Mobility AG focuses on financial and mobility solutions. Services range from rental, leasing, and financing offers to innovative fleet services, insurance, e-Payment platforms and investments in app-based mobility solutions such as car sharing, Mobility-as-a-Service (MaaS) and ride-hailing.

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

([2]) The JV has one subsidiary, Digital Charging Solutions Corporation, which is based in Atlanta, USA and is not currently engaged in any business activities of its own. The JV also has one branch in Japan.

— for bp: BP Europa SE is a subsidiary within the bp group. The bp group, whose ultimate parent company is BP p.l.c. (UK), is an integrated energy company with operations in Europe, North and South America, Australasia, Asia and Africa. The bp group's activities focus on four business areas: (i) production and operations of hydrocarbons (oil and gas); (ii) customers and products (which is growing bp's convenience and mobility offering for customers); (iii) gas and low carbon energy (including renewables and integrated gas); and (iv) innovation and engineering for driving digital transformation.

— for JV: The JV operates under the brand name CHARGE NOW and is active in the development, marketing and the distribution of products and services in the field of mobility, offering information services and access technology to charging infrastructure for battery-electric and plug-inhybrid vehicles. It is further active in the distribution and purchase of electricity at charging points for battery-electric and plug-in hybrid vehicles, and services for the operation of charging stations for battery-electric and plug-in hybrid vehicles. The JV is asset-light and enables the back-end digital integration of e-mobility assets, predominately for white label products (B2B2C) for OEMs and fleet customers. The JV is primarily active in the EEA.

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 ([3]) 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.10334 — BMW/Daimler/BP/Digital Charging Solutions

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
BELGIQUE/BELGIË

([3]) OJ C 366, 14.12.2013, p. 5.