PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.10067 — ElringKlinger/Plastic Omnium New Energies/EKPO Fuel Cell Technologies/ ElringKlinger Fuelcell Systems Austria)

Candidate case for simplified procedure

(Text with EEA relevance)

(2021/C 39/07)

1. On 27 January 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:

— ElringKlinger AG ('EK', Germany),

— Plastic Omnium New Energies S.A. ('PO NE', Belgium), belonging to the Compagnie Plastic Omnium SE group ('PO', France), a subsidiary of Burelle SA (France),

— EKPO Fuel Cell Technologies GmbH ('EKPO', Germany),

— ElringKlinger Fuelcell Systems Austria GmbH ('EKAT', Austria).

EK and PO NE acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of the whole of EKPO, and PO NE acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of EKAT. Both transactions are interrelated.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for EK: the ultimate parent company of the German ElringKlinger group, an automotive supplier with international operations, that specialises in lightweight solutions, emobility, sealing and shielding technology, tooling and engineering services,

— for PO NE: part of the PO group, which is an automotive supplier with international operations, offering exterior components (especially bumpers and front-end modules) on the one hand (intelligent exterior systems and HBPO divisions) as well as fuel storage and delivery systems (including tanks and filler pipes), high pressure storage systems and depollution systems on the other hand,

— for EKPO: the research and development, design, manufacturing and sale of hydrogen fuel cell stacks and related engineering services, fuel cell stack components (e.g. bipolar plates, media modules, sealing solutions) and assembled fuel cell stack modules primarily for the automotive industry defined as light vehicles (passenger cars and light commercial vehicles) and medium & heavy commercial vehicles (buses and trucks),

— for EKAT: specialised in the development of hydrogen fuel cell system solutions.

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.

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

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the 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.10067 — ElringKlinger/Plastic Omnuim New Energies/EKPO Fuel Cell Technologies/ElringKlinger Fuelcell Systems Austria

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

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