EUROPEAN COMMISSION

Brussels, 5.12.2018
C(2018) 8495 final

PUBLIC VERSION

To the Notifying Party

Subject: **Case M.9124 – Dana/Oerlikon Drive Systems**
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004[1] and Article 57 of the Agreement on the European Economic Area[2]

Dear Sir or Madam,

1. On 9 November 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Dana Incorporated ("Dana", U.S.) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control over the whole of the undertaking GrazianoFairfield AG, Pfaffikon ("GrazianoFairfield AG", Switzerland), controlled by OC Oerlikon Corporation AG, Pfaffikon ("Oerlikon", Switzerland) by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – Dana is a global supplier of driveline, sealing and thermal-management products to manufacturers of light, commercial and off-highway vehicles as well as gearboxes, hydraulic products and driveshafts for industrial stationary equipment,

   – GrazianoFairfield AG is a provider of gear, drive and shifting solutions for mobile vehicles and industrial equipment.

3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraphs 5(c) and 6 of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.[4]

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1 OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation'). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ('TFEU') has introduced certain changes, such as the replacement of 'Community' by 'Union' and 'common market' by 'internal market'. The terminology of the TFEU will be used throughout this decision.

2 OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

3 Publication in the Official Journal of the European Union No C 420, 20.11.2018, p. 5.

4 OJ C 366, 14.12.2013, p. 5.

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4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

For the Commission

(Signed)
Johannes LAITENBERGER
Director-General