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PUBLIC VERSION

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Subject: **Case M.10639 – MAX MARA / MITSUI / MCJ**
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 22 February 2022, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Mitsui & Co. Ltd. ('Mitsui', Japan) will acquire within the meaning of Article 3(1)(b) in conjunction with Article 3(4) of the Merger Regulation joint control of the whole of Max & Co. Japan Co. Ltd. ('MCJ', Japan), controlled by Max Mara Group (Italy). The concentration is accomplished by way of purchase of shares. [3]

2. The business activities of the undertakings concerned are:

   – Mitsui is a trading, business management and project development company, headquartered in Tokyo, Japan. Mitsui operates worldwide and is active in various sectors, including in the production, distribution and retail activities of apparel,

   – Max Mara Group is an Italian group of companies in cluding Max Mara Fashion Group ('MMFG', Italy) and International Fashion Trading S.a.r.l. ('IFT',

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 102, 2.3.2022, p. 10.

Luxembourg) that manufactures and sells prét-a-porter apparel and accessories at worldwide level. The group owns several brands including Max Mara, Max & Co., Sportmax, Weekend Max Mara, Pennyblack, Marina Rinaldi, Persona, Marella, Emme Marella, iBlues and Intrend,

– Max & Co. Japan (MCJ) is a Japanese subsidiary of MMFG, active in the retail sale of Max & Co and Marina Rinaldi branded products in Japan. MCJ will be absorbed by Max Mara Japan which is a joint venture company between Mitsui, IFT and MMFG active in the retail sale of Max Mara and Weekend Max Mara branded products in Japan.

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(a) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.[4]

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)
Olivier GUERSENT
Director-General

4 OJ C 366, 14.12.2013, p. 5.