

**Prior notification of a concentration**  
**(Case COMP/M.6797 — PVH/The Warnaco Group)**  
**Candidate case for simplified procedure**  
**(Text with EEA relevance)**  
(2013/C 5/04)

1. On 3 January 2013, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004<sup>(1)</sup> by which the undertaking Wand Acquisition Corp (USA), a wholly owned subsidiary of PVH Corp. ('PVH', USA) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of The Warnaco Group, Inc. ('Warnaco', USA) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for PVH: design and commercialisation (primarily through wholesale distribution) of apparel, footwear and related accessories under a number of owned and licensed brands, including inter alia Calvin Klein, Tommy Hilfiger, Izod, Van Heusen, Arrow, Bass, Geoffrey Beene, Chaps, Kenneth Cole New York, Michael Michael Kors, Sean John and Donald J. Trump Signature Collection,
- for Warnaco: design and commercialisation of intimate apparel, sportswear, jeanswear and swimwear products under a number of owned and licensed brands, including inter alia Warner's, Olga, Calvin Klein, Chaps and Speedo.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the EC 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 EC Merger Regulation<sup>(2)</sup> 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. Observations can be sent to the Commission by fax (+32 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.6797 — PVH/The Warnaco Group, to the following address:

European Commission  
Directorate-General for Competition  
Merger Registry  
J-70  
1049 Bruxelles/Brussel  
BELGIQUE/BELGIË

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'EC Merger Regulation').

<sup>(2)</sup> OJ C 56, 5.3.2005, p. 32 ('Notice on a simplified procedure').