

Prior notification of a concentration
Case M.9941 — Private Theory Luxco/ARC Group
Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 325/16)

1. On 23 September 2020, 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:

- Private Theory Luxco Sàrl ('Private Theory Luxco', Luxembourg) controlled by Mr Richard Cashin (a US citizen);
- ARC Holdings SAS ('ARC Holdings', France), parent company of the ARC group.

Private Theory Luxco, acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of ARC Holdings.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- Private Theory Luxco: active in the purchase and management of stocks in other companies. Private Theory Luxco also controls ADI, a spin-off of the ARC group active in the distribution of glassware, dinnerware and kitchenware in Spain and Portugal;
- ARC Group: active in the production and the distribution of tableware products, in particular glassware, dinnerware and kitchenware.

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, ⁽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:

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

⁽²⁾ OJ C 366, 14.12.2013, p. 5.