

Prior notification of a concentration**(Case COMP/M.3065 — Bain Fund Group/SigmaKalon Group)****Candidate case for simplified procedure**

(2003/C 24/09)

(Text with EEA relevance)

1. On 21 January 2003 the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 ⁽¹⁾, as last amended by Regulation (EC) No 1310/97 ⁽²⁾, by which the undertakings Bain Capital Fund VII-E (United Kingdom), LP, Bain Capital Fund VII, LP and Bain Capital Coinvestment Fund, LP (together referred to as Bain Fund), all belonging to the United States of America-based Bain Capital Investors group, acquire within the meaning of Article 3(1)(b) of that Regulation, control of parts of the SigmaKalon Group (SigmaKalon, France) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— Bain Fund: investment fund,

— SigmaKalon: manufacture and supply of decorative and industrial coatings.

3. On preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. However, the final decision on this point is reserved. Pursuant to the Commission notice on simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89 ⁽³⁾, 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.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent by fax (No (32-2) 296 43 01 or 296 72 44) or by post, under reference COMP/M.3065 — Bain Fund Group/SigmaKalon Group, to:

European Commission,
Directorate-General for Competition,
Directorate B — Merger Task Force,
J-70,
B-1049 Brussels.

⁽¹⁾ OJ L 395, 30.12.1989, p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.

⁽²⁾ OJ L 180, 9.7.1997, p. 1; corrigendum: OJ L 40, 13.2.1998, p. 17.

⁽³⁾ OJ C 217, 29.7.2000, p. 32.