

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMPETITION POLICY

COMMISSION

Prior notification of a concentration

(Case COMP/M.5473 — Fincantieri/ABB/JV)

(Text with EEA relevance)

(2009/C 83/12)

1. On 31 March 2009, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertakings Fincantieri — Cantieri Navali Italiani S.p.A. ('Fincantieri', Italy) and ABB S.p.A. ('ABB', Italy) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of a newly created company constituting a joint venture ('JV') by way of transfer of shares and assets.

2. The business activities of the undertakings concerned are:

- for Fincantieri: shipbuilding,
- for ABB: provision of power and automation technologies,
- for JV: development, manufacture and sale of marine automation systems.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. However, the final decision on this point is reserved.

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 ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.5473 — Fincantieri/ABB/JV, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Brussels

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.