

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMPETITION POLICY

COMMISSION

Prior notification of a concentration

(Case COMP/M.5528 — Mubadala/UTC/JV)

Candidate case for simplified procedure

(Text with EEA relevance)

(2009/C 174/08)

1. On 15 July 2009 the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which Mubadala Development Company PJSC ('Mubadala', Abu Dhabi) and Sikorsky Aircraft Corporation ('Sikorsky', USA, belonging to the United Technologies ('UTC') group) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of MIL MRO JV ('JV', United Arab Emirates) by way of purchase of shares in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

- UTC: high technology products and services for the building systems and aerospace industries worldwide,
- Mubadala: global investing in a wide range of strategic sectors, including energy, utilities, real estate, public-private partnerships, aerospace, basic industries and services,
- JV: maintenance, repair and overhaul ('MRO') services for military fixed wing and rotary wing aircraft as well as related modification and upgrade services, supply chain management services and maintenance contract management services.

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. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under 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. Observations can be sent to the Commission by fax (+32 22964301 or 22967244) or by post, under reference number COMP/M.5528 — Mubadala/UTC/JV, to the following address:

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

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.