

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case COMP/M.6788 — Goldman Sachs/TPG/Barclays/Kew Green)

Candidate case for simplified procedure

(Text with EEA relevance)

(2012/C 398/07)

1. On 13 December 2012, 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 Goldman Sachs Group, Inc. ('Goldman Sachs', USA), TPG Lundy Co LP ('TPG', Cayman Islands), ultimately controlled by the TPG group of Funds ('TPG Funds', USA) and Barclays plc ('Barclays', UK) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Kew Green Holdings Limited ('Kew Green', UK) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- Goldman Sachs: global investment firm providing a wide range of services worldwide to a diversified client base,
- TPG: global investment firm providing a wide range of services worldwide to a diversified client base,
- TPG Funds: Funds Portfolio bringing and managing together the various TPG controlled Fund,
- Barclays: major global financial services provider engaged in all banking sectors,
- Kew Green: owns and operates hotels in the United Kingdom.

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 ⁽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), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.6788 — Goldman Sachs/TPG/Barclays/Kew Green, 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 (the 'EC Merger Regulation').

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