

Prior notification of a concentration
(Case COMP/M.7099 — ARX/Darby/Gramex/GFI)
Candidate case for simplified procedure
(Text with EEA relevance)
(2013/C 342/09)

1. On 18 November 2013, 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 ARX CEE III LP ('ARX', Jersey) and Darby Converging Europe Fund III (SCS) SICAR ('Darby', Luxembourg), the latter belonging to Franklin Resources Inc. ('Franklin Templeton Group', United States), acquires within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertakings Gramex 2000 Kereskedelmi Korlátolt Felelősségű Társaság ('Gramex', Hungary) and GF Investment Korlátolt Felelősségű Társaság ('GFI', Hungary) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for ARX: private equity fund active in Central and Eastern Europe,
- for Darby: private equity fund focusing on mezzanine investments active in Central and Eastern Europe and Turkey,
- for Gramex: manufacture and distribution of non-alcoholic beverages, including carbonated and non-carbonated soft drinks,
- for GFI: bottling services for private label manufacturers and distributors, including non-alcoholic beverages.

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.7099 — ARX/Darby/Gramex/GFI, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
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').