

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.8539 — KPS/DexKo)

Candidate case for simplified procedure

(Text with EEA relevance)

(2017/C 212/10)

1. On 16 June 2017, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which KPS Capital Partners, L.P. ('KPS', USA) acquires, within the meaning of Article 3(1)(b) of the Merger Regulation, control of the whole of DexKo Global, Inc. ('DexKo', USA) by way of a purchase of shares.

2. The business activities of the undertakings concerned are:

- KPS is a US-based investment management fund with investments in a diverse array of industries, including basic materials, branded consumer, healthcare and luxury products, automotive parts, capital equipment and general manufacturing,
- DexKo is a US-based designer and manufacturer of trailer axles and running gear components. It offers trailer axles and brakes, hubs and drums, chassis, suspension components, and other running gear components.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the 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 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 this 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 M.8539 — KPS/DexKo, 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 'Merger Regulation').

⁽²⁾ OJ C 366, 14.12.2013, p. 5.