

Prior notification of a concentration
(Case COMP/M.6937 — UTC/TCC/TCAC JV)
Candidate case for simplified procedure
(Text with EEA relevance)
(2013/C 183/14)

1. On 20 June 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 Carrier Asia Limited, a wholly owned subsidiary of United Technologies Corporation ('UTC', United States of America) and Toshiba Carrier Corporation ('TCC', Japan), a joint venture between UTC and Toshiba Corporation ('Toshiba', Japan), acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Toshiba Carrier Air Conditioning (China) Co., Ltd. ('TCAC', China) by way of purchase of shares in this newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

- for UTC: provision of high-technology products and services for the building systems and aerospace industries. The undertaking is active, among others, in the design, manufacture and supply of heating, air-conditioning and refrigeration solutions,
- for TCC: the design, manufacture and supply of air-conditioning solutions,
- for TCAC: the design, manufacture, wholesaling, export and import, and commission brokerage of air-conditioning products in China.

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.6937 — UTC/TCC/TCAC JV, 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').