



# CASELEX

## Market Definitions Module



# Essential

for competition and M&A professionals

The Market Definitions Module provides competition and M&A professionals with unprecedented access to English summaries of merger control decisions from 30 national competition authorities and DG Competition, enabling an extensive analysis of market delineations across Europe.

27

EU Member State  
Competition Authorities

3

EFTA Member State  
Competition Authorities

7 964

decision summaries in  
English

2 234

DG Competition decisions  
summarised

29 338

market definitions from  
across Europe

17

years of decisions covered  
(2000 – 2017)



# Comprehensive

## merger control summaries in English

With our team of highly qualified legal professionals, Caselex has constructed a comprehensive database of summarised merger control decisions, accessible in a single language. All decisions contained in the Caselex database share a number of common characteristics:

### SOURCE

The decision has been rendered by either a **national competition authority from an EU or EFTA Member State or DG Competition**. Decisions from sector-related competition authorities (i.e. energy, healthcare or telecommunications) are excluded.

### LEGAL BASIS

The decision is based on **Merger Regulation 139/2004** (or its predecessor, Merger Regulation 4064/89) or a national equivalent thereof and, accordingly, must address **a planned concentration of undertakings** following a submitted notification. All other types of decisions, including decisions concerning Article 101 and 102 TFEU are not part of the Caselex Market Definitions Module.

### SUBSTANCE

The decision contains **a substantive market definition which includes a clear line of reasoning** adopted by the competition authority in question supporting their conclusion. Thus we do not cover decisions: (i) where concentration thresholds have not been met; (ii) which are simplified or straight clearances; (iii) whereby the competition authority simply lists the markets and does not explain them; (iv) whereby the competition authority refers to a previous case and does not elaborate further on markets.

### PERIOD

The decision has been **published after 1<sup>st</sup> January 2000**.

# Substantial

value for you and your clients

## Reduction in time spent on researching market definitions

The cornerstone of each concentration control notification is the definition of relevant markets. Providing a one-stop shop that includes all full text decisions and summaries in English, saves the valuable time and effort required for visiting each individual competition authority website, navigating each search interface and searching through multitudes of irrelevant decisions. Feedback from our clients confirms that time saving for (advice on) notifications can be up to 75%.

## Increased success ratio and client performance via inspiring new sources

Next to saving time, Caselex opens up knowledge that would otherwise remain practically inaccessible, thus exponentially increasing the range of supporting precedents in notification and investigation proceedings and enhancing the chances of getting the deal over the line.

## Enhanced reliability of advice and reduction of risks

Having an unprecedented synoptic overview, clients can be reassured that all possible precedents have been considered, diminishing risks of dissatisfaction. Where the stakes and interests related to concentrations are paramount, one cannot afford to miss out on information that could potentially be vital.

## Reduction in unnecessary costs through a synoptic overview

Making a first assessment when coordinating notifications in either multiple jurisdictions or in jurisdictions where command of the local language is essential will often require use of local counsel. Our service allows our subscribers to bypass that step, minimising the associated costs and significantly reducing the time required to make such an assessment.

## Information base synchrony with competition authorities

Using Caselex will also ensure synchronisation of information with those judging the notifications, as an increasing number of national competition authorities are using Caselex.

# Refined

## search functionality delivering precise results

Search with absolute precision and speed by narrowing your results using a wide range of criteria. NACE sector, jurisdiction, value chain and geographic scope are to some of the options you can deploy to refine your results and provide you with the list of cases most relevant to your query.

### Market search

With ALL of the words :

With EXACT PHRASE :

With ANY of the words :

WITHOUT the words :

### Sector search

Sector :

Select a sector first

Subsector :

### Jurisdiction search

- |   |   |  |                                      |   |
|---|---|--|--------------------------------------|---|
| <input type="checkbox"/> Austria        | <input type="checkbox"/> Estonia        | <input type="checkbox"/> Iceland *       | <input type="checkbox"/> Malta       | <input type="checkbox"/> Slovakia       |
| <input type="checkbox"/> Belgium        | <input type="checkbox"/> European Union | <input type="checkbox"/> Ireland         | <input type="checkbox"/> Netherlands | <input type="checkbox"/> Slovenia       |
| <input type="checkbox"/> Bulgaria       | <input type="checkbox"/> Finland        | <input type="checkbox"/> Italy           | <input type="checkbox"/> Norway *    | <input type="checkbox"/> Spain          |
| <input type="checkbox"/> Croatia        | <input type="checkbox"/> France         | <input type="checkbox"/> Latvia          | <input type="checkbox"/> Poland      | <input type="checkbox"/> Sweden         |
| <input type="checkbox"/> Cyprus         | <input type="checkbox"/> Germany        | <input type="checkbox"/> Liechtenstein * | <input type="checkbox"/> Portugal    | <input type="checkbox"/> Switzerland *  |
| <input type="checkbox"/> Czech Republic | <input type="checkbox"/> Greece         | <input type="checkbox"/> Lithuania       | <input type="checkbox"/> Romania     | <input type="checkbox"/> United Kingdom |
| <input type="checkbox"/> Denmark        | <input type="checkbox"/> Hungary        | <input type="checkbox"/> Luxembourg      |                                      |   |
- \* EFTA member

If no jurisdictions are selected, all jurisdictions will be included in the search results.

### Value chain

- ☐ Raw materials and resources
- ☐ Manufacturing and processing
- ☐ Wholesale
- ☐ Retail

### Geographic scope

- ☐ Local
- ☐ Regional
- ☐ National
- ☐ Multinational
- ☐ EU/EEA-wide
- ☐ World-wide

### Descriptor search

Parties :

Delivered :

☒ Anytime ☐ Between :

Jan 1 1958

May 30 2016

☐ Caselex ☒ National

Case reference :

# Convenient

## tools to categorise crucial decisions

Our user-friendly drag-and-drop feature allows you to organise and save all your relevant results in easy-to-find folders which correspond to your active merger control proceedings. Your search results can be easily and quickly stored and saved for later use. Users can also add labels or add your own notes to each decisions in order to further classify those which, for example, share consistent reasoning or market definitions.

Archive folders

add, edit or delete a folder

My archive

(0)

(a) Acquisition 1 -

Automotive

Manufacturing

(16)

(b) Merger 1 -

Retail of Groceries

(36)

My labels

No labels added

1 2

Sort : Delivery date Latest first

CASELEX:UK:2015:19

UNITED KINGDOM 2015

...The relevant markets identified were:

- the local market for the retail supply of petrol and diesel (off-motorway)
- the local market for the retail supply of groceries

CASELEX:EU:2015:34

EUROPEAN UNION 2015

...The relevant markets identified were:

- the national market for the manufacture and supply of frozen food to the retail sector
- the local market for the retail distribution of frozen food to end customers

CASELEX:IT:2015:1

ITALY 2015

...The relevant markets identified were:

- the local market for minimarkets
- the local market for supermarkets
- the local market for hypermarkets

CASELEX:LV:2015:1

LATVIA 2015

...The relevant markets identified were:

- the local market for retail of daily consumer goods in supermarkets
- the national market for procurement of daily consumer goods

CASELEX:FR:2015:21

FRANCE 2015

...The relevant markets identified were:

- the local market for distribution of consumer goods in hypermarkets
- the local market for distribution of consumer goods in supermarkets and equivalent categories (hypermarkets, hard discounters and variety stores) except for small retailers
- the national market for the supply of consumer goods

CASELEX:DE:2015:5

GERMANY 2015

...The relevant market identified was:

- the regional market for retail sale of foodstuffs and type I non-foodstuffs

CASELEX:GR:2015:3

GREECE 2015

...The relevant markets identified were:

- the regional market for daily consumer goods,
- the national market for procurement of daily consumable goods

CASELEX:NO:2015:2

NORWAY 2015

...The relevant market identified was:

- the local market for groceries



# Concise

## summaries outlining the vital information

All our summaries contain detailed and concise summaries of the reasoning and conclusions of the given Competition Authority. Your search terms highlighted so you can find the information you need as quickly and efficiently as possible.

### CASELEX:EU:2012:34

The European Commission (DG Competition) cleared an acquisition by (1) Faurecia Investments S.A.S. (acquiring undertaking) of (2) Plastal S.A.S. (target undertaking) in the NACE sector for the manufacture of other parts and accessories for motor vehicles. The relevant market identified was the EU/EEA-wide market for **automotive** bumpers and front-end carriers.

#### Relevant markets

##### **Automotive bumpers and front-end carriers** <sup>(R)</sup>

**Market definition :** The EU/EEA-wide market for **automotive** bumpers and front-end carriers.

**Description of the product market :** Defining this product market, DG Competition explained that bumpers and front-end carriers formed part of front-end modules. Bumpers, which were made of plastic materials, were designed to allow the car to sustain an impact without damage to the vehicle's frame or safety systems and usually included, as components, bumper energy absorbers, radiator grilles, fog lamps and parking assistance sensors.

Front-end carriers were the underlying structure for the whole front-end module and were made of thermoplastic material, composites or metal/plastic hybrids. Not all suppliers of **automotive** components offered complete (front-end) modules. According to the replies in the market investigation in a related case (COMP/M.5799 Faurecia – Plastal), bumpers and front-end carriers formed part of separate product markets, rather than being part of a broader front-end module market.

In previous cases, it had not been necessary to conclude on the exact product market definition for the above-mentioned vehicle modules and components, since, irrespective of the product market definition followed, the concentrations were not considered as raising serious doubts as to compatibility with the internal market.

**Value chain :** Manufacturing and processing

**Sector(s) :** 29.32 - Manufacture of other parts and accessories for motor vehicles

**Geographic scope :** EU/EEA-wide

**Description of the geographic market :** Defining the geographic market connected to this product market, DG Competition pointed out that in line with its decisions in past cases concerning the markets for **automotive** components, the acquiring undertaking submitted that the geographic scope of all possible products markets was at least EEA-wide. The market investigations in the related cases confirmed this view for the product markets concerned.

**Level of market concentration :** No level indicated

# Detailed

## directory of key legislative and decisional references

For each Caselex summary, there is a complete list of relevant metadata, including any referenced decisions or legislation whether they be national or European. This enables users to jump quickly to other relevant merger control decisions during their research.

### Case identifiers

|  |  |
|--|--|
| <b>Decision type :</b> Decision  | <b>Type of concentration :</b> Acquisition                         |
| <b>Common name :</b> COMP/M.6537   |  |
| <b>(N)CA :</b> European Commission - DG Competition  | <b>Character of the competition concern :</b> Horizontal; Vertical |
| <b>Language :</b> English  |  |
| <b>National ID :</b> 32012M6537  | <b>Result of decision :</b> Cleared                                |
| <b>Delivery date :</b> July 23, 2012   |  |
| <b>Parties :</b> (1) Faurecia Investments S.A.S. (acquiring undertaking), (2) Plastal S.A.S. (target undertaking). |  |

### Provisions

#### EU core provisions :

- Reg. 139/2004 of 20 Jan 2004
  - Art. 1, Par. 3
  - Art. 3, Par. 1, Sub b
  - Art. 5
  - Art. 5, Par. 2
  - Art. 6, Par. 1, Sub b

#### National core provisions :

### Competition Authorities' decisions

#### DG Competition's decisions cited :

- [COMP/M.4456, MAHLE / DANA EPG](#)
- [COMP/M.3789, JOHNSON CONTROLS / ROBERT BOSCH / DELPHI SLI](#)
- [COMP/M.5977, FAURECIA / PLASTAL](#)





# Secure

**connection ensuring protection of your data**

To prevent unauthorised access, maintain data accuracy, and ensure the correct use of information, Caselex has put in place appropriate physical, electronic and managerial procedures to safeguard and secure the information collected.

Delivering its services, Caselex relies on a Virtual Private Server (VPS) operated by Hostnet BV, a company established under the laws of the Netherlands and located at De Ruyterkade, 1013 AA Amsterdam, The Netherlands, whose servers are physically based in the territory of the Netherlands. The service agreement between Caselex and Hostnet BV is governed by Dutch law.

Furthermore, Caselex relies on a 2048 bits SSL cryptographic protocol that uses a 256 bits algorithm to encrypt information exchanged between the server and any browser. This encryption ensures that all data passed between the server and browsers remain private and integral, displayed by the lock icon in the lower-right corner.

Appreciating the confidentiality of Clients' and Users' information, Caselex only compiles statistics that show the number of logins, searches and page views of Clients and its Users. These aggregated statistics are only used internally to improve the Services and for administrative purposes.

In addition, the Caselex Services offer a chat functionality allowing Users to seek help using the Services real time. Any information submitted by the Users through this chat functionality will be treated confidentially.

# Unparalleled

service from our specialist team

Should you require further information about the Caselex Market Definitions Module or if you would like to discuss the possibility of establishing a trial period to test our service, our experienced team are available to answer your questions.



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CASELEX

Caselex services are provided by Caselex BV, a Dutch company with limited liability, registered at the Dutch Business Register under number 64887944 and having its statutory office at Wolfhezerweg 5, 6861 AA Oosterbeek, the Netherlands.

