



## **DETERMINATION OF MERGER NOTIFICATION M/06/016 – Agamemnon/Schubert**

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### **Section 21 of the Competition Act 2002**

**Proposed acquisition of Schubert Head Protection Technology GmbH and Schubert Engineering AG and Schubert Helme GmbH by Susquehana Europe Holding LLP through Agamemnon Vermögensverwaltung GmbH**

**Dated 28<sup>th</sup>/03/06**

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### **Introduction**

1. On 15<sup>th</sup> March 2006, the Competition Authority (“the Authority”), in accordance with Section 18(1) of the Competition Act, 2002 (“the Act”), was notified on a mandatory basis of the proposed acquisition by Susquehana Europe Holdings, LLLP (“SEH”), through Agamemnon Vermögensverwaltung GmbH (“Agamemnon”), of the entire issued shares of Schubert Head Protection Technology GmbH and Schubert Engineering AG and Schubert Helme GmbH (“the Targets”).

### **Undertakings Involved**

2. Agamemnon is a wholly-owned subsidiary of Germany Investment Five (“GI5”), LLC, which is a wholly-owned subsidiary of SEH. Agamemnon is a German GmbH (that is, limited company) with no other business or assets; its only activity to date has been to acquire the Targets in this determination. GI5 is a limited liability company organised under the laws of Delaware. It is active in investment business and its sole asset is Agamemnon. SEH is a limited liability limited partnership organised under the laws of Delaware and is involved in investment business.
3. The Targets are active in the manufacturing and selling of protective helmets.

### **Analysis**

4. There is no competitive overlap between the parties’ activities in the State or elsewhere. Neither Agamemnon nor any other business of SEH nor any of its affiliates is active in manufacturing and selling of protective helmets. Therefore, the proposed transaction does not raise competition concerns.

## **Determination**

The Competition Authority, in accordance with Section 21(2) of the Competition Act, 2002, has determined that, in its opinion, the result of the proposed acquisition by Susquehana Europe Holding, LLP, through Agamemnon Vermögensverwaltung GmbH, of the entire issued shares of Schubert Head Protection Technology GmbH and Schubert Engineering AG and Schubert Helme GmbH will not be to substantially lessen competition in markets for goods and services in the State and, accordingly, that the acquisition may be put into effect.

For the Competition Authority

**Dr Paul K Gorecki**  
**Member of the Competition Authority**