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**Common Market for Eastern  
and Southern Africa**

## **CCC Merger Inquiry Notice No. 4 of 2013**

### **Notice of Inquiry into the Acquisition of Cooper Tire & Rubber Company by Apollo Tyres Limited**

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It is hereby notified in terms of Article 26(6) of the COMESA Competition Regulations of 2004 (the Regulations) that the COMESA Competition Commission (the 'Commission') after receiving a merger notification in terms of Article 24 of the Regulations regarding the acquisition by Apollo Tyres Limited (Apollo) of Cooper Tire and Rubber Company (Cooper) intends to embark on an inquiry in terms of Article 26 of the Regulations. Apollo through certain of its wholly-owned subsidiaries intends to acquire 100% of the shares in Cooper.

Apollo is a public company incorporated in accordance with the laws of India. Apollo and its subsidiaries are active in the manufacture and distribution of tyres for passenger cars, light trucks, trucks and buses, and off-road vehicles. Apollo supplies replacement tyres as well as tyres to original equipment manufacturers ("OEM"), i.e. motor vehicle manufacturers. Apollo also produces retreading materials in India. Apollo sells tyres under its proprietary brands "Apollo", "Vredestein", "Regal", "Maloya" and "Kaizen". In Africa, Apollo also sells tyres under the "Dunlop" brand for which it owns the brand rights in 32 African countries.

Cooper Tire and Rubber Company is a public company organized under the laws of the State of Delaware, in the United States of America. Cooper and its subsidiaries are active in the manufacture and distribution of tyres for passenger cars, light trucks, medium trucks and motor cycles as well as racing tyres. Cooper is active primarily in the area of replacement of tyres and supplies only a limited number of tyres to original equipment manufacturers ("OEM"), i.e. motor vehicle manufacturers. Cooper through its subsidiaries also produces tyre retread material. Cooper sells tyres under the brands "Cooper", "Mastercraft", "Dean", "Starfire", "Dominator", "Roadmaster", "Avon Tyres", "Mickey Thompson", "Dick Cepek", "Chengshan", "Austone" and "Fortune". Cooper is organized in two separate, independently managed business segments, namely the North American Tire Operations and the International Tire Operations.

If you wish to submit written representations to the Commission in regard to the subject matter of the proposed inquiry or if you wish to seek further details and/ or clarifications on any aspect of this proposed transaction or need assistance you may get in touch with **Mr. Willard Mwemba, Manager Mergers and Acquisitions** on Tel: +265 (0) 1 772466 or E-mail [wmwemba@comesa.int](mailto:wmwemba@comesa.int) The Commission shall be most obliged to receive your written

representations at your earliest convenience but most preferably by **Friday 23<sup>rd</sup> August 2013**, in order for the Commission to take your views into account.

I wish to assure you that all the information you will make available to the Commission shall be treated with the strictest confidentiality and will only be used for the purpose of this inquiry.

**George K. Lipimile,  
Director & Chief Executive Officer  
COMESA Competition Commission.**