

SUMMARY UNDER REGULATION 13(1B) OF THE COMPETITION COMMISSION OF INDIA (PROCEDURE IN REGARD TO THE TRANSACTION OF BUSINESS RELATING TO COMBINATIONS) REGULATIONS, 2011

Names of the parties

- 1 The parties to the combination are:
 - 1.1 Nippon Yusen Kabushiki Kaisha Ltd. (“**NYK**”);
 - 1.2 Mitsui O.S.K. Lines Ltd. (“**MOL**”); and
 - 1.3 Kawasaki Kisen Kaisha, Ltd. (“**KL**”)

Type of the Combination

- 2 NYK, MOL and KL propose to create a joint venture company (“**JV Co**”) for the purpose of integrating their container liner shipping activities worldwide and container terminal business worldwide, excluding Japan (“**Proposed Transaction**”).
- 3 The Proposed Transaction amounts to a combination under Section 5(a)(ii)(B) of the Competition Act, 2002.

Areas of activity of the Parties

- 4 NYK is a global logistics enterprise that specializes in international marine transportation business, cruises, terminal and harbor transport, shipping-related services, real estate, and others services. In India, NYK operates through NYK Line (India) Private Limited that provides support activities for transportation.
- 5 MOL is an international multi-modal transport group specializing in ocean shipping. The fleet ranges from specialized dry bulkers for iron ore, coal, and wood chips to tankers that transport crude oil and LNG, and car carriers and containerships that deliver a variety of finished products. In India, it operates its container liner shipping business through Mitsui O.S.K. Lines (India) Private Limited and Mitsui O.S.K. Maritime (India) Private Limited.
- 6 KL also operates a diverse fleet of ships to cater to marine transport needs. The services provided by KL on a global basis can be broadly classified into containership, dry bulk carriers, car carriers, LNG carriers, tankers, energy development, heavy lifters, terminal operations and logistics services. In India, KL operates its container liner shipping business directly and through “K” Line

India Private Limited, a joint venture with an Indian shipping agency, J. M. Baxi & Co.

Relevant Market

- 7** The parties have identified the following relevant market –
 - 7.1** The relevant product market for the Proposed Transaction can be defined as the 'market for container liner shipping services'.
 - 7.2** The relevant geographic market analyzed in the Proposed Transaction includes the overlapping trade routes of NYK, MOL and KL which will be served by JV Co post combination. They are separated on the basis of each leg of the trade i.e., to/from India from/to different sub-regions which include Asia, Australasia and Oceania, East Coast Africa, West Coast Africa etc.