

**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 Deere & Company ("**Deere**")

1.2 Wirtgen Group Holding GmbH ("**Wirtgen Holding**")

**Type of the Combination**

2 Deere proposes to acquire from Wirtgen Group Holding GmbH ("**Wirtgen Holding**") all of the shares and sole control in certain companies of the Wirtgen group and certain specified assets currently held by Wirtgen Holding (the business to be acquired, hereinafter "**Wirtgen**"). ("**Proposed Transaction**") ("**Wirtgen**" and "**Deere**" collectively referred to as the "**Parties**"). Following the completion of the proposed transaction, Wirtgen will be wholly-owned and solely controlled by Deere.

3 The Proposed Transaction amounts to a combination under Section 5(a) (i) (A) of the Competition Act, 2002.

**Areas of activity of the Parties**

4 Deere is an US-corporation that manufactures agricultural, construction, and forestry machinery; industrial diesel engines, drivetrains and certain other components; and lawn care equipment. In India, Deere mainly operates through its subsidiary, John Deere India Private Limited which is active in the agricultural equipment industry like tractors, tillers, harvesters etc. Deere is also involved in the production of oils, lubricants, filters, coolants, lubrication equipment and accessories.

5 Wirtgen, together with its direct and indirect subsidiaries, is active in the construction equipment industry with a focus on road technologies and mineral technologies. In India, Wirtgen operates through Wirtgen India Private Limited which is active in earthmoving equipment, road building maintenance and rehabilitation equipment and mining equipment markets. Wirtgen is involved in financial services via cooperation with financing institutions.

**Relevant Market**

6 Wirtgen operates in road construction and mining equipment in India. There are, however, no direct horizontal overlaps or vertical relation between the Parties in these segments; hence, the exact scope of the relevant market need not be defined.

- 7 Without prejudice to the aforesaid, in the event the Hon'ble Commission wishes to define the potential relevant markets, the Parties submit that the following approach should be adopted:
  - (a) In the road construction market, the Parties submit that the broad market segmentation could be i) earthmoving and handling of material equipment market; and ii) road building, maintenance and rehabilitation equipment market; however, without prejudice to the above broad market definition, if the CCI intends to analyze a narrower market, the same could be defined based on different types of equipment, functionality and application, e.g. levelling machines (dozers and graders), loaders and excavators.
  - (b) In the mining equipment market, the Parties submit that the market can be distinguished into two broad categories of - (i) earth moving and handling of material equipment, and (ii) specific mining equipment.
- 8 The Parties submit that the relevant geographic market should be global.