

CFIUS Presidential Review: Fujian Grand Chip Investment Fund LP/Zhendong Liu and Aixtron SE

美国外国投资委员会总统审查:中国福建宏芯投资基金/刘振东与爱思强股份有限公司

Status: Presidential Review

阶段: 总统审查

Acquirer: Fujian Grand Chip Investment Fund LP (China); Zhendong

Liu (China)

收购方:福建宏芯投资基金(中国);刘振东(中国)

Acquired: Aixtron SE (Germany) 被收购方: 爱思强股份有限公司 **Value:** Approximately 670 million Euro

金额:约6.7亿欧元

Industry: Semiconductors

行业: 半导体

UPDATE: On December 2, 2016, the President issued an order blocking the acquisition of Aixtron's U.S. business. See our updated post here.

最新进展: 2016年12月2日, 总统下令阻止收购爱思强的

美国业务。请见我们更新的进展。

Late in the evening on Friday, December 2, the White House published the text of a "Presidential Order -- Regarding the Proposed Acquisition of a Controlling Interest in Aixtron SE by Grand Chip Investment GMBH." (The White House, Press Release and Text of Presidential Order, Dec. 2, 2016.) According to the Presidential Order, the President blocked the transaction as it relates to the U.S. business of Aixtron SE (defined as "Aixtron US" in the Order).

在12月2日周五晚,白宫发布了"关于Grand Chip Investment GMBH拟收购爱思强公司控股权的总统令"(2016年12月2日,白宫,新闻稿及总统令)。根据总统令,由于该交易涉及到爱思强公司在美国的业务(在总统令中被定义为"美国爱思强"),总统最终阻止了该交易。

Aixtron SE is a German technology company that has a pending takeover offer by a subsidiary of Grand Chip Investment GMBH, a Chinese owned entity. (See Squire Blog Post on Aixtron Presidential Review, Nov. 21, 2016.) The Presidential Order requires the parties to "permanently abandon the proposed acquisition of Aixtron US not later than 30 days after the date of this order" and to "certify in writing to CFIUS that such termination has been effected in accordance with this order and that all steps necessary to fully and permanently abandon the proposed acquisition of Aixtron US have been completed." (Presidential Order.) The parties earlier reported that the CFIUS would "recommend to the U.S. President that the transaction be prohibited." (See Squire Blog Post on Aixtron Presidential Review, Nov. 21, 2016.)

爱思强股份有限公司是一家德国技术公司,其收到了中国企业Grand Chip Investment GMBH在德子公司的一项待定的收购要约。(参见2016年11月21日<u>翰宇博客发布的有关爱思强收购案总统审核的文章</u>)。总统令要求双方"在此命令之日起30日内,永久放弃拟对美国爱思强的收购"并"向美国外国投资委员会书面确认该等终止自命令之日起已生效且所有与完全和永久地终止收购美国爱思强相关的措施均已完成。"(总统令)。双方此前已报道称美国外国投资委员会"向美国总统建议禁止该交易"。(参见2016年11月21日<u>翰宇博客发布的有关爱思强收购案总统审核的文章</u>)。

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