

***Case No COMP/M.2959 -
DEUTSCHE TELEKOM/
BEN***

Only the English text is available and authentic.

**REGULATION (EEC) No 4064/89
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 20/09/2002

*Also available in the CELEX database
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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, **20/09/2002**

SG (2002) D/**231693**

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying party

Dear Madam(s) and/or Sir(s),

**Subject: Case No COMP/M.2959 – Deutsche Telekom / Ben
Notification of 21.08.2002 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 206 ,
30/08/2002**

1. On 21 August 2002 the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 by which the German undertaking T-Mobile International AG (“TMO”) belonging to the group Deutsche Telekom AG acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the Dutch undertaking Ben Nederland Holding B.V. (“Ben”) by way of purchase of shares.

¹ OJ L 395, 30.12.1989 p. 1; corrected version OJ L 257 of 21.9.1990, p. 13, as last amended by Regulation (EC) No 1310/97, OJ L 180, 9.7.1997, p. 1, corrigendum in OJ L 40, 13.2.1998, p. 17.

The business activities of the undertakings concerned are :

- for TMO : Mobile telecommunications services

- for Ben : Mobile telecommunications services.

2. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EEC) No. 4064/89 and of paragraph 4 subparagraph c of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².
3. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EEC) No. 4064/89.

For the Commission
Mario MONTI
Member of the Commission

² OJ C 217, 29.07.2000, p. 32.