



EUROPEAN COMMISSION
DG Competition

Case M.8323 - AT&T / TIME WARNER

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERCER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 14/03/2017

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EUROPEAN COMMISSION

Brussels, 14.3.2017
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PUBLIC VERSION

To the notifying party:

Subject: Case M.8323 - AT&T / TIME WARNER
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹ and Article 57 of the Agreement on the European Economic Area²

Dear Sir or Madam,

1. On 10 February 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking AT&T Inc. ("AT&T", United States) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertaking Time Warner Inc. ("Time Warner", United States) by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - for AT&T: provision of global telecommunications and digital entertainment services in the United States and Latin America and of global telecommunications services for business customers in the EEA;
 - for Time Warner: provision of global media and entertainment services, including pay-television services and production and distribution of television services, feature film and videogames.
3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(c) of

¹ OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation'). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ('TFEU') has introduced certain changes, such as the replacement of 'Community' by 'Union' and 'common market' by 'internal market'. The terminology of the TFEU will be used throughout this decision.

² OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

³ Publication in the Official Journal of the European Union No C 52, 18.02.2017, p. 6.

the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.⁴

4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

For the Commission

(Signed)

Johannes LAITENBERGER
Director-General

⁴ OJ C 366, 14.12.2013, p. 5.