



EUROPEAN COMMISSION

The Hearing Officer

Final Report¹ of the Hearing Officer in case COMP/M.4874 - Itema / BarcoVision

On 20 February 2008, Itema Holding S.p.A., Italy, submitted a notification to the Commission of its intended acquisition of control within the meaning of Article 3 of Council Regulation (EC) No 139/2004 over the whole of BarcoVision Division of Barco NV (Belgium) by way of purchase of shares.

Upon examination, the Commission concluded that the notified operation raised serious doubts as to its compatibility with the common market. On 14 April 2008, the Commission opened an in-depth investigation into this proposed concentration.

Upon request, access to key documents was provided to the notifying party on 16 April 2008, in accordance with paragraph 45 of DG Competition's Best Practices on the conduct of EC merger control proceedings.

The Commission stopped the clock in the in-depth investigation on 3 June 2008, effective as from 26 May 2008, after the target company failed to respond adequately to an information request. The clock was re-started on 9 June 2008.

On the basis of the additional evidence gathered during the in-depth phase of the investigation, the Commission services concluded that the proposed transaction would not significantly impede effective competition in the common market, and is therefore compatible with the common market and the EEA Agreement. Accordingly, no statement of objections was sent to the notifying party.

No queries or submissions have been made to me by the merging parties or any third party. The case does not call for any particular comments as regards the right to be heard.

Brussels, 22 July 2008

(signed)

Karen WILLIAMS

¹ Pursuant to Articles 15 and 16 of Commission Decision (2001/462/EC, ECSC) of 23 May 2001 on the terms of reference of Hearing Officers in certain competition proceedings – OJ L162, 19.06.2001, p.21.