

***Case No COMP/M.2124 -  
ISP / ESPN / GLOBOSAT  
- JV***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 04/12/2000

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

**SG (2000) D/108915**  
Brussels, **04.12.2000**

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

**The notifying parties:**

Dear Madam and Sir,

**Subject: Case No. COMP/M.2124 – ISP/ESPN/Globosat-JV**

Notification of 30.10.2000 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89<sup>1</sup>

Publication in the Official Journal of the European Communities No. C 320, *09/11/2000*, page 7

1. On 30.10.2000, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertakings International Sports Programming LLC (“ISP”) ultimately controlled by The News Corporation Limited (“News”), ESPN International Inc (“ESPN”) belonging to The Walt Disney Company group (“Walt Disney”) and Globosat Programadora Ltda. (“Globosat”) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control by way of purchase of shares in a newly created company constituting a joint venture (“JV”).
2. The business activities of the undertakings concerned are :
  - for News : publishing of newspapers, magazines and books, film and television production and distribution, television broadcasting, conditional access systems;

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<sup>1</sup> 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.

- for Walt Disney : production and distribution of motion pictures and television programming, television and radio broadcasting, operation of theme parks;
  - for Globosat : Operation and marketing of pay-television services in Brazil;
  - for JV : provision and distribution of pay-television services in particular international sports programming in Brazil.
3. 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 a, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89<sup>2</sup>.
4. 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,  
**(Signed)**  
**Mario MONTI**  
**Member of the Commission**

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<sup>2</sup> OJ C 217, 29.07.2000, p. 32.