

***Case No COMP/M.2155 -
FRANCE TELECOM /
SCHMID / MOBILCOM***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 24/10/2000

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

Brussels, 24.10.2000
SG (2000) D/107829

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties

Dear Madam and Sirs,

Subject: Case No. COMP/M. 2155 France Telecom/ Schmid/ Mobilcom

Notification of 22 September 2000 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89¹

Publication in the Official Journal of the European Communities No. C 280, 3 October 2000, page 6.

1. On 22 September 2000, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which French undertaking France Telecom S.A. acquires within the meaning of Article 3(1)(b) of the Council Regulation joint control together with Mr. Gerhard Schmid of the German undertaking Mobilcom AG by way of purchase of shares.

The business activities of the undertakings concerned are :

- France Telecom: public fixed-line telephony services, mobile telecommunications, leased-line and data services, telecommunications equipment sales and rentals, cable television and broadcasting services and information services.
- Mr. Gerhard Schmid : founder and main shareholder of Mobilcom

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.

- Mobilcom: mobile (GSM) and fixed line telephony and Internet 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. To the extent that restrictions specified by the parties are directly related and necessary to the implementation of the concentration, these restrictions are covered pursuant to Article 6(1)(b), second subparagraph, of Council Regulation (EEC) No. 4064/89.
 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,

Mario Monti
Member of the Commission

² OJ C 217, 29.07.2000, p. 32.