

*Case No COMP/M.2188 -  
NEC / SCHOTT GLAS /  
NEC SCHOTT 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: 14/12/2000

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

Brussels, 14.12.2000  
SG (2000) D/109310

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties:

Dear Sirs,

**Subject : Case No COMP/M.2188 – NEC / Schott Glas / NEC SCHOTT JV**

Notification of 13 November 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 330, 21 November 2000, page 4

1. On 13 November 2000, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the German undertaking Schott Glas, belonging to Carl-Zeiss group, and the Japanese undertaking NEC Corporation (hereinafter: “NEC”) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking NEC SCHOTT Components Corporation (“NEC SCHOTT”) by way of purchase of shares in a newly created company constituting a joint venture.

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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.

The business activities of the undertakings concerned are :

- for undertaking Schott Glas : development, manufacture and distribution of special-purpose glass of all kinds
  - for undertaking NEC : development, manufacture and distribution of products and systems in the areas of semiconductors, electronic devices, communications, computer peripherals, imaging, and computers.
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 a) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89 <sup>2</sup>.
  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,  
**Signed**  
**Mario MONTI**  
**Member of the Commission**

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