

***Case No COMP/M.2546 -
EADS / NORTEL***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 01/10/2001

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 01.10.2001

SG (2001) D/291629

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

Dear Madam(s) and/or Sir(s),

**Subject: Case No. COMP/M.2546 – EADS/NORTEL
Notification of 30.08.2001 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 250, 9
September 2001, page 6**

1. On 30.08.2001, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertakings European Aeronautic and Space Company N.V. ("EADS") and Nortel Networks Corporation ("Nortel") acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control over Delta Vier Beteiligungs und Verwaltungs GmbH ("VCKN"), currently controlled by EADS; and Cogent, currently controlled by Nortel ("Cogent") through the contribution of the VCKN and Cogent businesses to the joint venture EADS Defence & Securities Networks ("EDSN").

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.

2. The business activities of the undertakings concerned are:
- for EADS: civil and military aircrafts, space activities, military systems, telecommunications, and defence electronics;
 - for Nortel: solutions and services for Internet and telecommunications networks;
 - for VCKN: mobile communications networks to military services and national and international organisations;
 - for Cogent: secure communications solutions and services;
 - for EDSN: defence and security communications networks
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 c, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².
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

² OJ C 217, 29.07.2000, p. 32.