

***Case No COMP/M.3219 -
NORTEL / NNG - NNF***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 21/08/2003

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 21.08.2003

SG (2003) D/231384

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying party

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

**Subject: Case No. COMP/M.3219 – Nortel/NNG/NNF
Notification of 18 July 2003 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 179, 30
July 2003, p.7**

1. On 18 July 2003, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertaking Nortel Networks Limited (“Nortel”, Canada), acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of Nortel Networks Germany (“NNG”) and Nortel Networks France (“NNF”), by way of acquisition of shares. NNG and NNF are currently jointly controlled by Nortel and the European Aeronautic Defence and Space Company, EADS N.V.(the Netherlands).
2. The business activities of the undertakings concerned are :
 - Nortel : developing, producing, selling and servicing civil telecommunication equipment, systems and networks

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.

- NNG : distribution, marketing and servicing of civil/ commercial telecommunication products in Germany
 - NNF : distribution, marketing and servicing of civil/ commercial telecommunication products in France
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)

Erkki LIIKANEN

Member of the Commission

² OJ C 217, 29.07.2000, p. 32.